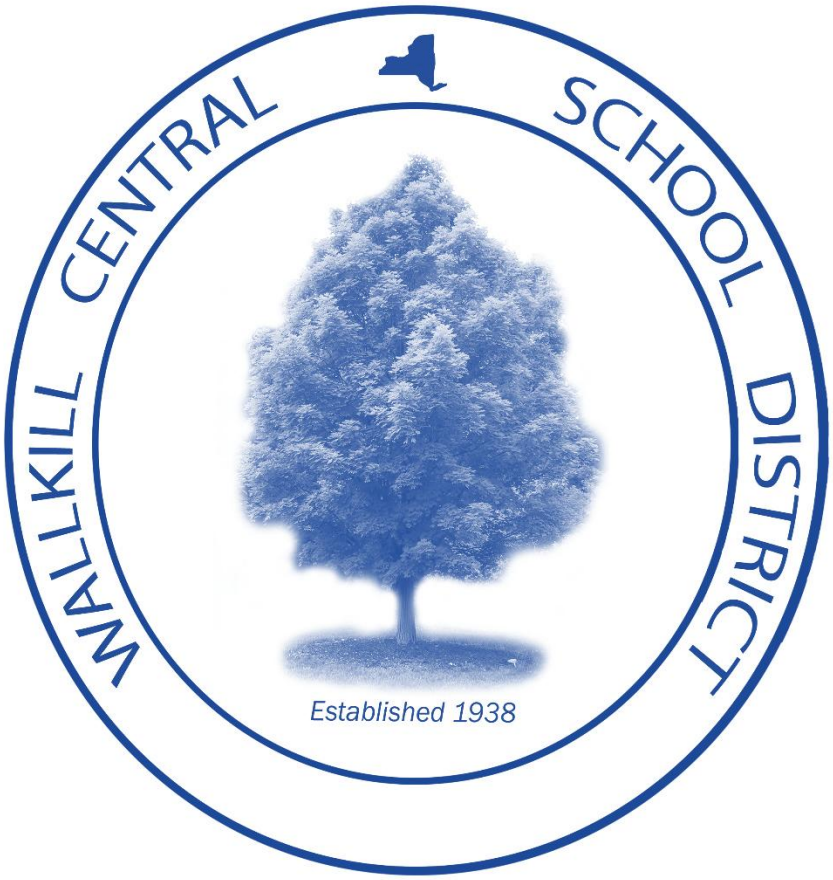
Wallkill Central School District

Board of Education Policy Manual



Revised: August 20, 2025

Please be advised that the District's Policy Manual developed with Erie 1 BOCES Policy Services is not to be interpreted as the rendering of legal advice. Application of Board policies to specific situations may necessitate consultation with the School Administrators/School Attorney to address the particular circumstances.

FOREWORD

Contained herein are the policy statements formulated by the Board of Education of the Wallkill Central School District.

Policy is defined as a basic plan of action. It establishes limits within which freedom of judgment can be exercised.

Policy is a governing principle of management. It is a statement which has an effect on the interests of those who come under its jurisdiction. A policy may originate from the constitution, from statute, from local determinations and/or from customary patterns of formal behavior.

Policy should accomplish the following:

a) State a position taken by the District;

b) Provide for impartial application in all situations;

c) Be sufficiently detailed to give adequate direction;

d) Be achievable within the real environment of the school and community;

e) Grant the authority to act.

In addition to the official policies, the operation of the School District is governed by and subject to all applicable Laws, Regulations of the Commissioner of Education, Civil Service requirements, Board of Education Resolutions, School Administrative Regulations and Contracts of Agreement.

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education. The official record of the adoption, amendment, or repeal of the by-laws and policies of the Wallkill Central School District shall be the minutes of the meetings of the Board of Education.

WALLKILL CENTRAL SCHOOL DISTRICT PHILOSOPHY STATEMENT

In preparing individuals to develop their fullest potential for living in the society of today and tomorrow, the Board of Education and the staff of the School District:

I. Recognize their responsibility to help meet the physical, intellectual and emotional needs of the individual child; particularly the needs to inquire, learn, think, and create; to establish aesthetic, moral and ethical values; and to relate satisfactorily to others in social situations involving family, work, government and recreation.

II. Accept primary responsibility for giving students a mastery of the basic skills of learning, thinking and problem-solving; for teaching them to use the various media of self-expression; for instilling in them a knowledge of the social and natural sciences; for acquainting them with the richness of our heritage; and for stimulating them to productive work in the various areas of human endeavor.

III. Acknowledge the importance of their supplemental role to the home and other social agencies in developing habits and attitudes which make for effective personal living, the maintenance of optimum physical and mental health, and the establishment of sound moral, ethical, and aesthetic values.

Realizing that education, as here defined, is a lifelong process, the school system seeks to orient its graduates toward various types of post-secondary education and further formal training and study of many types; and to provide educational opportunities particularly suited to the needs of adults, both as individuals and as citizens in a democracy.

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SUBJECT: STUDENTS SERVING AS EX-OFFICIO MEMBERS OF THE SCHOOL BOARD

The Wallkill Central School District may offer to voters once every two years, on the same date as the Annual School District Budget, a separate referendum to decide whether the District shall allow a student, as established under law, to serve on the School Board as an ex-officio, non-voting member.

Provided that District voters have voted in favor of having a student serve as a member of the School Board, the District will allow a Wallkill Senior High School student to be selected, in accordance with the provisions enumerated below.

The ex-officio student member of the Board shall be entitled to sit with Board members at all public meetings of the Board and participate in all Board hearings and meetings.

The ex-officio student member of the Board shall not be allowed to vote, shall not be allowed to attend executive sessions, and shall not be entitled to receive compensation of any form for participating at Board meetings.

The ex-officio student member shall be a Senior at the Wallkill Senior High School and shall have attended the High School for at least two years prior to selection. The ex-officio student member shall be recommended by the Wallkill Senior High School Principal and approved by the Board of Education for a term of one (1) year.

Education Law Sections 1702(3), 1702(3-1), 1804(12); 1804(12-a), 1901(2), 1901(3), 2502(10) and 2502(10-a)

Adopted: 7/5/07

SUBJECT: ORGANIZATION

Personal, professional and human relations depend upon a clear understanding of the relative functions in an organizational structure. In recognition of this principle, the Board of Education acknowledges the following inter-relationships as being of utmost importance in achieving the educational goals of the local community and of the state as prescribed by the constitution of the State of New York and State Legislation.

The Citizens of Wallkill Central provide support, and through an elected Board of Education, determine the policies of the Wallkill Central School District.

The Board of Education adopts and evaluates general school policies so as to make it possible to achieve the goals and purposes set forth in the Philosophy of the Wallkill Central School District; prepares and adopts a budget consistent with established policies and goals for presentation to the citizenry at the annual budget hearing; selects the Superintendent of Schools, who serves as the chief executive officer of the Board, and supports him in the discharge of his duties.

The Superintendent of Schools furnishes professional leadership as the Board's chief executive officer in the general administration of the school system; recommends policies to the Board; and coordinates and directs the total administrative team to the end of carrying out the policies of the Board of Education.

The Assistant Superintendents report directly to the Superintendent and serves in areas of special responsibility in planning, coordinating, supervising, and directing the whole system as a unified enterprise under the direction of the Superintendent of Schools and in accordance with the policies adopted by the Board of Education.

The Principals are executive heads of the schools programs and furnish instructional and community leadership for the educational curriculum.

The Coordinators serve as agents of the Superintendent in the coordination, facilitation, planning and evaluation of school operations on a system-wide basis. They act as helpers and counselors to principals and teachers on special problems and provide leadership in the improvement of the school programs in their respective areas of assignment.

SUBJECT: ORGANIZATION [continued]

The Teaching Personnel provide learning experiences for pupils under the direction of the administration, accomplishing the goals and purposes set forth in the Philosophy of the Wallkill Central School District.

The Non-Teaching Personnel provide the necessary supporting services for the educational program and for the operations of the schools.

The Students of Wallkill Central are provided educational experiences leading ultimately to responsible citizenship.

Education Law Section 1709

Adopted: 1987
Revised: 11/18/04; 5/18/22

By-Laws

SUBJECT: SCHOOL DISTRICT AND BOARD OF EDUCATION LEGAL STATUS

The Constitution of New York State, as amended in 1894, instructs the Legislature to provide for a system of free common schools wherein all children of the state may be educated.

The Legislature of the State has implemented this constitutional mandate through the creation of school districts of various types. The Wallkill Central School District is governed by the laws set forth for Central School Districts in Article 37 of the Education Law, and by-laws relating to, or affecting, Union Free School Districts as set forth in Article 35 of the Education Law.

The School District constitutes a corporate entity which possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

The Constitution of the State of New York places the responsibility for public education on the State Legislature, and directs the establishment of a State Department of Education for general supervision over the schools and headed by a Commissioner of Education. The New York State Constitution further provides that local public schools under the general supervision of the State Education Department shall be maintained, developed and operated by locally elected boards. Legally, then, local boards are instruments of the New York State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

New York State Constitution
Education Law Articles 35 and 37

SUBJECT: BOARD OF EDUCATION AUTHORITY

As a body created under the Education Law of New York State, the Board of Education of the Wallkill Central School District has full authority, within the limitations of federal and state laws and the Regulations of the Commissioner of Education and interpretations of them, to carry out the will of the people of its District in matters of education.

In all cases where laws or regulations of the State Commissioner of Education do not provide, permit, or prohibit, the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Education Law Sections 1701, 1804 and 1805

SUBJECT: NUMBER OF MEMBERS AND TERMS OF OFFICE

The Board of Education of the Wallkill Central School District shall consist of nine (9) members elected by the qualified voters of the School District at the annual election as prescribed by law.

Members of the Board of Education shall serve for three (3) years beginning July 1 following their election and each term shall expire on the thirtieth day of June of the third year.

9 Member Board - Education Law Section 1804.1
Term of Office - Education Law Section 2105

SUBJECT: BOARD OF EDUCATION MEMBERS - QUALIFICATIONS

Board of Education members of the Wallkill Central School District must meet the following qualifications:

a) A citizen of the United States;

b) Must be a qualified voter of the District, that is, he/she must be a citizen of the United States, at least eighteen (18) years or older and not be a convicted felon or have been adjudged an incompetent;

c) Able to read and write English;

d) Must be and have been a resident of the District for at least one (1) year prior to the election, but need not be a taxpayer;

e) Cannot be an employee of the Wallkill Central School District;

f) The only member of his/her family (that is, cannot be a member of the same household) on the Wallkill School District Board;

g) May not simultaneously hold another, incompatible public office;

h) Must not have been involuntarily removed from a School District office (Board member, Board Clerk, Tax Collector, Treasurer) within one year prior to the date of the individual's appointment or election to the Board.

Education Law Sections 2102, 2103 and 2103-a
Public Officers Law Section 3

Revised: 9/1/94; 11/18/04

SUBJECT: BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION

a) Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the Clerk of the School District, shall be signed by at least twenty-five qualified voters of the District, or by two (2) percent of the number of voters who voted in the previous election, whichever is greater, shall state the residence of each signer and shall state the name and residence of each candidate. Each petition shall be filed with the Clerk of the District not later than the thirtieth day preceding the Election Day at which time candidates so nominated are to be elected.

b) The notice of the annual District meeting must state that petitions nominating candidates for the office of member of the Board of Education must be filed with the Clerk of the District not later than the thirtieth day preceding the election at which time the candidates so nominated are to be elected.

c) Voting will be by machine, and provision shall be made for the election by "write-in-vote" of any candidate not previously nominated.

d) The hours of voting shall be as indicated by Board resolution.

e) The candidates receiving the largest number of votes shall be declared elected in accordance with Education Law (2018b). Position of candidates on ballots shall be determined by lot at a drawing conducted by the District Clerk on the day after the last filing. Candidates or their proxies may be present for the drawing.

f) At least ten days prior to the election, the Board shall appoint at least two inspectors of election, and set their salary.

g) The Clerk of the Board shall attend the election and record the name and legal residence of each elector.

h) Only qualified voters as determined by Education Law (Section 2012) may vote at any District meeting or election.

i) It shall be the duty of each member of the Board of Education to attend all meetings of the Board and, if any member shall refuse to attend three consecutive regular meetings of the Board after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board will proceed to declare that office vacant.

SUBJECT: BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION [continued]

j) In the event of death, resignation, refusal to serve, or any disqualification of a Board member, the Board at its next regular meeting may elect a new member to fill such a vacancy unless a separate District election shall have been ordered for that purpose by the Commissioner of Education, or unless such election shall be postponed to a subsequent meeting of the Board by consent of a majority of all members. Any such vacancy filled by the Board shall be only for a term ending with the next annual meeting of the School District at which time such vacancy shall be filled in a regular manner for the balance of the unexpired term. The Board, at its own option, may also elect to call a special election to fill the unexpired term.

k) When a term of office expires at the end of a school year and the office has become vacant at the time of election, the person elected to fill the new full/term vacancy begins his/her term of office immediately upon election.

l) Trustees appointed to their terms to serve vacancies created by death or resignation shall serve until the next annual election.

Education Law Sections 2004, 2013, 2034(7)(d), 2105(14) and 2121

Adopted: 1987
Revised: 11/18/04

SUBJECT: REPORTING OF EXPENDITURE STATEMENTS

Each candidate for the position of trustee of the Board of Education must file two (2) statements in regard to his or her campaign expenditures and contributions with the Clerk of the Board and the Commissioner of Education if the expenses exceed five hundred dollars ($500). In the event the expenses do not exceed $500.00, then a sworn statement to that effect must be filed with the Clerk of the Board. The first statement shall be filed ten (10) days before the election. The second statement shall be filed within twenty (20) days after the election. All statements must be sworn before a notary public, a commissioner of deeds, a lawyer or a public official authorized by New York State law to administer oaths.

Education Law Sections 1528 and 1529

Revised: 5/19/94

SUBJECT: RESIGNATION AND DISMISSAL

A Board member may resign in writing at any Board meeting at which time the resignation shall be automatically accepted and reflected in the Board minutes. At other times his/her resignation must be presented to the Superintendent of the District, who will endorse it and pass it on to the Clerk of the Board. It shall become effective when accepted by the Board.

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty, or willfully disobeying any decision, order or regulation of the Commissioner.

Education Law Sections 306, 1706 (18), and 2111

SUBJECT: ROLE OF THE BOARD OF EDUCATION

Recognizing the complexity of public elementary/secondary education and the limited time available to the unpaid, volunteer members of the Board of Education, the Board has decided that it could best fulfill its responsibilities by adopting a role consisting of the following:

a) Performance of all functions required by statute which cannot be delegated legally or prudently.

b) Selection of a Superintendent who is competent to manage the District school system through the development and implementation of a realistic, comprehensive, strategic plan which shall specify: 1) the current educational objectives of the District in terms of student performance; 2) process objectives to be achieved during the current year (each of which shall be justified in terms of its expected eventual contribution to student learning); 3) the resources required for the achievement of each of the objectives; 4) a time schedule of events which is sufficiently detailed to permit the Board to make periodic evaluations, during the course of the year, of the degree of achievement in relation to the Superintendent's plan; and 5) a systematic, summary reporting procedure which will provide the Board with periodic information regarding year-to-date progress against objectives.

c) Critically reviewing and approving the Superintendent's plan.

d) Evaluation of the Superintendent's performance on the basis of:

1. Achievement in relation to his/her approved plan.

2. Compliance with laws, regulations and policies of the Board.

3. The degree to which he/she handles questions, complaints and crises to the satisfaction of the community, the faculty, students and the Board, without requiring time-consuming analysis and intervention by the Board.

4. The degree to which the District has demonstrated ability to maintain or increase its capability to improve student performance to provide essential non-instructional services, and/or to operate efficiently.

SUBJECT: ROLE OF THE BOARD OF EDUCATION [continued]

e) To assist the Superintendent by providing the necessary fiscal and moral encouragement.

f) To establish recommendations which govern the principles of the management of the Wallkill Central School District.

g) Engaging in self-improvement programs and activities for the purpose of rendering better Board of Education Service.

Revised: 2/25/88; 11/18/04

SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS

Officers of the Board of Education shall be nominated and elected by the simple majority of the Board at its annual Organization Meeting through a verbal ballot. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board of Education are:

a) President;

b) Vice-President.

Education Law Section 1701

Revised: 11/18/04

SUBJECT: DUTIES OF THE PRESIDENT OF THE BOARD OF EDUCATION

The President's duties include the following:

a) To preside at all meetings;

b) To call special meetings as necessary or on request;

c) To appoint committees of the Board;

d) To act as an ex-officio member of all committees;

e) To execute documents on behalf of the Board;

f) To perform the usual and ordinary duties of the office;

g) To assist and confer on establishing an agenda; and

h) To inform all BOE members of pertinent and essential day-to-day events as relayed by the Superintendent of schools to the President or delegate as necessary.

Education Law Section 1701

Adopted: 1987
Revised: 11/18/04

By-Laws

SUBJECT: DUTIES OF THE VICE-PRESIDENT OF THE BOARD OF EDUCATION

The duties of the Vice-President shall be:

a) To preside at all meetings in the absence of the President;

b) By resolution of the Board, to sign documents in case of absence or disability of the President.

Education Law Section 1701

SUBJECT: APPOINTMENTS BY THE BOARD OF EDUCATION

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.

Board appointments will include the following:

a) District Clerk

b) District Treasurer and Deputy Treasurer

c) Tax Collector

d) Medical Director

e) District Auditors (internal and independent)

f) Legal Counsel

g) Treasurer, Extra-classroom Activities Account

h) Purchasing Agent and Assistant Purchasing Agent

i) Insurance Company

j) Records Management Officer and Records Access Officer

k) AHERA Local Educational Agency (L.E.A.) designee

l) Racial Harassment and Sexual Harassment Officer

m) Residency Officer

n) Student Disciplinary Hearing Officer

o) Title IX Coordinator

p) Chemical Hygiene Officer

q) Liaison for Homeless Children and Youth

r) Attendance Officer

s) Data Protection Officer

t) Dignity Act Coordinators

u) Substance Abuse Prevention Coordinator(s)

SUBJECT: APPOINTMENTS BY THE BOARD OF EDUCATION [continued]

Designations

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

a) Official Newspaper(s);

b) Official Bank Depositories;

c) Official Bank Signatories;

d) Bid Officer;

e) Certifier of Payrolls;

f) Designated Educational Official (DEO);

g) School Pesticide Representative;

h) Reviewing Official, Hearing Officer and Verification Official for participation in the Federal Child Nutrition Program;

i) Purchasing Agent.

Authorization/Purchasing

a) Superintendent to approve budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;

b) Establish mileage reimbursement rate;

c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;

d) Other(s) as deemed appropriate/necessary, including, but not limited to:

1. Chaperone Rate;
2. Substitute Rate;
3. Tutoring Rate.

Education Law Section 1709

Revised: 11/16/89; 5/19/94; 1/20/00; 11/18/04; 2/17/21

SUBJECT: DUTIES OF THE DISTRICT CLERK

The Clerk of the Board will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The Clerk's duties include the following:

a) To attend all meetings of the Board and keep a record of its proceedings and record, by name, those in attendance;

b) To prepare minutes of the meetings of the Board, obtain their approval by the Board at the next meeting and forward copies of the minutes to each member of the Board of Education;

c) To send notices of special meetings to members of the Board; contact and communicate with members as required;

d) To see that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;

e) To maintain an up-to-date record of Board policies and by-laws and administrative regulations;

f) To deliver to, and collect from, the President (or Vice-President) such papers for signature as may be necessary;

g) To distribute notices to the public announcing availability of copies of the budget to be presented at the annual District meeting in compliance with the requirements of the State Education Law;

h) Administer oaths of office, as required by Section 10, Public Officer's Law;

i) Other duties customary to the office.

The above duties of the District Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The District Clerk shall perform such other duties as may be assigned from time to time by the Board.

Education Law Section 2121

Adopted: 1987
Revised: 11/18/04

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) To act as custodian of all monies belonging to the School District and lawfully deposit these monies in the depositories designated by the Board;

b) To pay all authorized obligations of the District as directed;

c) To maintain proper records and files of all checks, and approved payment of bills and salaries;

d) To make all such entries and post all such financial ledgers, records and reports as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its monies and financial transactions;

e) To sign all checks drawn on District fund accounts;

f) Other duties customary to the office or required by law.

Duties-Education Law Sections 2122 and 2503
8 NYCRR Section 170.2(g), 170.2(o), and 170.2(p)
Bond-Education Law Section 2130(5)

Adopted: 1987; Revised: 5/17/23

SUBJECT: DUTIES OF THE TAX COLLECTOR

The Tax Collector is appointed annually by the Board of Education and shall be covered by a bond. It shall be the responsibility of the District Tax Collector to perform the following duties:

a) To prepare and mail tax notices;

b) To use suitable printed tax receipt forms;

c) To collect taxes in the amount of the warrant, upon the issuance of the tax warrant by the Board of Education and penalty fees in accordance with the terms of such warrant;

d) To turn over daily to the School District Treasurer all money collected by virtue of any tax list and warrant issued;

e) To submit a report, certified by themself to the Board of Education, showing the amount of taxes and fees collected along with the unpaid listing. The combination of taxes collected and uncollected shall equal the amount of the warrant and any associated penalties;

f) To turn over to the County Treasurer, prior to November 15th, a list of unpaid taxes;

g) To carry out such other duties of the position as prescribed in the Education Law or as established by regulation of the Commissioner of Education.

Education Law Section 2130
8 NYCRR Sections 170.2(a) and 170.11

Adopted: 1987; Revised: 11/18/04; 5/17/23

SUBJECT: DUTIES OF THE INDEPENDENT AUDITOR

The Board by law shall appoint an independent certified public accountant or an independent public accountant, and a copy of the certified audit in a form prescribed by the Commissioner must be furnished annually to the State Education Department and to the Board of Education.

Education Law Section 1709(20-a)
Education Law Section 2116-a
8 NYCRR Sections 170.2(a), 170.3, and 170.12

Adopted: 1987; Revised: 11/18/04; 5/17/23

SUBJECT: APPOINTMENT AND DUTIES OF THE INTERNAL CLAIMS AUDITOR

The Board shall appoint an internal claims auditor who shall hold the position subject to the pleasure of the Board. No person shall be eligible for appointment to the office of internal claims auditor who shall be:

a) A member of the Board.

b) The Clerk or Treasurer of the Board.

c) The official of the District responsible for business management.

d) Clerical personnel directly involved in accounting and purchasing functions.

e) The Purchasing Agent.

f) The individual or entity responsible for the internal audit function.

g) The independent auditor responsible for the annual external audit of the financial statements.

h) A close or immediate family member of an employee, officer or contractor providing services to the District. A close family member shall be defined as a parent, sibling, or nondependent child, and an immediate family member shall be defined as a spouse, spouse equivalent, or dependent (whether or not related).

Valid claims against the District shall be paid by the Treasurer only upon the approval of the internal auditor. The internal auditor shall:

a) Examine all claim forms with respect to the availability of funds within the appropriate codes;

b) Substantiate receipts or other revenues of expenditures;

c) Meet such other requirements as may be established by the regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law Section 1709(20-a)

Adopted: 1987; Revised: 12/21/22

SUBJECT: DUTIES OF THE EXTRACLASSROOM ACTIVITY FUND CENTRAL TREASURER

The Extraclassroom Activity Fund Central Treasurer is appointed by the Board of Education and is responsible for the supervision of the school activities funds.

The Central Treasurer's duties include the following:

a) Countersign all checks disbursing funds from the Extraclassroom Activities Account;

b) Provide completed checks disbursing funds to student activity treasurers;

c) Provide general supervision to ensure that all receipts are deposited and that disbursements are made by check only;

d) Maintain records of all receipts and expenditures of each individual extraclassroom activity account and of all extraclassroom activity accounts combined;

e) Sign receipts for all funds placed into their custody and promptly deposit funds into a bank designated by the Board;

f) Verify bank statements and prepare a reconciliation of cash balances and accounts to be forwarded to the Faculty Auditor and Board as needed;

g) Submit records to the Board, or its designee, and to the Faculty Auditor, as required;

h) Other duties customary to the position.

8 NYCRR Section 172.2

Adopted: 1987; Revised 5/17/23

SUBJECT: DUTIES OF THE SCHOOL ATTORNEY(S)

The Board of Education shall employ the School Attorney(s) at a fee for services rendered basis, who shall be responsible to the Board of Education for guidance on all affairs which are of a legal nature, including, but not limited to:

a) Legal counsel on matters referred to him/her to determine legality of procedure;

b) Matters related to "due process" hearings or procedures.

Adopted: 1987; Revised: 11/18/04

SUBJECT: DUTIES OF THE SCHOOL MEDICAL DIRECTOR

The School Medical Director shall be appointed annually by the Board of Education. The duties of the School Medical Director shall include, but are not limited to, the following:

a) To perform professional medical services in the examination and care of school children;

b) To supervise routine examinations of school children by the school nurse practitioner to detect the presence of contagious diseases and physical defects;

c) To serve as an on call member on the Committee on Special Education;

d) To report to the Board on school health services and on the condition of school buildings in regard to health and safety, when deemed necessary;

e) To coordinate scheduling for physical examinations to all pupils participating in interscholastic athletics;

f) To develop the program of health service in accordance with policies approved by the Board and as directed by the Superintendent of Schools;

g) To conduct physical exams for all new employees (instructional and non-instructional);

h) To conduct a physical/mental exam on any employee at the request of the Board of Education;

i) To work in collaboration with, and under the supervision of, the School Physician and delegate responsibility, when deemed appropriate, the noted duties above.

Education Law Section 902

Adopted: 1987; Revised: 11/18/04; 5/17/23

SUBJECT: METHODS OF OPERATION

The Board of Education shall act as a body in making decisions and in taking official action. No individual member of the Board shall be empowered to act in matters which require approval of the entire Board.

Official action may be taken only during a meeting of the Board of Education.

Education Law Section 1701

Adopted: 1987; Revised 5/17/23

SUBJECT: CODE OF ETHICS - BOARD MEMBERS

A School Board member, operating under the highest ethical standards, should:

a) Assure the opportunity for high quality education for every student.

b) Observe state and federal laws and regulations pertaining to education.

c) Accept office as a Board member as a means of unselfish service.

d) Take official actions only in public sessions.

e) Represent the entire community without fear or favor.

f) Remember at all times the Board member is one of an educational team.

g) Maintain confidentiality of privileged information.

h) Recognize that the strength of a school board is as a board, not as individuals.

i) Delegate authority to the chief school administrator as the Board executive.

j) Employ only competent trained personnel.

k) Preserve the obligation of having controversial issues presented fairly and without bias.

l) Instill respect toward our Country and one's fellow man.

SUBJECT: FORMULATION, APPLICATION AND DISSEMINATION OF POLICY

The Board of Education shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. The Superintendent shall act as an advisor to the Board in the adoption and approval of written Board policies. The Board shall seek input from the staff and community where appropriate. These guides for discretionary action shall constitute the policies governing the operation of the school system.

The formulation and adoption of these written policies shall constitute the basic method by which the Board of Education shall exercise its leadership in the operation of the school system. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board of Education shall exercise its control over the operation of the school system.

The adoption of a written policy shall occur only after the proposal has been moved, discussed and voted on affirmatively at two successive monthly meetings of the Board of Education (i.e. the "first reading" and the "second reading"). The policy draft may be amended at the second meeting. Job descriptions, references contrary to law or state and federal regulation, and conflicts with negotiated agreements will be updated without previous Board approval.

The formal adoption of written Board policy shall be recorded in the official minutes of the Board. Such written Board policy shall be the continuing legal regulations of the District, and such policy shall be disseminated to District staff, parents/legal guardians and the community at large.

The Board of Education shall review its policies on a continuing basis.

SUBJECT: EXECUTION OF POLICY: ADMINISTRATIVE REGULATIONS

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. These rules and these detailed arrangements shall constitute the administrative regulations governing the schools. They must be in every respect consistent with the policies adopted by the Board. The Board shall be kept informed at least semi-annually of changes in administrative regulations.

SUBJECT: BOARD OF EDUCATION GOAL SETTING

A committee to establish goals shall be appointed by the Board President at the regular July Board meeting. This committee through the Comprehensive District Educational Plan Committee, Central Administrators and Board of Education members will solicit and collate goals previously reviewed by the Board of Education for review/action at a Special Board of Education Meeting in November of each year.

Approved: 3/18/93
Revised: 12/16/04

SUBJECT: PUBLIC SESSIONS

All Board of Education meetings must be open to the public. A "meeting" is defined as an official convening of a public body for the purpose of conducting public business. A "public body" is an entity which requires a quorum to conduct business, including committees, subcommittees, or similar divisions of a public body.

Whenever such a meeting is to take place, there must be a minimum of twenty-four (24) hours advance notice of the meeting, conspicuous posting of the notice of the meeting in one (1) or more designated public locations, and recording of minutes.

Chapter 704 of the Laws of 1979
Public Officers Law Sections 97, 99, 100 and 101

Adopted: 1987
Revised: 12/16/04

SUBJECT: LENGTH OF BOARD OF EDUCATION MEETINGS

All Board of Education meetings shall conclude by no later than 11:45 p.m. unless extended by majority rule of trustees.

Adopted: 11/19/92

SUBJECT: EXECUTIVE SESSIONS

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the area or areas of the subject or subjects to be considered, the Board of Education may conduct an executive session for discussion of the below enumerated purposes only, provided, however, that no action by formal vote shall be taken except on a 3020-a probable cause finding. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting.

Some of the reasons for conducting executive sessions are as follows:

a) Matters which will imperil the public safety if disclosed;

b) Any matter which may disclose the identity of a law enforcement agent or informer;

c) Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;

d) Proposed, pending or current litigation;

e) Collective negotiations pursuant to Article 14 of the Civil Service Law;

f) The medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;

g) The preparation, grading or administration of examinations;

h) The proposed acquisition, sale or lease of real property, but only when publicity would substantially affect the value of the property; and

i) The proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Public Officers Law Sections 100-111
Education Law Section 3020-a

Revised: 5/19/94

By-Laws

SUBJECT: MEETINGS OF COMMITTEES OF THE BOARD OF EDUCATION

All committees and/or sub-committees of the Board of Education must abide by the provisions of the Open Meetings Law.

Such committees must meet publicly, go into executive session only on a motion and only for one of the permitted topics, give advance notice of meetings, make public minutes and otherwise comply with all requirements of the Open Meetings Law.

Public Officers Law Sections 97.2 and 108.3

SUBJECT: QUORUM AND ATTENDANCE OF THE BOARD OF EDUCATION

The quorum for any meeting of the Board shall be five members. No formal action shall be taken at any meeting at which a quorum is not present.

Provided a quorum exists, the Board shall act by affirmative vote of no less than five of its members, unless otherwise required by the laws of the State of New York.

The Superintendent of the District, and members of his staff as determined by the Board, shall, unless otherwise prevented, attend all meetings and executive sessions of the Board.

General Construction Law (41)

Revised: 11/16/89; 3/16/17

SUBJECT: MINUTES

The minutes are a legal record of the activities of the School Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes, if properly kept, approved and signed, are available in courts of law as an original source of evidence in cases of litigation. The minutes of all meetings shall be kept by the Clerk or, in his/her absence, by the Superintendent or his/her designee. The minutes shall be complete and accurate and stored in a minutes file.

The minutes of each meeting of the Board of Education shall state:

a) The type of meeting;

b) The date, time of convening, and adjournment;

c) Board members present and absent;

d) Board members' arrival and departure time;

e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;

f) The nature of events that transpire.

Communications and other documents that are too long and bulky to be included in the minutes shall be referred to in the minutes and shall be filed in the District Office.

Public Officers Law Section 106

SUBJECT: AVAILABILITY AND STORAGE OF MINUTES

All Board minutes shall be signed by the Clerk of the Board when submitted and stored in a fireproof vault or file. A copy shall be distributed to each Board Member as soon after the meeting as possible. A copy shall also be distributed to each school building where they will be posted in the faculty room. They shall be marked as draft copies pending approval at the next meeting.

Chapter 704 of the Laws of 1979
Public Officers Law Section 101
Freedom of Information Law
Education Law Section 1709
Commissioner's Regulations 185.8

SUBJECT: NOTIFICATION OF REGULAR BOARD MEETINGS

The Clerk of the Board of Education shall notify the members of the Board of Education in advance of each regular meeting. Such notice, in writing, shall include an agenda and the time of the meeting.

The regular meetings of the Wallkill Central School Board of Education shall be established at the yearly Reorganization Meeting and shall not be changed for the remainder of the year unless five Board of Education members inform the Board President of a desire to change the date or if the Superintendent is unable to attend. The Board shall then select a date for a postponed meeting.

Any meeting of the Board may be adjourned to a given future date and hour if voted by a majority of the Board present.

Adopted: 1987
Revised: 2/13/03

SUBJECT: PREPARATION OF THE AGENDA

Prior to every regular School Board meeting and whenever possible prior to any special meeting, the District Clerk shall prepare an agenda listing all items upon which the Board will be requested to act at that meeting. Addenda will be added only for those matters that:

a) Affect the health and safety of buildings, students and staff;

b) Ensure adequate staffing;

c) Are necessary to meet legal or contractual obligations.

Items may be placed on the agenda only by the Superintendent or a Board member.

In order to insure proper consideration of any request, all requests must be in the hands of the District Clerk ten (10) days preceding the regular meeting of the Board of Education.

Adopted: 1987
Revised: 12/16/04

SUBJECT: ADVANCE DELIVERY OF MATERIALS

The agenda and background information shall be distributed to each Board member prior to the meeting. A copy of the agenda shall also be distributed to each school building where it will be posted in the faculty room. Copies shall be mailed to those papers requesting it. Copies shall also be made available to the public.

SUBJECT: SPECIAL MEETINGS OF THE BOARD OF EDUCATION

Special meetings of the Board shall be held on call by any member of the Board. Such call shall be evidenced by a notice specifying the purpose, time and place of the meeting. Twenty-four (24) hour notice shall be given where practicable to members by the Superintendent or the Board President, as the case may be and shall indicate the matter to receive attention. All special meetings shall be held at a regular meeting place of the Board.

In certain extreme cases, a special meeting may be called with less than twenty-four (24) hours notice, but a twenty-four (24) hour waiver must be signed by all Board members.

Public notice of the time and place of the special meeting shall be given "to the extent practicable," to the public and news media at a reasonable time prior to the meeting."

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

By-Laws

SUBJECT: ANNUAL ELECTION AND BUDGET HEARING

The Annual District Election for the Wallkill Central School District will be held on the third Tuesday of the month of May.

A budget hearing will be held no more than fourteen (14) and not less than seven (7) days prior to the date of an election concerning the budget.

Meetings - Education Law Sections 1804, 2002, 2017.5 and 2017.6

Adopted: 1987
Revised: 12/16/04

SUBJECT: ANNUAL ORGANIZATIONAL MEETING: TIME

School Boards may, by resolution, hold the Annual Organizational Meeting of the Board at any time during the first 15 days of July. The Annual Organizational Meeting of the Board of Education shall be established by the Board at its last meeting in June.

Education Law Section 1707

Adopted: 1987
Revised: 12/16/04

SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT SCHOOL DISTRICT MEETINGS

A person shall be entitled to register and vote at any school meeting for election of members of the Board of Education, and upon all matters which may be brought before such meeting, who is:

a) A citizen of the United States;

b) Eighteen (18) years of age and older;

c) A legal resident within the District for a period of thirty (30) days next preceding the meeting at which he/she offers to vote.

However, any person who has been found guilty of the following may not register or vote in an election:

a) Has engaged in bribery with respect to registering to vote or voting in an election;

b) Has been convicted of a felony, unless citizenship rights have been restored;

c) Has been adjudged incompetent by the courts to register or vote.

SUBJECT: VOTING MACHINES

Voting machines may be used in annual Wallkill Central School District elections for the purpose of voting for a trustee or trustees, the school budget, and such special propositions as requested by the Board of Education.

The chief poll inspectors, appointed by the School Board, will instruct the inspectors of election in the operation of the machines, if used, and in the reading of the election results.

A sample ballot will be provided that presents an exact replica of all items and candidates to be voted upon.

Candidates for trustee will be listed according to a lottery drawn following the deadline for filing petitions.

Provision shall be made on the voting machine for voters, if used, or paper ballot, for voters to write in candidates for the office of trustee.

The chairperson of the inspectors of election shall present the results to the clerk who will read the results.

Education Law Section 2035

Adopted 1987; Revised 5/22/19

SUBJECT: REGISTER OF VOTERS

Every voter in school elections shall have his/her name and legal residence recorded in the poll list of voters.

Education Law Section 2029

SUBJECT: STUDENT VOTER REGISTRATION AND PRE-REGISTRATION

The District Recognizes the importance of voting and civic engagement. As such, the District seeks to encourage student voter registration and pre-registration. A person who is at least sixteen years of age and who is otherwise qualified to register to vote may pre-register to vote and will then be automatically registered to vote upon reaching the age of eligibility as provided by law.

The District may collaborate with county boards of elections to conduct voter registration and pre-registration in the District's high school. In addition, the District may offer eligible students the opportunity to register or complete pre-registration applications in applicable Social Studies courses. Special Education students not enrolled in applicable Social Studies courses will be offered the opportunity to register or complete pre-registration applications at a time designated by the building principal.

The completion and submission of voter registration or pre-registration forms will not be a course requirement or graded assignment for District students.

Education Law Section 5-507

Adopted: 12/19/19; Revised: 12/20/23

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL

Section 1. Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Education of the Wallkill Central School District recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this local law to promulgate these rules of ethical conduct for the officers and employees of the District. These rules shall serve as a guide for official conduct of the officers and employees of the District. The rules of ethical conduct of this local law as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

This policy shall also apply to agents of the District only in relation to the selection, award or administration of a contract supported by a Federal grant award.

Section 2. Definition. (a) "Municipal Officer or Employee" means an officer or employee of the Wallkill Central School District, whether paid or unpaid, including members of any administrative board, commission, or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a chief engineer or assistant chief engineer. (b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

Section 3. Standards of Conduct. Every officer or employee of the Wallkill Central School District shall be subject to and abide by the following standards of conduct:

(a) Gifts. He/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of twenty-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, in any official action on his/her part.

(b) Confidential Information. He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

(c) Representation before one's own agency. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL [continued]

(d) Representation before any agency for a contingent fee. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

(e) Disclosure of interest in legislation. To the extent that he/she knows thereof, a member of the Board of Education and any officer or employee of the Board of Education of Wallkill Central School, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education of any legislation before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such legislation.

(f) Investments in conflict with official duties. He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, which creates a conflict with his/her official duties.

(g) Private employment. He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

(h) Future employment. He/she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Board of Education of the Wallkill Central School in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Section 4. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Board of Education of Wallkill Central School, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL [continued]

Section 5. Distribution/Posting of Code of Ethics. The Superintendent of the Board of Education of Wallkill Central School shall cause a copy of this code of ethics to be distributed to every officer and employee of the Board of Education within thirty (30) days after the effective date of this resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of this policy to be kept posted in each building in the District in a place conspicuous to its officers and employees. Failure to distribute any such copy of this code of ethics or failure of any officer or employee to receive such copy, shall have no effect on the duty of compliance with such code, nor with the enforcement of provisions thereof.

Section 6. Penalties. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Section 7. Effective Date. This resolution shall take effect immediately.

SUBJECT: NON-DISCRIMINATION (EMPLOYEES)

The Wallkill Central School District affirms that it does not discriminate on the basis of race, color, gender, religion, religious creed, sex, familial or marital status, age, national origin or ancestry, physical or mental disability, genetic information/predisposition or carrier status, military or veteran status, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, pregnancy (including childbirth and related medical conditions, and including medical conditions related to lactation) citizenship, prior arrest or conviction record, domestic violence victim status or any other characteristics protected by applicable federal, state or local law.

The District shall implement a multi-stage grievance procedure and an appellate stage for the settlement of grievances based on an employee's membership in a protected category.

Annual Notification

At the beginning of each school year, the District shall publish a notice of the established grievance procedures for resolving complaints of discrimination due to an employee's membership in a protected category. The public notice shall, among other things:

1. inform employees that education programs are offered without regard to one's legally protected category; and

2. provide the name, address and telephone number of the person designated to coordinate activities concerning alleged discrimination.

Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII

Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act of 1990, 42 United States Code (USC) Sections 12101 et seq.

Education Amendments of 1972, Title IX (P.L. 92-318)

Age Discrimination in Employment Act

Executive Law Section 290 et seq.

45 Code of Federal Regulations (CFR), Part 90 (Federal Register, June 4, 1975, August 11, 1975)

Revised: 12/19/91; 5/19/94; 12/16/04; 10/26/10

SUBJECT: MEMORIAL BOOKS

If an immediate family member of a current Wallkill Central School District employee passes away, the District will purchase a book in their memory and place it in one of the District's Library/Media Centers.

The purchase of the memorial book will be coordinated by the District Clerk and the Building Principal/Designee of the appropriate building.

Immediate family members will consist of Spouse, Children, Parents, Siblings and Parents-In-Law.

Adopted: 6/19/09

SUBJECT: ORIENTING NEW BOARD MEMBERS

The Board and its staff shall assist each new member-elect to understand the Board's functions, policies, and procedures before he/she takes office, by the following methods:

a) The electee shall be given selected material on the job of being part of the Board, which material is supplied by the New York State School Boards Association, the National School Boards Association, and/or other professional organizations.

b) The electee shall be invited to attend Board meetings and to participate in its discussions.

c) The Clerk shall supply material pertinent to meetings and shall explain its use.

d) The incoming member shall be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board.

e) A copy of the Board's policies and by-laws, a copy of New York State Education Law and a copy of Parliamentary Procedures shall be given him/her by the Clerk.

f) New Board members shall be encouraged to attend a New School Board Member Orientation Program.

Revised: 1/19/95; 5/18/05

SUBJECT: USE OF PARLIAMENTARY PROCEDURE

The business of the Board of Education shall be conducted in accordance with the following principles:

a) Rules of the Board will have precedence;

b) Authoritative principles of parliamentary procedure as found in the most current edition of Robert's Rules of Order Newly Revised shall be followed.

Commissioner's Decision Numbers 8018 and 8873

SUBJECT: MEMBERSHIP IN ASSOCIATIONS

Membership in the National, New York State and the Ulster County School Boards Associations is authorized under Education Law. Additionally, the Board may maintain membership and participate cooperatively in other associations.

Education Law Section 1618

SUBJECT: BOARD MEMBER PROFESSIONAL DEVELOPMENT

Board members are encouraged to keep abreast of current educational developments.

The opportunity shall be provided for new Board members to attend the New York State School Boards Association orientation program.

Board members of the Wallkill Central School District attending overnight conferences will only be eligible for reimbursement if authorization for such attendance was made at a scheduled meeting prior to the conference.

All requests for reservations and related services shall be in writing to the District Clerk. Anyone accompanying a Board member will be responsible for all costs and arrangements associated with his/her attendance.

Attendance at the National Conference will be limited to a maximum of three individuals per year. All Board members will be given an opportunity to attend and will be given preference over Board members who attend the previous year. In the year Board members are up for re-election, they will not be eligible to attend the National Conference.

Revised: 1/19/95; 1/16/03

SUBJECT: SCHOOL-COMMUNITY RELATIONS

Goals and Objectives

One of the main purposes of good school public relations is to stimulate people to learn more about the schools so that they can participate more intelligently in the solution of educational problems. In accomplishing this purpose, a second aim can be fulfilled - that of gearing the operation of the schools to public interests and desires. Good school-community relations, then, require a two-way current of communication: from school to community, and from community to school.

The Public's Right to Know

a) Responsibilities of the Board of Education

The Board of Education is aware of its responsibility in maintaining a cooperative relationship with the community which is served by the School District. It is the desire of the Board to sponsor a close relationship with the citizens of the District in any way that will improve the educational program, for the Board expects to draw upon the potential sources of aid existing in the community in support of that program. The Board of Education will attempt to ensure that the citizens of the School District are kept informed of its activities in channels of communication beyond those required by law. Therefore, the Board of Education shall encourage the use of all appropriate means for supplying the community with accurate information about the schools.

b) Responsibilities of Administrators

The Superintendent, through his/her designee, District Coordinator of Media and Computer Technology, shall be the central intermediary between the schools and the public.

c) Responsibility of Teachers

The successful public relations program lies largely in the hands of the individual teacher.

Therefore, it is the responsibility of all teachers to be well informed as to the educational practices of the School District, since many parents gather their information about the school and their teachers from their children.

d) Responsibilities of Non-Instructional Personnel

The role of non-instructional personnel in public education is vital to the support of the educational system. Therefore, the Board relies upon all School District employees to provide the important role of representing the school in their contacts with the public.

Adopted: 1987
Revised: 11/18/05

SUBJECT: SCHOOL SPONSORED MEDIA

The principal of each building is responsible for the preparation of news releases concerning the activities within that building, and for reviewing them with the Assistant Superintendent for Educational Services. Copies of all final news releases will be sent to the Superintendent's office.

In addition, a monthly newsletter may be prepared and mailed to each resident of the School District. Included in the newsletter will be information regarding school activities, a monthly calendar and other items of interest to the community. The Board accepts the funding obligation for the necessary staff and production costs.

All news releases concerning the District will be released by the office of the Assistant Superintendent for Educational Services.

All statements of the Board will be released through the office of the Superintendent.

The building office managers or designee will assist the Assistant Superintendent for Educational Services with preparation of the building calendar.

Adopted: 1987
Revised: 5/18/05

SUBJECT: RELATIONS WITH THE MUNICIPAL GOVERNMENT

It is the policy of the Board to establish and maintain a positive working relationship with the governing bodies of the municipality. The Board shall also cooperate with municipal, county and state agencies whose work affects the welfare of the children of the District, including: the Board of Health, the Recreation Department, the Public Library, the Police and Fire Departments and the Emergency Management Agency.

Adopted: 1987
Revised: 5/18/05

SUBJECT: SENIOR CITIZENS

The Board of Education will consider school related programs for senior citizens in accordance with Education Law and/or regulations of the Commissioner of Education. Such programs include partial tax exemptions.

Revised: 1/20/00

Community Relations

SUBJECT: FLAG DISPLAY

In keeping with State Education Law and Executive Law, the Board of Education accepts its duty to display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as it may direct.

When ordered by the President, Governor, or local official, to commemorate a tragic event or the death of an outstanding individual, the flag shall be flown at half-mast. The Superintendent's approval which should be timely, shall be required for the flag to be flown at half-mast upon any other occasion. Regulations for seeking such approval shall be established in the Administrative Manual of the District.

Education Law Sections 418 and 419
Executive Law Section 403

Adopted: 2/25/88

SUBJECT: VISITORS TO THE SCHOOL

Parents and other adults are welcome at school. Visitations to classrooms for any purpose require permission in advance from the building principal and the teacher(s) in order to allow teachers the opportunity to arrange their schedules to accommodate such requests.

All visitors should report to the office upon arrival at school and state their business. It is a Class B misdemeanor to remain unlawfully in a public school building, or to refuse to leave the premises when personally asked to by a principal, custodian or other person in charge.

Education Law Section 2801
Penal Law Sections 140.10 and 240.35

SUBJECT: VISITORS TO THE SCHOOL - BOARD MEMBERS

The Board encourages its members to visit the District schools and supportive school departments. However, such visits shall be made in accordance with the following guidelines:

a) School visits should be scheduled with the building principal or department supervisor;

b) The Principal may accompany the Board member on the visit;

c) Such visits are for the purpose of becoming acquainted with school programs, personnel, operation, and facility;

d) Board members should refrain from giving directions or making evaluations of personnel or operating procedures during their visit;

e) If a school visit leaves a Board member with a concern, this concern should initially be discussed with the building principal and then with the Superintendent.

Board members may have children in the schools and therefore have parental opportunities to converse with their child's teacher, counselor or administrator. In those instances, the Board member should make it clear that he/she is visiting as a parent and not as a member of the Board of Education.

Adopted: 1987
Revised: 5/18/05

SUBJECT: PUBLIC EXPRESSION AT MEETINGS

All meetings of the Board shall be conducted in public, and the public has the right to attend all such meetings. Public expression at such meetings shall be encouraged during the public participation's sectors at the start of the meeting and again at the close of the meeting. At its discretion, the Board may invite visitors to its meetings to participate in the Board's discussion of matters on the agenda.

Adopted: 1987
Revised: 5/18/05

SUBJECT: PUBLIC COMPLAINTS

The Board recognizes the right of individuals and groups to present complaints concerning school personnel, the curriculum, instructional materials, school services or school facilities. Complaints by citizens regarding any facet of the school operation often can be handled more satisfactorily by the administrative officer in charge of the unit closest to the source of the complaint. In most instances, therefore, complaints will be made first to the building principal and/or his/her assistant.

Community Relations

SUBJECT: PUBLIC COMMENT AT BOARD OF EDUCATION MEETINGS

Prior to all regularly scheduled Board of Education meetings, individuals or groups wishing to address the Board of Education will be provided with a forum in which to do so with the following guidelines:

a) Prior to the public comment segment of a regularly scheduled Board of Education meeting, the President will outline ground rules.

b) A sign-up book procedure will be used for public comment at regularly scheduled Board of Education meetings.

c) A maximum of three minutes, if required, will be allowed for each person to be heard.

d) A maximum of three minutes, if required, will be allowed for an answer or response to a question posed by an individual or group.

e) The President will designate a trustee to monitor time allocations for questions and responses and to notify the Board when such time has elapsed.

f) Public comment shall not be used for politicking or slander.

Adopted: 11/19/92
Revised: 11/16/95

SUBJECT: STUDENT PARTICIPATION

Students provide an important channel of communication with parents and the entire community. Information concerning the schools may be properly disseminated through students. The school district's administrators shall review all messages and materials prior to authorizing their dispersal through the student body.

SUBJECT: PARENT-TEACHER-STUDENT ORGANIZATIONS

The Board of Education understands that the goal of the Parent-Teacher-Student organization is to develop a united effort between educators and the general public to secure for every child the highest advantages in academic, physical and social education. Therefore, staff members and parents are encouraged to join the Parent-Teacher-Student organizations and to actively participate in its programs.

Adopted: 1987
Revised: 5/18/05

SUBJECT: ADVERTISING IN THE SCHOOLS

Neither the facilities, the staff, nor the students of the School District shall be employed in any manner for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency, individual or organization, except that:

a) Schools may cooperate in furthering the work of any non-profit community wide social service agency, provided that such cooperation does not restrict nor impair the educational program of the schools;

b) The schools may use films or other educational materials bearing only simple mention of the producing firm;

c) The Superintendent of Schools may, at his/her discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit;

d) The schools may, upon approval of the Superintendent of Schools, cooperate with any agency in promoting activities in the general public interest which are non-partisan and non-controversial, and which promote the education and other best interests of the pupils;

e) Request for proposals may be developed for products.

No materials of a commercial nature shall be distributed through the children in attendance in the Wallkill Central Schools.

Adopted: 1987
Revised: 5/18/05

SUBJECT: SOLICITING FUNDS FROM SCHOOL PERSONNEL

Soliciting of funds from school personnel by persons or organizations representing public or private organizations shall be discouraged. The Superintendent of Schools shall have the authority to make exceptions to this policy in cases where such solicitation is considered to be in the district's best interest.

Distribution of information about worthwhile area charities may be made through the office of the Superintendent of Schools as a service to School District personnel.

Community Relations

SUBJECT: RELEASE OF NAMES TO THE PUBLIC

Lists of names of residents of the School District or of staff members may be released only after receiving approval of the Access Officer. The Access Officer shall be the Assistant Superintendent for Support Services.

The sale or release of names in the possession of the District, however, is prohibited if such lists would be used for private, commercial, or fund-raising purposes.

Freedom of Information Law

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES

Building Principals are authorized, together with the Assistant Superintendent for Support Services, to approve the use of the school buildings and grounds when such use will not interfere with the school program for the following uses:

a) Instruction in any branch of education, learning, or arts.

b) For holding social, civic, and recreational meetings and entertainments, and such other uses pertaining to the welfare of the community; but such meetings, entertainment, and uses shall be non-exclusive and shall be open to the public.

c) For meetings, entertainments, and occasions where admissions fees are charged when the proceeds are to be expended for an educational or charitable purpose. Such use shall not be permitted if such meetings, entertainment, and occasions are under the exclusive control, and the proceeds are applied for the benefit of a society, association, or a fraternal, secret, or exclusive society or organization other than organizations of Veterans of the Military, Naval and Marine Service of the United States and organizations of volunteer firefighters or volunteer ambulance workers. Board of Education approval is needed for events where admission fees are charged.

d) For classes of instruction for mentally disabled minors operated by a private organization approved by the Commissioner of Education.

e) For recreation, physical training and athletics, including competitive athletic contests of children attending a private, non-profit school. Board of Education approval is needed for events of this nature.

f) To provide child care services during non-school hours provided that the cost of such child care shall not be a District charge and shall be paid by the persons responsible for the support of such child or the local social services or by any other public or private voluntary source.

The following requirements will be met:

a) The using organization must be provided with written requirements regarding the use of the building or grounds at the time permission is granted. In addition, the organization must complete a building request form.

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES [continued]

b) A custodian must be on duty while the building is in use unless a staff member has agreed to be responsible for janitorial and security services in lieu of payment to a custodial worker for the use of said building.

c) A custodial fee is to be charged when overtime is required or if the use is by other than a non-profit or governmental organization.

d) If the School Administration determines, proper police protection must be arranged by the sponsor for any event for which admission is charged.

e) In the event that the School District is operating under a contingency budget, fees will be charged for all usage so that there will be no cost to the District, or the District may choose to limit access to facilities.

f) Groups using the outdoor lighted athletic facilities will incur a charge in an amount equal to the rate charged to the District by the local utility company.

Education Law Section 414

Revised: 5/21/92; 3/16/95; 11/21/96; 1/20/00; 4/29/03; 5/18/05

Community Relations

SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

All motor-driven vehicles, including cars, snowmobiles, mini-bikes, motorcycles, and other such vehicles are prohibited from using any school grounds or areas except for authorized school functions or purposes.

Motor vehicles, not licensed for highway use, are prohibited from driving on school property.

Vehicle and Traffic Law Section 1670

SUBJECT: PUBLIC ACCESS TO RECORDS

Access to District records shall be consistent with the rules and regulations established by the New York State Committee on Open Government and shall comply with all the requirements of the New York State Freedom of Information Law (FOIL).

The District shall designate a Records Access Officer who shall have the duty of coordinating the School District's response to public requests for access to records.

The District may require a person requesting lists of names and addresses to provide a written certification that they will not use the lists of names and addresses for solicitation or fundraising purposes and will not sell, give, or otherwise make available the lists of names and addresses to any other person for the purpose of allowing that person to use the lists of names and addresses for solicitation or fundraising purposes.

If the District receives a request for current or former employee disciplinary records, the employee will be notified in a timely fashion. In accordance with applicable laws and regulations, the District need not provide employee notification prior to such disclosure.

The District shall provide copies of records in the format and on the medium requested by the person filing the FOIL request if the District can reasonably do so. The District may charge a fee for copies as permitted by law and regulation. The District shall charge for records in accordance with the provision of FOIL. This includes, but is not limited to, 1) charging $.25 per page for copies of records; or 2) charging for the actual cost of reproducing the record, which may include an amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare a copy of the requested record.

The District shall accept requests for records submitted in the form of email and respond to such requests by email using the forms supplied by the District. The process for requesting records shall be posted on the District website, clearly designating the email address for purposes of receiving requests for records via this format. When the District maintains requested records on the internet, the response shall inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium, including the district website.

Education Law Section 2116
Public Officers Law Sections 87 and 89
21 New York Code of Rules and Regulations (NYCRR) Parts 1401 and 9760

Adopted: 1987; Revised 11/20/24

SUBJECT: THE MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY

The maintenance of public order on school property is the responsibility of all members of the school community. Teachers, staff, students and citizens must work together to facilitate the educational process. Students, employees of the District, and visitors on school premises should at all times conduct themselves in a manner so as to reflect a proper respect for public property and the rights of others.

Regulations

No person, either singly or in concert with others, shall:

a) Willfully cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right not to do.

b) Physically restrain or detain any other person, nor remove such person from any place where he/she is authorized to remain.

c) Willfully damage or destroy property of the institution or under its jurisdiction, nor remove or use such property without authorization.

d) Enter upon, remain, and/or use any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others. A person is guilty of unauthorized entry when he knowingly, recklessly, or negligently enters into any public school building or grounds, i.e., buildings, parking lots, athletic fields, boiler rooms and all campus areas. A person is guilty of unauthorized use when he knowingly, recklessly, or negligently enters into and uses any school facility without authority.

e) Without authorization, remain in any building or facility after it is normally closed.

f) Refuse to leave any building or facility after being required to do so by an authorized person.

g) Loiter in school buildings or on school property. A person is guilty of loitering when he/she loiters or remains in or about a school building or grounds, not having any reason or relationship involving custody of or responsibility for a pupil or student, or any other specific, legitimate reason for being there, and not having written permission from anyone authorized to grant the same.

SUBJECT: THE MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY [continued]

h) Obstruct the free movement of persons and vehicles in any place to which these rules apply.

i) Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his/her views, including invited speakers.

j) Knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the chief administrative officer whether or not a license to possess the same has been issued to such person.

k) Knowingly have in his/her possession, upon any premises to which these rules apply, any alcoholic beverages and/or dangerous drugs. (Dangerous as defined by New York State Law.)

l) Engage in picketing and/or demonstrating which interferes with entrances to buildings or the normal flow of pedestrian or vehicular traffic; which interferes with organized meetings or other assemblies for the purpose of harassment; which obstructs or physically interferes with the integrity of the classroom, the privacy of administrative offices, or the functioning the physical plant.

Penalties (Subject to provisions of applicable law)

A person who shall violate any of the provisions of these rules shall:

a) If he/she is a licensee or invitee, have his/her present and future authorization to remain upon the campus or other property withdrawn and shall be directed to leave the premises. In the event of his/her failure or refusal to do so he/she shall be subject to ejection.

b) If he/she is a trespasser or visitor without specific license or invitation, be subject to ejection.

c) If he/she is a student, be subject to expulsion or such less disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning.

SUBJECT: THE MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY [continued]

d) If he/she is a faculty member having a term of continuing appointment, and be guilty of misconduct, he shall be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant including suspension without pay, fine or censure.

e) If he/she is a staff member in the classified service of the Civil Services, described in Section 75 of the Civil Service Law and be guilty of misconduct, he/she shall be subject to the penalties prescribed in said section.

Procedures

In the case of any apparent violation of these rules by such persons which, in the judgment of the chief administrative officer or his designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so such officer shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any premises of the institution where their continued presence and conduct is in violation of these rules. In the event of his/her failure or refusal to do so, such officer shall cause his/her ejection from such school property. Subject to provisions of applicable law, in the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner established at the building where he/she is enrolled for the disposition of charges which may lead to suspension.

The chief administrative officer or his/her designee may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules, and he/she may request the school counsel to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of these rules, subject to provisions of applicable law.

Education Law Section 2801

SUBJECT: EMERGENCY CLOSINGS

In the event it is necessary to close school for the day due to inclement weather or other emergency reasons, announcement thereof shall be made over local radio stations designated by the Board of Education.

When school is closed, all activities involving outside organizations will be suspended. All school related activities, including athletic events and student activities, will be suspended. Participation in sectional and state contests may be suspended at the discretion of the Superintendent.

Adopted 1987; Revised 4/23/14

SUBJECT: THE GOAL OF SCHOOL ADMINISTRATION

The purpose of school administration is to help to create and to foster an environment in which students can learn effectively. All administrative duties and functions should be appraised in terms of the contribution that they make to better instruction and more effective learning.

SUBJECT: JOINT CODE OF ETHICS

a) The administrator and the school board recognize that while the administrator participates in the formulation of school policy under the leadership of the Superintendent it is the duty of the Superintendent to recommend and the prerogative of the Board to determine final policy;

b) The administrator is obligated to adhere to the school board policy; the school board is obligated to establish policy that is consistent with federal and state laws and regulations and to adhere to such policy;

c) The administrator and the school board transact all official business through proper channels and hold private all confidential information;

d) The administrator and the school board recognize their obligations to develop growing appreciation and understanding of the principles of democracy, and should refrain from using the school to promote personal views on religion, race and partisan politics;

e) The administrator and the school board agree that due notice in fair time be given in all cases of appointment, resignation or termination of service;

f) The administrator and the school board avoid disparagement of fellow workers and predecessors;

g) The administrator and the school board are impartial in all relationships with the pupil;

h) The administrator develops an appraisal of the teachers' work, and helps with their problems; the school board requires such supervisory assistance;

i) The administrator actively participates in the work of local, state and national professional education associations; the school board actively participates in the work of township, county, District, state, and national school boards associations;

j) The administrator uses ethical procedures in securing positions; the school board uses ethical procedures in filling positions;

k) The administrator accepts no compensation from firms commercially interested in the school; no member of the school board accepts such compensation;

l) The administrator endeavors to maintain good mental and physical health; the school board provides a healthful environment;

m) The administrator develops through continued study, travel, participation in professional and community life and through wholesome human relationships; the school board stimulates and encourages professional growth of the administrator.

Adopted: 1987; Revised: 6/16/05

SUBJECT: ADMINISTRATIVE PERSONNEL

Administrative and supervisory personnel shall be considered to be those District employees officially designated by Board of Education action as responsible for the administrative and supervisory tasks required to carry out Board of Education policy, programs, decisions, and actions.

These employees shall meet all certification and/or Civil Service requirements as outlined in New York State Civil Service Law, and the Rules and Regulations promulgated by the Commissioner of Education of New York State. The administrative and supervisory staff shall be eligible to meet these requirements at the time of employment.

The obligations, duties and responsibilities of all administrative and supervisory personnel shall be set forth in job descriptions issued by the Superintendent of Schools.

Commissioner's Regulations 80.4
Education Law Section 1709

SUBJECT: ADMINISTRATIVE ORGANIZATION AND OPERATION

The basic principles of Administrative Organization and Operation are:

a) The working relationships shall involve two types of officers: line and staff. Line organization involves a direct flow of authority upward and downward from chief school officer to building principal. A line officer has power and authority over subordinates. Staff officers do not stand in the direct line of authority; they serve as coordinative or consultant people.

b) The Board of Education shall formulate and legislate educational policy.

c) Administrative regulations shall be developed by the Superintendent in cooperation with affected or interested staff members or lay persons.

d) The central office staff shall provide overall leadership and assistance in planning and research.

e) A reasonable limit shall be placed upon the number of persons with whom an administrator shall be expected to work effectively.

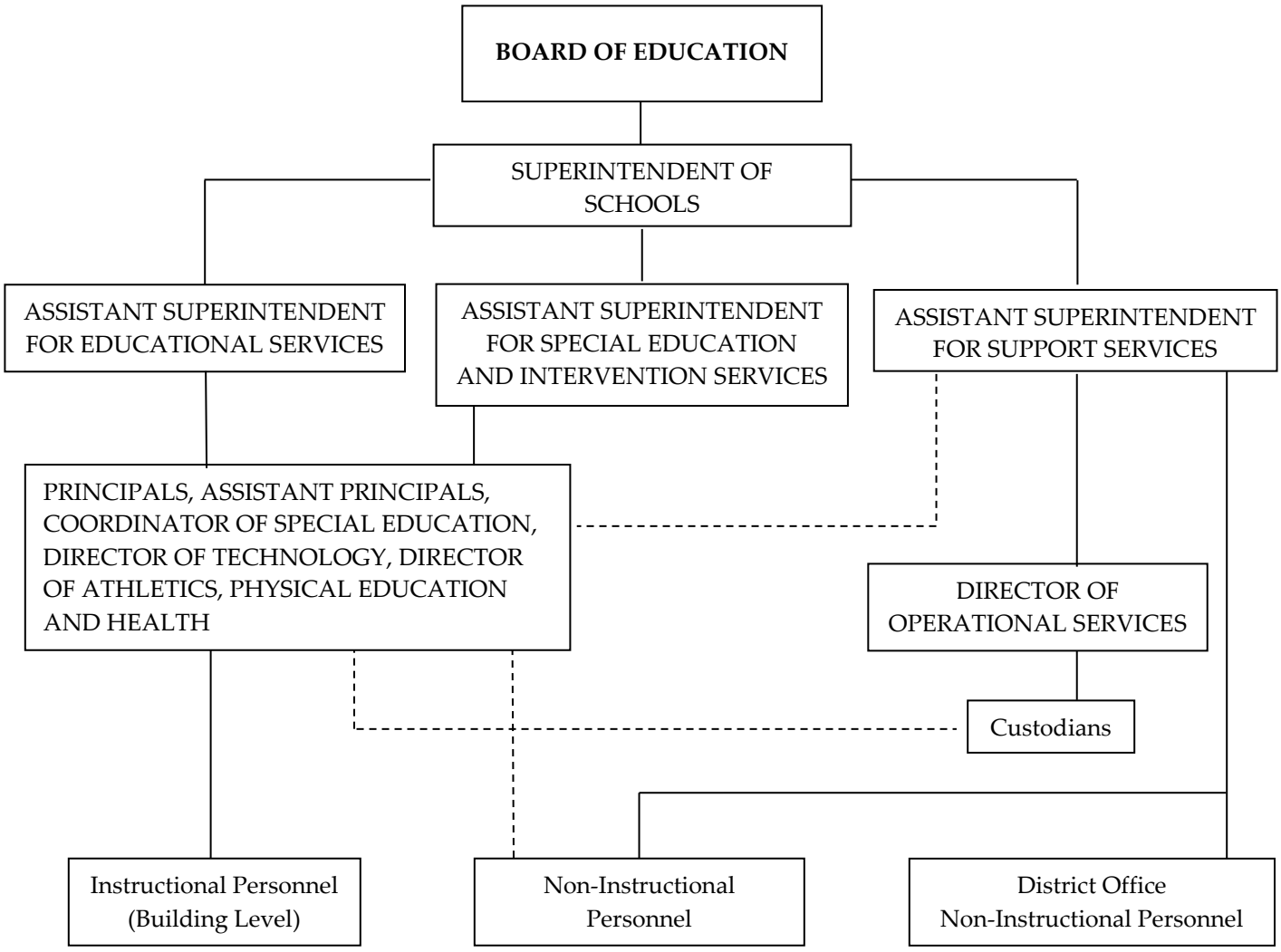
f) Areas of responsibility for each individual shall be clearly defined.

g) There shall be full opportunity for complete freedom of communication between all levels in the school staff.

SUBJECT: LINE RESPONSIBILITY

All employees of the District shall be under the general direction of the Superintendent. Teachers shall be immediately responsible to the principal of the building in which they work. Other employees shall be immediately responsible to the administrative personnel under whom they work directly.

WALLKILL CENTRAL SCHOOL DISTRICT
ORGANIZATIONAL CHART



Adopted: 1990; Revised 6/16/05; 5/18/22; 7/1/25

SUBJECT: JOB DESCRIPTIONS

A written job description shall be on file for every administrative position in the School District. These descriptions shall clearly detail the job responsibilities for each position.

SUBJECT: ABOLISHING A POSITION

Existing administrative positions shall not be abolished by the Board of Education without previous written notification of the impending abolition. Such written notification is to be served to the individual currently holding that position, and must be given thirty (30) days prior to the effective date of abolition. In all cases the individual currently holding the position should receive as much advance notice as possible, preferably sixty (60) or more days.

Education Law Section 1709

SUBJECT: ADMINISTRATIVE AUTHORITY DURING ABSENCE OF THE SUPERINTENDENT OF SCHOOLS

In the event of the absence of the Superintendent of Schools, the duties of the Superintendent will be assumed by the following positions in the following sequence:

a) Assistant Superintendent for Support Services;

b) Assistant Superintendent for Educational Services;

c) Assistant Superintendent for Special Education and Intervention Services.

Revised: 3/16/95; 6/16/05; 5/16/18

SUBJECT: ADMINISTRATIVE LATITUDE IN THE ABSENCE OF BOARD POLICY

From time to time problems and new questions arise for which no specific policy has been prepared. Members of the administrative staff shall act in a manner consistent with the existing policies of the School District and shall alert the Superintendent of Schools to the possible need for additional policy development.

SUBJECT: USE OF COMMITTEES

Standing and/or ad hoc committees may be appointed to study and to recommend courses of action in response to department, building or District needs. These committees may be appointed by the Board of Education, the Superintendent or other administrators in accordance with the range of responsibilities of the appointing body or administrator to which the committee shall report. The composition of each committee shall reflect its purpose and each committee shall have a clear assignment, and ending time as appropriate.

Adopted: 1987
Revised: 6/16/05

SUBJECT: EVALUATION OF THE SUPERINTENDENT

The Board of Education shall annually conduct a formal performance evaluation of the Superintendent. The formal procedures used to complete the evaluation are to be filed in the District office, and to be made available for review by any individual, no later than August first of each year.

The evaluation shall include written criteria, a description of the review procedures, provisions for post-conferencing, and methods used to record results of the evaluation. The Superintendent shall be granted the opportunity to respond to the evaluation in writing. The evaluation shall be completed annually.

The Board shall devote at least a portion of one meeting during the month of September in each year of the Superintendent's employment by the District to a general discussion in executive session between the Board and the Superintendent with respect to his/her performance and his/her working relationship with the Board. A written memorandum summarizing their discussion shall be provided to the Board by the Superintendent subsequent to such discussion.

The Board shall devote at least a portion of one meeting during the month of March in each year of the Superintendent's employment by the District to an evaluation in executive session of his performance based upon the performance criteria mutually agreed upon by the parties. The Board shall reduce that evaluation to writing in a form mutually agreed upon by the parties. The Superintendent shall be provided with a written copy of the written evaluation signed by all members of the Board at least ten days prior to the executive session of the Board scheduled to discuss such evaluation.

Commissioner's Regulations Section 100.2 (o)

SUBJECT: EVALUATION OF ADMINISTRATIVE STAFF

The Board shall direct the Superintendent to conduct an annual evaluation of all administrative personnel. The building principal will evaluate the assistant principal.

The purposes of this evaluation are:

a) To determine the adequacy of administrative staffing;

b) To improve administrative effectiveness;

c) To encourage and promote self-evaluation by administrative personnel;

d) To provide a basis for evaluative judgments by the Superintendent and the Board;

e) To make decisions about continued employment with the District.

Commissioner's Regulations Section 100.2

SUBJECT: SUPERINTENDENT OF SCHOOLS

a) As chief executive officer of the Board of Education, he/she shall attend all regular, special, and work meetings of the Board except that the Superintendent may be excluded when his/her employment contract or performance is discussed in executive session.

b) He/she shall administer all policies and enforce all rules and regulations of the Board.

c) He/she shall constantly review the local school situation and recommend to the Board areas in which new policies seem to be needed.

d) He/she shall be responsible for organizing, administering, evaluating, and supervising the programs and personnel of all school departments, instructional and non-instructional.

e) He/she shall recommend to the Board the appointment of all professional and non-professional personnel.

f) He/she shall be responsible for the preparation and recommendation to the Board of the annual School District budget in accordance with the format and development plan specified by the Board.

g) He/she shall constantly strive to acquaint the public with the activities and needs of the schools through his/her written and spoken statements, and shall be responsible for all news releases emanating from the local schools.

h) He/she shall be responsible for the construction of all salary scales and for the administration of the salary plan approved by the Board. Some of these salary scales will be developed within staff contracts negotiated under the provisions of the Taylor Law.

i) He/she shall determine the need and make plans for plant expansion and renovation.

j) He/she shall be responsible for evaluating and promoting, all professional and non-professional staff personnel.

k) He/she shall prepare or supervise the preparation of the teacher's handbook, staff bulletins, and all other district-wide staff materials.

l) He/she shall plan and coordinate the recruitment of teachers and other staff to assure the District of the best available personnel.

Revised: 12/20/89

SUBJECT: SUPERINTENDENT - BOARD OF EDUCATION RELATIONS

The Board of Education is accountable for all pursuits, achievements and duties of the School District. The Board's specific role is to deliberate and to establish policies for the organization. The Board delegates the necessary authority to the Superintendent who, acting as chief executive officer, is held accountable to the Board for compliance with its policies.

a) With respect to School District goals and objectives, the Board will establish broad guidelines which must be observed in the development of further policy and action. The Board reserves the right to issue either restrictive or general policy statements.

b) Generally, the Superintendent will be empowered to assign and use resources; employ, promote, discipline and deploy staff; to translate policies of the Board into action; to speak as agent of the Board; to organize and delegate administrative responsibilities; and to exercise such other powers as are customary for chief executives.

c) The Superintendent may not perform, cause, or allow to be performed any act that is unlawful, in violation of commonly accepted business and professional ethics; in violation of any contract into which the Board has entered; or, in violation of policies adopted by the Board which limit the Superintendent's authority.

d) Should the Superintendent or his/her designee consider it unwise or impractical to comply with an explicit Board policy, the Superintendent will inform the Board of that determination. The Board will decide whether such judgment was warranted.

e) When law or other authority calls for Board approval of decisions that the Board has delegated to the Superintendent, Board approval will be routinely given if those decisions have been made within the limits of Board policies.

SUBJECT: ASSISTANT SUPERINTENDENT FOR SUPPORT SERVICES (BUSINESS)

The Assistant Superintendent for Support Services shall be responsible for all the major phases of the district's business activity such as the budget, buildings and grounds, transportation, and cafeteria operations. He/she shall report directly to the Superintendent of Schools.

SUBJECT: ADMINISTRATORS

The administrators are the educational executives of the school centers. They have the responsibility for executing Board of Education policies in the schools. They are directly responsible to the Superintendent of Schools.

Commissioner's Regulations Section 80.4

SUBJECT: ASSISTANT PRINCIPALS

Assistant principals may be assigned to responsibility areas identified by the Board of Education and the Superintendent. The assistant principal is responsible for all duties assigned to him/her by the building principal and shall report directly to the principal.

SUBJECT: SUBJECT COORDINATORS

Subject Coordinators identified in the Wallkill Teachers' Contract are staff officers who shall have various ranges of responsibilities as indicated by their respective titles.

Adopted: 1987
Revised: 7/6/05

SUBJECT: PROFESSIONAL DEVELOPMENT OPPORTUNITIES

Administrators shall keep themselves informed of current educational theory and practice by study, by visiting other school systems, by attendance at educational conferences, and by such other means as are appropriate.

The approval of the Superintendent shall be required for the conference attendance of the administrators.

Participation shall be governed by available resources and reimbursement guidelines, and the collective bargaining agreement.

General Municipal Law Section 77-b

Adopted: 1987
Revised: 7/6/05

SUBJECT: COMPENSATION AND RELATED BENEFITS

The salaries and related benefits of the Superintendent, the Assistant Superintendent for Support Services and the Assistant Superintendent for Educational Services shall be set annually by the Board of Education upon the recommendation of the Superintendent. All other administrators shall be covered by the Wallkill Administrators' Association Contract.

Adopted: 1987
Revised: 7/6/05

SUBJECT: BUDGET PLANNING AND DEVELOPMENT

Budget planning and development for the District will be an integral part of program planning so that the annual operating budget may effectively express and implement programs as well as activities of the School System. Budget planning will be a year-round process involving participation of District-level administrators, principals, directors, coordinators, teachers, and other personnel. The process of budget planning and development should allow for community input as well as contain numerous opportunities for public information and feedback.

The Superintendent will have overall responsibility for budget preparation, including the construction of and adherence to a budget calendar. Administrators will develop and submit budget requests for their particular areas of responsibility after seeking the advice and suggestions of staff members.

Principals will develop and submit budget requests for their particular schools in conjunction with the advice and suggestions of staff members as well as their own professional judgment. Each school's budget request will be the principal's recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school. Program budgets and school budgets will reflect state and/or federal requirements, special sources of funding, and District objectives and priorities.

The Board will give consideration to budget requests, and will review allocations for appropriateness and for their consistency with the School System's educational priorities.

All budget documents for distribution to the public shall be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents shall be complete and accurate and contain sufficient detail to adequately inform the public regarding such data as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in such information from the prior's submitted budget.

The budget will be presented in three components which are to be voted upon as one proposition:

a) A program component which shall include, but need not be limited to, all program expenditures of the School District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;

SUBJECT: BUDGET PLANNING AND DEVELOPMENT [continued]

b) A capital component which shall include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the School District, including facilities leases expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

c) An administrative component which shall include, but need not be limited to, office and central administrative expenses, traveling expenses and salaries and benefits of all certified school administrators and supervisors who spend a majority of their time performing administrative or supervisory duties, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent of Schools, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

Each component must be separately delineated in accordance with Commissioner's Regulations.

Additionally, the Board of Education shall append to the proposed budget all documents required by law.

The proposed budget for the ensuing school year shall be reviewed by the Board of Education and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, such funds shall not be utilized to promote either a favorable or negative opinion of the proposed budget.

Education Law Sections 1608(3)-(6), 1716(3)-(6), and 2601-a(3) and (7) 8 New York Code of Rules and Regulations (NYCRR) Sections 170.8 and 170.9
General Municipal Law Section 36 State Education Department Handbook No. 3 on Budget

Revised: 1/19/95; 1/20/00; 7/6/05; 6/15/17

Business Operations

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board of Education will hold an annual budget hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The budget hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

Copies of the proposed annual operating budget for the succeeding year may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election. The availability of this budget information shall be included in the legal notice of the Annual Meeting; and copies of the proposed budget will also be available to District residents at the time of the Annual Meeting. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

Notice of the date, time and place of the annual budget hearing will be included in the notice of the Annual Meeting and Election as required by law.

All School District budgets which are submitted for voter approval shall be presented in three components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

Additionally, the Board of Education will prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board of Education shall also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation.

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents.

Notice of Budget Hearing/Availability of Budget Statement
Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), and 2601-a(2)

Election and Budget Vote
Education Law Sections 1804(4), 1906(1), 2002(1),
2017(5) and (6), 2022(1), and 2601-a(2)

Budget Development and Attachments
Education Law Sections 1608(3), (4), (5), and (6); 1716(3), (4), (5), and (6); and 2601-a(3) 8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Revised: 5/19/94; 1/20/00

SUBJECT: BUDGET ADOPTION

The Board of Education shall review the recommended budget of the Superintendent of Schools and shall seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election shall be available to District residents, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding such Annual Meeting. The availability of this budget information shall also be included in a legal notice of the Annual Meeting; and such copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

The School District budget will be presented in three separately delineated components which are to be voted upon as one proposition: a program component, an administrative component, and a capital component. Additionally, the Board shall attach to the proposed budget those documents mandated pursuant to law and/or Commissioner's Regulations.

All budget documents for distribution to the public shall be written in plain language and organized in a manner which best promotes public comprehension of the contents.

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held at a later date. In the alternative, if the initial proposed budget is defeated, the Board may adopt a contingency budget and levy taxes as necessary for implementation of the contingency budget expenditures. If the voters fail to approve the second budget submittal, or budget propositions(s), the Board shall adopt a contingency budget in accordance with law.

The School District budget for any school year, or any part of such budget, or any proposition(s) involving the expenditure of money for that school year, shall not be submitted for a vote of the qualified District voters more than twice.

The School District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District.

Education Law Sections 1608, 1716, 1804(4), 1906(1), 2002(1), 2003(1), 2004(1), 2022, 2023, and 2601-a 8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Revised: 1/20/00

SUBJECT: ADMINISTRATION OF THE BUDGET

The Superintendent of Schools, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget.

a) He/she shall acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.

b) Under his/her direction the District shall maintain such records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board of Education, and such other procedures as are deemed necessary and shall keep the various operational units informed through periodic reports as to the status of their individual budgets.

c) The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the school district. The Board will maintain a fund balance in accordance with law. Pursuant to Governmental Accounting Standards Board (GASB) 54, said fund balance will be reported in the following classifications, where applicable:

1. Nonspendable – amounts that cannot be spent because they are in a nonspendable form (e.g. inventory) or legally or contractually equired to be maintained intact

2. Restricted – amounts limited by external parties or legislation (e.g. reserve, grants or donations)

3. Committed – amounts limited by board policy

4. Assigned – amounts that are intended for a particular purpose

5. Unassigned – amounts available for consumption or not restricted in any manner

d) Board approval is required prior to the expenditure of District funds.

Adopted: 1/20/00; Revised 7/7/11

SUBJECT: REVENUES

The School District treasurer will have custody of all District funds in accordance with the provisions of state law. The treasurer will be authorized and directed by the Board to invest the balances available in various District funds in accordance with regulations set forth in state law.

Education Law Sections 1723(a) and 1604(a)

SUBJECT: DISTRICT INVESTMENTS

Scope

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

Objectives

The primary objectives of the local government's investment activities are, in priority order:

a) To conform with all applicable federal, state and other legal requirements (legal);

b) To adequately safeguard principal (safety);

c) To provide sufficient liquidity to meet all operating requirements (liquidity); and

d) To obtain a reasonable rate of return (yield).

Delegation of Authority

The governing board's responsibility for administration of the investment program is delegated to the Assistant Superintendent for Support Services and/or Superintendent of Schools who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Wallkill Central School District to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

SUBJECT: DISTRICT INVESTMENTS [continued]

Diversification

It is the policy of the Wallkill Central School District to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

Internal Controls

It is the policy of the Wallkill Central School District for all monies collected by any officer or employee of the government to transfer those funds to the Assistant Superintendent for Support Services and/or Superintendent of Schools within two (2) days of deposit, or within the time period specified in law, whichever is shorter.

The Assistant Superintendent for Support Services and/or Superintendent of Schools is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

Designation of Depositories

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

Depository Name	Maximum Amount
Key Bank	$10,000,000
Bank of New York	$10,000,000
Chase Manhattan	$10,000,000
M & T Bank	$10,000,000

Collateralizing of Deposits

In accordance with provisions of General Municipal Law, Section 10, all deposits of Wallkill Central School District, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

a) By a pledge of "eligible securities" or a pledge of a pro-rata portion of "eligible securities" with an aggregate "market value" as provided by General Municipal Law Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

SUBJECT: DISTRICT INVESTMENTS [continued]

b) By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with which the monies of the Wallkill Central School District are deposited or invested in favor of the Wallkill Central School District for a term not to exceed ninety (90) days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one (1) of the three (3) highest rating categories by at least one (1) nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

c) By an eligible surety bond payable to the government for an amount at least equal to one hundred percent (100%) of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claim-paying ability is rated in the highest rating category by at least two (2) nationally recognized statistical rating organizations.

Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by a bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Wallkill Central School District or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm to the Wallkill Central School District, in writing the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

SUBJECT: DISTRICT INVESTMENTS [continued]

Permitted Investments

As authorized by General Municipal Law Section 11, the Wallkill Central School District authorizes the Assistant Superintendent for Support Services and/or Superintendent of Schools to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

a) Special time deposit accounts;

b) Certificates of deposit;

c) Obligations of the United States of America;

d) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;

e) Obligations of the State of New York;

f) Obligations issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district, or district corporation other than the Wallkill Central School District;

g) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;

h) Certificates of Participation (COPs) issued pursuant to General Municipal Law Section 109-b;

i) Obligations of the Wallkill Central School District, but only with any monies in a reserve fund established pursuant to General Municipal Law Sections 6-d, 6-j, 6-l, 6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the Wallkill Central School District within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Wallkill Central School District within two (2) years of the date of purchase.

SUBJECT: DISTRICT INVESTMENTS [continued]

Authorized Financial Institutions and Dealers

The Wallkill Central School District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Wallkill Central School District. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Assistant Superintendent for Support Services and/or Superintendent of Schools is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

Purchase of Investments

The Assistant Superintendent for Support Services and/or Superintendent of Schools is authorized to contract for the purchase of investments:

a) Directly, including through a repurchase agreement, from an authorized trading partner.

b) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 3A of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

c) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Wallkill Central School District by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposits or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

SUBJECT: DISTRICT INVESTMENTS [continued]

Repurchase Agreements

Repurchase agreements are authorized subject to the following restrictions:

a) All repurchase agreements must be entered into subject to a Master Repurchase Agreement.

b) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

c) Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.

d) No substitution of securities will be allowed.

e) The custodian shall be a party other than the trading partner.

APPENDIX A

Schedule of Eligible Securities

a) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

b) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public monies.

SUBJECT: TAX EXEMPTIONS FOR THE ELDERLY

Real property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by husband and wife, one of whom is sixty-five years of age or over, and used exclusively for their residential purposes, shall be exempt from taxation to the extent of percentum of the assessed valuation as determined by the Board.

The real property tax exemption of real property owned by husband and wife, when one of them is sixty-five (65) years of age or over, once granted, shall not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least sixty-two (62) years of age.

Real Property Tax Law Section 467

SUBJECT: ACCEPTING GIFTS

The Board will accept gifts of either money or merchandise which, in the view of the Board, add to the overall welfare of the District.

At the same time the Board will safeguard the District, the staff, and students from commercial exploitation, from special interest groups, and the like.

The Board will not consider the acceptance of a gift until and unless it receives the offer in writing. The Board would prefer the gift to be a general offer rather than a specific one and that the donor work first with the school administrators in determining the nature of the gift.

Gifts of money shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

Education Law Section 1709(12)

SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION

A tax collection plan giving dates of warrant and other pertinent data shall be prepared annually and will be available to the Board of Education by the Assistant Superintendent for Support Services.

Real Property Tax Law Sections 1300-1342
Education Law Section 2130

SUBJECT: SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY

Sale of School Property

No school property shall be sold without prior approval of the Board of Education. However, the responsibility for such sales may be delegated. The net proceeds from the sale of school property shall be deposited in the General Fund.

Disposal of District Personal Property

Equipment

School District equipment that is obsolete, surplus, or unusable by the District shall be disposed of in such a manner that is advantageous to the District.

The Superintendent or his/her designee will be responsible for selling the equipment in such a way so as to maximize the net proceeds of the sale which may include a bona fide public sale preceded by adequate public notice. If it is determined that reasonable attempts to dispose of the equipment have been made and such attempts have not produced an adequate return, the Superintendent or his/her designee may dispose of the equipment in any manner which he/she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or usable, the procedures for disposal shall adhere to the following order of preference:

a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then

b) Donation to charitable organizations; or

c) Disposal as trash.

Education Law Sections 1604(4), 1604(30), 1604(36), 1709(9), 1709(11), 2503, 2511, and 2512
General Municipal Law Sections 51 and 800 et seq.

Adopted: 1987
Revised: 5/16/07

SUBJECT: GRANT COORDINATION

Staff and/or administrators will be encouraged to develop grants for the District. The Superintendent is authorized to approve coordinators' fees to be included within the grant, up to a maximum of $5,000. Coordinators' fees in excess of this amount must be approved by the Board of Education. This policy will not be retroactive for any grants submitted prior to its effective date. Also, it will not include those grants presently incorporated within current job descriptions and/or responsibilities.

Adopted: 1987
Revised: 7/6/05

SUBJECT: EXPENDITURES OF SCHOOL DISTRICT FUNDS

The Board of Education authorizes the Purchasing Agent to commit school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He/she will make expenditures in accordance with applicable law and in a manner that will achieve the maximum benefit from each dollar expended.

All claims shall be properly audited before payment.

Complete records of all expenditures shall be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.

SUBJECT: MEALS AND REFRESHMENTS

The Board of Education recognizes that from time to time it may be appropriate to provide meals and/or refreshments at District meetings and/or events which are being held for an educational purpose. Any expenditure made on such meals and/or refreshments should be appropriately documented with a receipt, itemized whenever possible, and submitted to the District's Business Office for the purposes of audit and possible reimbursement. Meal allocations for approved student-related travel activities (i.e., State Athletic competitions) shall be guided by the following rates and shall not exceed a total of thirty dollars ($30) per day:

a) Breakfast per diem - five dollars ($5)

b) Lunch per diem - ten dollars ($10)

c) Dinner per diem - fifteen dollars ($15)

Examples of authorized categories of expenditures include but are not limited to refreshments for staff on Teacher Orientation Day at the beginning of each year, Staff Recognition Day, refreshments for Superintendent's Conference Day, community/District meetings, grading of State Assessments, receptions for volunteers, and other meetings at which District business is conducted.

Adopted: 4/26/06

SUBJECT: CONFERENCE/TRAVEL EXPENSE REIMBURSEMENT

All building level conference travel must be approved by the appropriate supervisor and Assistant Superintendent for Educational Services.

All conference reimbursement requests must be submitted using a Travel Log or Claim Form.

Central Administration travel reimbursement must be approved by the Superintendent. The Assistant Superintendent for Support Services will approve the Superintendent's and Board of Education's travel reimbursement.

Reasonable expenses for approved travel will be reimbursed when accompanied by original receipts for lodging and other reimbursable expenses. Alcoholic beverages are not reimbursable expenses.

In the absence of a receipt for an expense, claims must be approved by two of the following: Superintendent of Schools, Assistant Superintendent for Support Services, and/or President of the Board of Education.

Mileage reimbursement must originate from place of employment unless the start time of the event precludes such, in which case mileage shall be calculated from one's residence. Mileage will also be calculated from one's residence for night time activities.

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

NOTE: Refer also to Policy #5301 -- Reimbursement for Meals Refreshments

Adopted: 7/20/06
Revised: 11/16/06; 2/15/07

Business Operations

SUBJECT: BONDING OF DISTRICT PERSONNEL

District Personnel will be bonded in accordance with Education Law. The amount of such bond shall be determined by the Board of Education.

Education Law Section 2130(5)
Public Officer's Law Section 11(2)

Business Operations

SUBJECT: BUDGET TRANSFERS

The Board of Education shall authorize the Superintendent each year at the Annual Organizational Meeting to make necessary budget transfers within the General Fund. Such transfers will be shown on the budget status report presented to the Board by the Treasurer at the next regular meeting.

Commissioner's Regulations Section 170.2

Business Operations

SUBJECT: BORROWING OF FUNDS

The School District may borrow money only by means of serial bonds, bond anticipation notes, capital notes, tax anticipation notes, revenue anticipation notes and budget notes.

New York State Local Finance Law Section 20

SUBJECT: PRINCIPLES OF PURCHASING

The Board subscribes to the following principles of purchasing:

a) Requisitions - All purchases initiated by personnel shall follow the procedures for requisitions and purchases. The requisition is a formal written request from a person in the school system for the purchase of supplies or equipment. It should be remembered that the requisition is a request and not a guarantee that a purchase will actually be made.

b) The Purchase Order - The purchase order is a document which authorizes a vendor to deliver described merchandise or materials at a specified price.

c) Procedures - Procedures shall be developed and administered by the Assistant Superintendent for Support Services for the requisitioning, purchasing, receipt, and distribution of the supplies and equipment.

Commissioner's Regulations Section 170.2

SUBJECT: BIDS AND QUOTATIONS

As required by law, the Superintendent through the Purchasing Agent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year, (similarly for public works - construction, repair, etc.) and in such other cases which seem to be to the financial advantage of the School District.

A bid bond may be required if considered advisable.

No bid for supplies shall be accepted which does not conform to specifications furnished unless specifications are waived by Board action. Therefore, all contracts shall generally be awarded to the lowest responsible bidder who meets specifications.

The Superintendent may authorize purchases within the approved budget if required by emergencies as legally permitted without bidding.

The Superintendent is authorized to enter into cooperative bidding for various needs of the School District.

The Board authorizes that purchase contracts of more than twenty thousand ($20,000) dollars may be awarded on the basis of best value, as that term is defined in State Finance Law §163.

The Board further authorizes that shared purchase contracts for apparatus, materials, equipment, supplies and related services that have been let or competitively offered by the United States or any agency thereof, any state or any other county, political subdivision or district therein, may be awarded by the Board on the basis of best value, as defined in State Finance Law §163, subject to receipt of documentation to be reviewed by the Board's attorneys that:

(1) such contract has been publicly solicited by competitive bid or offer;

(2) such contract has been awarded following submission of sealed bids or offers, or analogous procedures to secure and preserve the integrity of the process and confidentiality of the bids or offers submitted;

(3) specification or some other similar document providing a common standard for bidders or offerors have been prepared; and

(4) such contract has been awarded to the lowest responsible bidder who materially or substantially meets the bid specifications and is determined to be a responsible bidder, or in the case of a best value process, such contract has been awarded to the responsive and responsible offeror which optimized quality, cost and efficiency, reflecting objective and quantifiable analysis whenever possible.

SUBJECT: BIDS AND QUOTATIONS [continued]

Apparel Purchases

Competitive Bidding Purchases

The Board of Education has authorized to only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel is not a "responsible bidder" is authorized to base its determination upon either or both of the following considerations:

a) The labor standards applicable to the manufacture of the apparel, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor, or

b) The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel.

Non-Competitive Bidding Purchases

The Board of Education has authorized that its internal policies and procedures governing procurement of apparel, where such procurement is not required to be made pursuant to competitive bidding requirements, may prohibit the purchase of apparel from any vendor based upon either or both of the following considerations:

a) The labor standards applicable to the manufacture of the apparel, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or

b) The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel.

General Municipal Law Article 5-A
Education Law Section 305(14)
General Municipal Law Sections 103, 104-b
Legislative Memorandum in Support of
Ch. 227 (9/4/2000)

Revised: 12/18/03; 3/15/18

SUBJECT: PROCUREMENT OF GOODS AND SERVICES

The Board of Education recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements.

The Board of Education shall solicit comments concerning the District's policies and procedures from those employees involved in the procurement process and the Audit Committee. All policies and procedures regarding the procurement of goods and services shall be reviewed annually by the Board.

General Municipal Law Article 104-b

Adopted: 1987
Revised: 12/21/06; 4/25/07

SUBJECT: CONTRACTS FOR SERVICES AND MATERIALS

No contracts for services or materials shall be made by individuals or organizations in the school which involve expenditures without first securing approval for such contract from the Purchasing Agent or Assistant Purchasing Agent.

Adopted: 1987
Revised: 11/18/05

SUBJECT: PERSONAL SERVICE CONTRACTS

The Board of Education authorizes the Superintendent of Schools to approve all personal service contracts with providers of Therapy or Special Services for students of the Wallkill Central School District as needed.

Adopted: 12/19/05

SUBJECT: USE OF THE DISTRICT CREDIT CARD

The School District may issue a credit card or cards in its name for the use of its officers and designated employees for authorized, reimbursable, school business related expenses. The maximum credit limit on each card shall be $3,000. However, authorized personnel must submit purchase orders for those school business related expenses, such as tuition charges for attendance at conference, travel expenses, and lodging, where costs may be fairly and accurately estimated prior to the actual expenditure.

Only those officers and district personnel designated by the Board of Education shall be authorized for the use of a District credit card.

Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. The credit card(s) shall be locked in a secure place in the Superintendent's office.

Adopted: 12/19/05

SUBJECT: CELLULAR TELEPHONES

It is recognized that specific District employees will be required to carry cellular telephones to meet their job responsibilities. Job titles requiring cellular telephones shall be kept on file with the District Clerk and reported to the Board of Education each year, along with a report of usage and cost, at the District's reorganization meeting in July.

The employee shall make every attempt to use their cellular phones for only business purposes; however, in the event an employee uses a cellular phone for other than business purposes, he/she shall reimburse the District for non-business call expenses incurred that exceed the individual's monthly service charge. Individuals authorized to use District cellular telephones shall agree to accept financial responsibility for any inappropriate usage by that individual.

At least once per year, the Business Office shall evaluate the effectiveness of the cellular telephone plan.

Adopted: 12/19/05
Revised: 11/19/09

SUBJECT: ACCOUNTING OF FUNDS

The Board of Education authorizes the Superintendent through the Assistant Superintendent for Support Services to plan for the proper handling of all District funds and fixed assets.

Accounting and reporting procedures shall be developed to facilitate analysis and evaluation of the district's financial status and fixed assets.

Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

Business Operations

SUBJECT: SCHOOL ACTIVITIES FUND

An extracurricular fund shall be established for the various Board of Education approved organizations of the secondary school program and a list of officers shall be provided to the District Treasurer each year.

Commissioner's Regulations Section 1772.2

Adopted: 1987
Revised: 11/18/05

SUBJECT: RESERVE FUNDS

Reserve funds (essentially a legally authorized savings account designated for a specific purpose) are an important component in the District's financial planning for future projects, acquisitions and other lawful purposes. The District may establish and maintain reserve funds in accordance with New York State laws, Commissioner's Regulations and the rules or opinions issued by the Office of the New York State Comptroller. The District shall comply with the reporting requirements of Article 3 of the General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions.*

Any and all District reserve funds shall be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The District will authorize all payments or transfers into a reserve fund by express Resolution. The District may engage independent experts and professionals, including but not limited to, auditors, accountants and other financial and legal counsel to monitor all reserve fund activity and prepare any and all reports that the Board may require.

Periodic Review and Annual Report

The Audit Committee will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board of Education. In addition the report will include a long range financial plan for the use of the established reserve fund(s).

The Board shall utilize the information in the annual report to make necessary decisions to adequately maintain and manage the District's reserve fund balances while mindful of its role and responsibility as a fiduciary of the public funds.

Education Law §3653

Adopted: 6/18/2015; Revised: 6/15/17

SUBJECT: PETTY CASH FUND

A petty cash fund of one hundred dollars ($100) shall be maintained in the District office and in each school building. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, shall be submitted. Such accounts shall be authorized by Board resolution at their annual meeting.

Education Law Section 1709(29)

SUBJECT: CASH IN SCHOOL BUILDINGS

Not more than $100, whether District or extra-classroom funds, shall be held in the vault in the main office of each District school building. Under no circumstances shall cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extra-classroom funds, shall be deposited prior to close of school each day. Only authorized personnel designated by the building administrator shall be allowed in the main office vault.

Revised: 12/9/97; 11/18/05

Business Operations

SUBJECT: PUBLICATION OF THE DISTRICT'S FINANCIAL STATEMENT

The Board of Education shall direct the District Clerk to publish a full and detailed account of all monies received by the Board or the Treasurer of the District for its account and use, and all of the money expended therefore, giving the items of expenditure in full.

The account shall be published in the official District newspaper once each year.

Education Law Section 1721

SUBJECT: FINANCIAL ACCOUNTABILITY

School districts must have internal controls in place to ensure that the goals and objectives of the District are accomplished; laws, regulations, policies, and good business practices are complied with; operations are efficient and effective; assets are safeguarded; and accurate, timely and reliable data are maintained.

The Wallkill Central School District's governance and control environment will include the following:

a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members. Any exceptions to this section will be annually reviewed and approved by the Board of Education.

b) The Board requires corrective action for issues reported in the CPA's management letter, audit reports, the Single Audit, and consultant reports.

c) The Board has established the required policies and procedures concerning District operations.

d) The Board routinely receives and discusses the necessary fiscal reports including the:

1. Treasurer's cash reports,
2. Budget status reports,
3. Revenue status reports,
4. Monthly extra-classroom activity fund reports, and
5. Fund balance projections (usually starting in January).

e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.

f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.

SUBJECT: FINANCIAL ACCOUNTABILITY [continued]

g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.

h) The District's information systems are economical, efficient, current, and up-to-date.

i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site location.

j) The District periodically verifies that its controls are working efficiently.

k) The District requires all staff to take vacations during which time another staff member performs the duties of the staff on vacation.

l) The District will also timely post a copy of the annual external audit report or the Comptroller's final audit report on its website for a period of five years.

Education Law § 2116-a(3-b)
General Municipal Law § 33(2)(e) and 35(1), (2)
8 New York Code of Rules and Regulations (NYCRR) Section 170.12

SUBJECT: ALLEGATIONS OF FRAUD

Reporting and Investigations of Allegations of Fraud

All Board members and officers, District employees and third party consultants are required to abide by the District's policies, administrative regulations and procedures in the conduct of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the School System is to disclose such information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as enumerated in the District's Organizational Chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report shall be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the Independent (External) Auditor, or the School Attorney, or the Board of Education. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions

SUBJECT: ALLEGATIONS OF FRAUD [continued]

as warranted and in compliance with law. *The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, when school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.*

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

Prohibition of Retaliation

The Board prohibits any retaliatory behavior directed against those individuals who, in good faith, report allegations of suspected financial improprieties/fraud and/or wrongful conduct as well as witnesses and/or any other individuals who participate in the investigation of an allegation of financial impropriety/fraud and/or wrongful conduct. Follow-up inquiries shall be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Any individual who *knowingly* makes false accusations against another individual as to allegations of financial improprieties/fraud may also face appropriate disciplinary action.

Adopted: 12/19/05

Non- Instructional/
Business Operations

SUBJECT: INTERNAL AUDIT FUNCTION

No later than July 1, 2006, the District shall establish an Internal Audit Function to be in operation no later than December 31, 2006. The Internal Audit Function shall include:

a) Development of a risk assessment of District operations including, but not limited to, a review of financial policies and procedures and the testing and evaluation of District internal controls;

b) An annual review and update of such risk assessment;

c) Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings; and

d) Recommendation of changes for strengthening controls and reducing identified risks, and the specification of timeframes for implementation of such recommendations.

The District is permitted to utilize existing District personnel to fulfill the Internal Audit Function, but such persons shall not have any responsibility for other business operations of the District while performing Internal Audit Functions. The District shall also be permitted to use inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950 or independent contractors to fulfill the Internal Audit Function as long as the personnel or entities performing this Function comply with any Regulations issued by the Commissioner of Education and meet professional auditing standards for independence between the auditor and the District.

Personnel or entities performing the Internal Audit Function shall report directly to the Board of Education. The Audit Committee shall assist in the oversight of the Internal Audit Function on behalf of the Board.

Education Law Sections 1950, 2116-b and 2116-c
8 New York Code of Rules and Regulations (NYCRR) Section 170.12(d)

Adopted: 6/15/06

SUBJECT: AUDIT COMMITTEE

No later than January 1, 2006, an Audit Committee shall be established by Board resolution. The Audit Committee may consist of:

a) The Board of Education as a whole;

b) A subcommittee of the Board of Education; or

c) An Advisory Committee that may include, or be composed entirely of persons other than Board members, if, in the opinion of the Board, such membership is advisable to provide accounting and auditing expertise.

The Audit Committee shall consist of at least three (3) members who shall serve without compensation, but shall be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee shall be deemed School District Officers, but shall not be required to be residents of the School District.

The role of the Audit Committee shall be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board shall not substitute for any required review and acceptance by the Board of Education.

The responsibilities of the Audit Committee include the following:

a) Provide recommendations regarding the appointment of the External (Independent) Auditor for the District;

b) Meet with the External (Independent) Auditor prior to commencement of the audit;

c) Review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;

d) Receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board of Education in interpreting such documents;

SUBJECT: AUDIT COMMITTEE [continued]

e) Make a recommendation to the Board on accepting the annual audit report; and

f) Review every corrective action plan developed by the School District and assist the Board in its implementation.

g) The District will also timely post a copy of this plan on its website.

Additional responsibilities of the Audit Committee include: assisting in the oversight of the Internal Audit Function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor, monitoring the School District's implementation of such recommendation; and evaluating the performance of the Internal Audit Function.

The Audit Committee may conduct an Executive Session pursuant to Public Officers Law Section 105 pertaining to the following matters:

a) To meet with the External (Independent) Auditor prior to commencement of the audit;

b) To review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable; and

c) To receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board of Education in interpreting such documents;

Any Board member who is not a member of the audit Committee may be allowed to attend an Audit Committee meeting if authorized by a Board resolution. However, if such Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

Education Law Sections 211-a, 2116-c, and 3811-3813
Public Officers Law Sections 105(b), 105(c) and 105(d) 8 New York Code of Rules and Regulations (NYCRR) Section 170.12(d)

Adopted: 4/26/06; Revised: 6/15/17

SUBJECT: MEMORIAL BOOKS

If an immediate family member of a current Wallkill Central School District employee passes away, the District will purchase a book in their memory and place it in one (1) of the District's Library/Media Centers.

The purchase of the memorial book will be coordinated by the District Clerk and the Building Principal/Designee of the appropriate building.

Immediate family members will consist of Spouse, Children, Parents, Siblings and Parents-in-Law.

Adopted: 6/19/09

SUBJECT: INSURANCE

An objective of the Board of Education is to obtain the best possible insurance at the lowest possible cost.

The Board of Education shall seek advice from an Insurance Appraisal Service concerning the school system's coverage regarding fire, boiler, general liability and student accident insurance.

The Board shall carry liability insurance on the school buildings and grounds and automobile liability insurance on District owned vehicles.

Fire insurance policies on school buildings shall be kept in a vault or fireproof file outside of the school building along with an inventory of the contents of the building.

Education Law Sections 1709(8), 3023, 3028, and 3811

SUBJECT: INVENTORIES

An initial inventory is conducted through a professional provider. It is then updated on a calendar basis (1/1 - 12/31) by going through the paid vouchers. Buildings are to contact the Purchasing Agent for serial numbers and/or tag numbers.

Individual buildings should notify the Purchasing Agent or Assistant Purchasing Agent (if Purchasing Agent is not available) when equipment is deleted from their inventory.

An inventory of supplies is not maintained solely at a District level. Each building keeps track of their supply inventory and orders accordingly when yearly supply requisitions are due.

The capitalization threshold (the dollar value above which asset acquisitions are added to the capital asset accounts) is $1500 or more.

Adopted: 1987
Revised: 11/18/05; 11/19/09

SUBJECT: OPERATION AND MAINTENANCE OF FACILITIES

Operation and Maintenance

The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.

It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

Construction and Remodeling of School Facilities

Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the school District shall be submitted to the Commissioner when the contemplated construction costs of such work are $10,000.00 or more, and for all projects affecting the health and safety of pupils.

Plans and specifications submitted to the Commissioner shall 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 also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816).

For remodeling or construction projects costing $5,000 or more, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR 600 through 1250) and Part 155 of the Commissioner's Regulations, and shall retain the services of an architect or engineer licensed to practice in New York State.

For remodeling or construction projects costing less than $5,000, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.

SUBJECT: OPERATION AND MAINTENANCE OF FACILITIES [continued]

Inspections

The administration of the school system shall cooperate with officials conducting health, fire, asbestos, bus, and boiler inspections. The administration shall keep the Board of Education informed of the results of such inspections in a timely fashion.

The Board shall be responsible for carrying out all periodic inspections of its buildings in a manner consistent with State law and the Commissioner's Regulations.

Building Condition Survey: Commissioner's Regulations Section 155.4 (b) (1)

- Fire Inspection: Commissioner's Regulations Section 155.8
- Education Law Section 807-a
- Health Inspection: Education Law Section 906
- Asbestos Inspection: Education Law, Article 9-A, 40 Code of Federal Regulations (CFR), Part 763, Subpart E
- Plans and Specifications: Education Law Sections 408, 408-a and 409
  Commissioner's Regulations Sections 155.1 and 155.2
- Structural Safety Inspections: Education Law Sections 409-d and 3602(6)(d)

Business Operations

SUBJECT: HAZARDOUS WASTE

The Board of Education recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.

The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific federal and state laws.

The Board directs the Superintendent to insure District implementation of applicable federal and state laws pertaining to the identification, transportation, treatment storage, and disposal of hazardous wastes.

Environmental Protection Agency
(40 CFR 261 and 262)

New York State Codes, Rules and
Regulations (6 NYCRR Part 371)

Revised: 11/16/89

SUBJECT: HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES

The Superintendent/designee shall maintain a current record of the name, address and social security number of every employee who handles or uses a substance or substances included in section nineteen hundred ten of the federal occupational safety and health regulations, subparagraph z and which such substance or substances was or were handled or used by which employee. Such record shall be made available to each affected employee, former employee, designated physician or representative and the commissioner of health, upon request, for examination and copying. Such record shall be kept for forty years.

If the District keeps an internal record, which uses other employee identification numbers in lieu of employee SSN, it may do so. The use of a second set of records is predicated on the ability for those unique identification numbers to be easily cross referenced to the employee's SSN. Such a system would ensure that the employee's privacy is maintained, while also satisfying the OSHA and New York Labor Law standards.

New York Labor Law § 879
Occupational Safety and Health Regulations-§1910 subpart Z

SUBJECT: NAMING/RENAMING SCHOOL FACILITIES

A facility, or portion thereof, or any property to be named of renamed by the District will be referred to the Building and Grounds Committee.

The Board of Education will make the final decision regarding the naming of such.

An appropriate building plaque or other suitable memorials may also be authorized by the Board.

Revised: 1/19/95

SUBJECT: TOBACCO FREE, SMOKE FREE ENVIRONMENT POLICY

a. For purposes of this policy, tobacco is defined to include any lit or unlit cigarette, cigar, cigarillo, pipe, bidi, clove cigarette and any other smoking product, as well as smokeless tobacco (spit, dip, chew, snus and/or snuff) in any form and electronic cigarettes.

b. No person shall use tobacco at any time anywhere on school grounds (owned or leased), in any vehicles used to transport children or school personnel, or at any off-campus school sponsored events. For the purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds of a school contained within the District's legally defined property boundaries as registered in the county clerk's office. [*]

c. The following are prohibited on school grounds and at school sanctioned events on and off campus.

- Distribution or sale of tobacco (On school property; grounds, at any school sponsored event or activity off campus).
- Tobacco advertising is prohibited on school property; grounds, at any school sponsored event or activity off campus, and in all school sponsored publications. School acceptance of gifts, funding, or parent/classroom educational materials from the tobacco industry is prohibited.

d. The school administrator shall notify students, families, employees, contract workers and school visitors of the tobacco-free policy in handbooks and newsletters, on posted notices or signs, or by other means of communication. School personnel in charge of an on-campus school sponsored event or any off-campus school sponsored event shall be responsible for the enforcement of this policy.

f. Students and employees in violation of this policy will be subject to administrative action and may be subject to disciplinary action according to the necessary regulation(s) and/or statutes (See Board Policy 7400.1, 7400.2, 7400.3). Other individuals in violation of this policy will be asked to refrain or leave the premises.

g. When possible, school libraries shall order periodicals with a request for school editions which exclude tobacco advertising.

h. Tobacco use prevention education shall be integrated within the elementary and secondary school curriculum.

[*] New York State Education Law Article 9, Section 409
Goals 2000 Education America Act, Section 1043
The Clean Indoor Air Act
The New York State Public Health Law Section 1399-0

Revised: 1/19/95; 6/21/07; 12/17/09

SUBJECT: GENDER NEUTRAL SINGLE-OCCUPANCY BATHROOMS

The District is committed to creating and maintaining an inclusive educational and work-environment. The District will ensure that all single-occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use.

"Single-occupancy bathroom" means a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy and security.

All gender-neutral bathroom facilities will be clearly designated by the posting of signage either on or near the entry door of each facility.

Education Law § 409-m
Public Buildings Law § 145

Adopted: 4/21/21

Business Operations

SUBJECT: ENERGY AND WATER CONVERSATION

The Wallkill Central School District Board of Education recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption.

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)

School Food Service Program (Lunch and Breakfast)

The District participates in the National School Lunch Program, School Breakfast Program, and Special Milk Program, to receive commodities and subsidies from the U.S. Department of Agriculture. In return, the District provides free and reduced-price meals to elementary and secondary students in its schools and serves meals that meet federal requirements.

The Superintendent or designee will carry out the rules of the School Lunch and Breakfast Programs. The District's Reviewing Official and Verification Official or the Department of Social Services Office of Temporary and Disability Assistance (OTDA) will determine student eligibility. Appeals regarding eligibility should be submitted to the District's Hearing Official.

The District may allow free or reduced-price meals for qualifying District students after receiving a written application from the student's parent or guardian or a direct certification letter from OTDA. Applications will be provided by the District to all families.

School officials must also determine eligibility for free or reduced-price meals and milk by using the Direct Certification Matching Process. Any student residing in a household receiving federal assistance through the Supplemental Nutrition Assistance Program (SNAP), or Temporary Assistance to Needy Families (TANF) is automatically eligible for free meals and milk; eligible families will not have to complete further applications. The District will notify parents or guardians of eligibility, giving them the opportunity to decline free meals and milk.

Child Nutrition Program Authorization

Since the District participates in one or more Child Nutrition Program, the Superintendent or his/her designee has developed rules which address:

a) What can be charged;

b) The limit on the number of charges per student;

c) The system used for identifying and recording charged meals;

d) The system used for collection of repayments; and

e) Ongoing communication of this policy to parents and students. The District's meal-charge policy and procedures will be distributed to all households and applicable staff in writing at the start of each school year and to new households that transfer into the District during the school year. The policy and procedures may vary by grade. The District will also provide details regarding payment methods on its website.

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) [continued]

Charging Meals

a) If a student's prepaid meal card or account has been exhausted, he or she will be given a grace period where no more than five reimbursable meals (that are available to all students) may be charged, to allow time for the meal card or account to be replenished.

b) The only item(s) permitted to be charged are a complete meal or milk. A la carte items such as snacks or ice cream may not be charged;

c) The District's point-of-sale system will track all charges and payments;

d) If a student comes to school without a lunch, and has exceeded the maximum reimbursable-meal limit, the District may provide a reimbursable meal (that is available to all students) so that he or she does not go hungry that day;

e) As appropriate, District administration may contact Social Services to report a student's consistent failure to arrive at school with a meal.

Unpaid meal charges will be addressed directly with the student's parent or guardian who is responsible for providing funds for meal purchases; discreet notifications of low, exhausted, or deficit balances will be sent at appropriate intervals during the school year. The notification may include a repayment schedule, but will not charge any interest or fees related to meals charged during the grace period. District administration will further consider the benefits of attempted collections and the costs that would be expended in collection attempts.

Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265
Child Nutrition Act 1966, 42 USC § 1771 et seq.
Richard B. Russell National School Lunch Act 1946, 42 USC § 1751 et seq.
§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Individuals with Disabilities Education Act (IDEA), 20 USC §§ 1400-1485
7 CFR Parts 15B, 210 and 220
Education Law §§ 902(b), 915, 918, 1604(28), 1709(22), 1709(23) and 2503(9)(a)
8 NYCRR §§ 200.2(b)(1) and 200.2(b)(2)
Social Services Law § 95

Adopted: 1987; Revised 7/25/17; 5/16/18

SUBJECT: DISTRICT WELLNESS POLICY

The District is committed to providing a school environment that promotes and protects children's health, well-being, and ability to learn by fostering healthy eating and physical activity. The District has established a Wellness Committee to develop the District's proposed local wellness policy, making such policy recommendations for review and adoption by the Board of Education.

The District Wellness Committee will assess current activities, programs and policies available in the District; identify specific areas of need within the District; develop the policy; and provide mechanisms for implementation, evaluation, revision and updating of the policy. The Wellness Committee is established to represent the local community's perspective in developing the wellness policy for the District. The District shall provide information including periodic assessments, to the public about the content, effectiveness and implementation of this wellness policy.

Goals to Promote Student Wellness

The Wellness Committee recommends the following District goals relating to nutrition education, physical activity and other school-based activities:

Nutrition Education

The primary goal of nutrition education is to influence students' eating behaviors. Building nutrition knowledge and skills will help students make healthy eating and physical activity choices.

a) Students in grades K-12 receive nutrition and physical education that is interactive and teaches the skills they need to adopt healthy eating behaviors and physical activity choices.

b) Nutrition education is offered in the school cafeterias as well as in the classroom, with coordination between the food service staff and teachers.

c) Nutrition is integrated into the health (middle and high school) and family consumer science (middle school) curriculum. In addition, nutrition is integrated into the core curriculum at the elementary level.

d) Professional development opportunities on nutrition education are made available to all faculty and staff members in the District.

Physical Activity

The primary goals for schools' physical activity components are: to provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain students' physical fitness, to ensure students' regular participation in physical activity, and to teach students the short-and long-term benefits of a physically active and healthful lifestyle.

SUBJECT: DISTRICT WELLNESS POLICY [continued]

a) Students are given opportunities for physical activity in physical education classes and/or other activities throughout the school year.

b) Students are given opportunities for physical activity through a range of after school programs including, but not limited to intramurals, interscholastic sports and other activity clubs.

c) Schools will work with the community to encourage students to participate in community based recreational programs.

d) Schools will encourage parents and guardians to support their children's participation in physical activity both during the school day and outside the school day.

Nutrition Guidelines/Other School Based Activities

a) The School District will follow the Nutritional Guidelines of the National School Lunch and Breakfast programs.

b) All food made available on campus will adhere to food safety guidelines.

c) All food and beverages sold on campus during the school day are consistent with the current dietary guidelines. Food and beverages available during the school day will be offered in modest portion sizes age-appropriate for elementary, middle and high school students, respectively.

d) If a la carte foods are available, the District shall ensure that all items meet the nutrition standards set in federal regulations for competitive food regarding whole grains, fruits, vegetables, calories, fat, saturated fats, trans fats, sugar, sodium, and caffeine.

e) The School District provides a clean and safe eating environment.

f) Classroom snacks, and celebrations, and events where food and beverages are provided but not sold, especially in elementary schools, should encourage healthy choices.

Marketing of Food and Beverages

Any food or beverage that is marketed on school grounds during the school day must meet at least the federal nutrition standards for competitive items. Marketing includes all advertising and promotions: verbal, written, or graphic, or promotional items.

Policy Administration

The Assistant Superintendent for Support Services is charged with operational responsibility for ensuring that the District meets the Wellness Policy adopted. For further information you may contact the office at (845) 895-7102.

Adopted: 5/17/06; Revised: 6/15/17; 5/16/18

SUBJECT: RECORDS MANAGEMENT

A Records Management Officer shall be designated by the Superintendent, subject to the approval of an appointment by the Board of Education. The Records Management Officer shall coordinate the development of and oversee a program for the orderly and efficient management of records, including the legal disposition or destruction of obsolete records, and shall be given the authority and responsibility to work with other local officials at all levels in the development and maintenance of the records management program.

In addition, a Records Advisory Board may be created to assist in establishing and supporting the records management program. The District's legal counsel, the fiscal officer, and the Superintendent/designee may comprise the Advisory Board.

Retention and Disposition of Records

The District will retain records and dispose of them in accordance with the Retention and Disposition Schedule for New York Local Government Records (LGS-1), or as otherwise approved by the Commissioner of Education. Further, if any law specifically provides a retention period longer than that established by this schedule, the retention period established by the law will govern.

Replacing Original Records with Microforms or Electronic Images

The District will follow procedures prescribed by the Commissioner of Education to ensure accessibility and intelligibility for the life of any microform or electronic records that replace paper originals or micrographic copies.

Retention and Preservation of Electronic Records

The District shall ensure that record retention requirements are incorporated into any program, plan or process for design, redesign, or substantial enhancement of an information system that stores electronic records. The District will also ensure that electronic records are not rendered unusable because of changing technology before their retention and preservation requirements expire.

Arts and Cultural Affairs Law Article 57-a
8 New York Code of Rules and Regulations (NYCRR) Part 185

Adopted: 3/15/90; Revised: 12/18/08; 1/18/18; 2/17/21

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The School District values the protection of private information of individuals in accordance with applicable law and regulations. Further, the District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's *private information* in compliance with the Information Security Breach and Notification Act and Board policy.

a) "*Private information*" shall mean **personal information* in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. Social security number;
2. Driver's license number or non-driver identification card number; or
3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"*Private information*" does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

**"*Personal information*" shall mean any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

b) "*Breach of the security of the system*," shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

Examples of Determining Factors

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

a) Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or

b) Indications that the information has been downloaded or copied; or

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION [continued]

c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.

Notification Requirements

a) For any computerized data owned or licensed by the School District that includes private information, the District shall disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The District shall consult with the State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.

b) For any computerized data maintained by the District that includes private information which the District does not own, the District shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

Methods of Notification

The required notice shall be directly provided to the affected persons by one of the following methods:

a) Written notice;

b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and a log of each such notification is kept by the District when notifying affected persons in electronic form. However, in no case shall the District require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION [continued]

c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or

d) Substitute notice, if the District demonstrates to the State Attorney General that the cost of providing notice would exceed $250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice shall consist of **all** of the following:

1. E-mail notice when the District has an e-mail address for the subject persons;

2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and

3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice shall include contact information for the notifying District and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the District shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents.

In the event that more than 5,000 New York State residents are to be notified at one time, the District shall also notify consumer reporting agencies, as defined pursuant to State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with Section 208(2) of the State Technology Law, regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law Sections 202 and 208

Adopted: 4/26/06

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA

The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors. The District adopts this policy to implement the requirements of Education Law Section 2-d and its implementing regulations, as well as to align the District's data privacy and security practices with the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1).

Definitions

As provided in Education Law Section 2-d and/or its implementing regulations, the following terms, as used in this policy, will mean:

a) "Breach" means the unauthorized acquisition, access, use, or disclosure of student data and/or teacher or principal data by or to a person not authorized to acquire, access, use, or receive the student data and/or teacher or principal data.

b) "Education records" means an education record as defined in the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.

c) "Educational agency" means a school district, board of cooperative educational services (BOCES), school, or the New York State Education Department (NYSED).

d) "Personally identifiable information (PII)," as applied to student data, means personally identifiable information as defined in 34 CFR Section 99.3 implementing the Family Educational Rights and Privacy Act, 20 USC Section 1232g, and, as applied to teacher or principal data, means personally identifying information as this term is defined in Education Law Section 3012-c(10).

e) "Student data" means personally identifiable information from the student records of an educational agency.

f) "Teacher or principal data" means personally identifiable information from the records of an educational agency relating to the annual professional performance reviews of classroom teachers or principals that is confidential and not subject to release under the provisions of Education Law Sections 3012-c and 3012-d.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

g) "Third-party contractor" means any person or entity, other than an educational agency, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to the educational agency, including but not limited to data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs. This term will include an educational partnership organization that receives student and/or teacher or principal data from a school district to carry out its responsibilities pursuant to Education Law Section 211-e and is not an educational agency, and a not-for-profit corporation or other nonprofit organization, other than an educational agency.

h) "Unauthorized disclosure" or "unauthorized release" means any disclosure or release not permitted by federal or state statute or regulation, any lawful contract or written agreement, or that does not respond to a lawful order of a court or tribunal or other lawful order.

Additional definitions are set forth in Education Law Section 2-d.

Data Collection Transparency and Restrictions

As part of its commitment to maintaining the privacy and security of student data and teacher and principal data, the District will take steps to minimize its collection, processing, and transmission of PII. Additionally, the District will:

a) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

b) Ensure that it has provisions in its contracts with third-party contractors or in separate data sharing and confidentiality agreements that require the confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

Except as required by law or in the case of educational enrollment data, the District will not report to NYSED the following student data elements:

a) Juvenile delinquency records;

b) Criminal records;

c) Medical and health records; and

d) Student biometric information.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

Nothing in Education Law Section 2-d or this policy should be construed as limiting the administrative use of student data or teacher or principal data by a person acting exclusively in the person's capacity as an employee of the District.

Chief Privacy Officer

The Commissioner of Education has appointed a Chief Privacy Officer who will report to the Commissioner on matters affecting privacy and the security of student data and teacher and principal data. Among other functions, the Chief Privacy Officer is authorized to provide assistance to educational agencies within the state on minimum standards and best practices associated with privacy and the security of student data and teacher and principal data.

The District will comply with its obligation to report breaches or unauthorized releases of student data or teacher or principal data to the Chief Privacy Officer in accordance with Education Law Section 2-d, its implementing regulations, and this policy.

Data Protection Officer

The District shall designate a District employee to serve as the District's Data Protection Officer.

The Data Protection Officer is responsible for the implementation and oversight of this policy and any related procedures including those required by Education Law Section 2-d and its implementing regulations, as well as serving as the main point of contact for data privacy and security for the District.

The District will ensure that the Data Protection Officer has the appropriate knowledge, training, and experience to administer these functions. The Data Protection Officer may perform these functions in addition to other job responsibilities.

District Data Privacy and Security Standards

The District will use the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1) (Framework) as the standard for its data privacy and security program.

The District will protect the privacy of PII by:

a) Ensuring that every use and disclosure of PII by the District benefits students and the District by considering, among other criteria, whether the use and/or disclosure will:

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

1. Improve academic achievement;
2. Empower parents and students with information; and/or
3. Advance efficient and effective school operations.

b) Not including PII in public reports or other public documents.

The District affords all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents or eligible students, where applicable.

Third-Party Contractors

District Responsibilities

The District will ensure that whenever it enters into a contract or other written agreement with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District, the contract or written agreement will include provisions requiring that confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

In addition, the District will ensure that the contract or written agreement includes the third-party contractor's data privacy and security plan that has been accepted by the District.

The third-party contractor's data privacy and security plan must, at a minimum:

a) Outline how the third-party contractor will implement all state, federal, and local data privacy and security contract requirements over the life of the contract, consistent with District policy;

b) Specify the administrative, operational, and technical safeguards and practices the third-party contractor has in place to protect PII that it will receive under the contract;

c) Demonstrate that the third-party contractor complies with the requirements for supplemental information on contracts with third party contractors;

d) Specify how officers or employees of the third-party contractor and its assignees who have access to student data or teacher or principal data receive or will receive training on the laws governing confidentiality of this data prior to receiving access;

e) Specify if the third-party contractor will utilize subcontractors and how it will manage those relationships and contracts to ensure PII is protected;

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

f) Specify how the third-party contractor will manage data privacy and security incidents that implicate PII including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District;

g) Describe whether, how, and when data will be returned to the District, transitioned to a successor contractor, at the District's option and direction, deleted or destroyed by the third-party contractor when the contract is terminated or expires; and

h) Include a signed copy of the Parents' Bill of Rights for Data Privacy and Security.

Third-Party Contractor Responsibilities

Each third-party contractor, that enters into a contract or other written agreement with the District under which the third-party contractor will receive student data or teacher or principal data from the District, is required to:

a) Adopt technologies, safeguards, and practices that align with the NIST Cybersecurity Framework;

b) Comply with District policy and Education Law Section 2-d and its implementing regulations;

c) Limit internal access to PII to only those employees or subcontractors that have legitimate educational interests (i.e., they need access to provide the contracted services);

d) Not use the PII for any purpose not explicitly authorized in its contract;

e) Not disclose any PII to any other party without the prior written consent of the parent or eligible student:

1. Except for authorized representatives of the third-party contractor such as a subcontractor or assignee to the extent they are carrying out the contract and in compliance with law, regulation, and its contract with the District; or

2. Unless required by law or court order and the third-party contractor provides a notice of the disclosure to NYSED, the Board, or the institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by law or court order;

f) Maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of PII in its custody;

g) Use encryption to protect PII in its custody while in motion or at rest; and

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

h) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

Where a third-party contractor engages a subcontractor to perform its contractual obligations, the data protection obligations imposed on the third-party contractor by law and contract apply to the subcontractor.

Click-Wrap Agreements

Periodically, District staff may wish to use software, applications, or other technologies in which the user must "click" a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as "click-wrap agreements" and are considered legally binding "contracts or other written agreements" under Education Law Section 2-d and its implementing regulations.

District staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data from the District unless they have received prior approval from the District's Data Protection Officer or designee.

The District will develop and implement procedures requiring prior review and approval for staff use of any software, applications, or other technologies pursuant to click-wrap agreements.

Parents' Bill of Rights for Data Privacy and Security

The District will publish its Parents' Bill of Rights for Data Privacy and Security (Bill of Rights) on its website. Additionally, the District will include the Bill of Rights with every contract or other written agreement it enters into with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District.

The Bill of Rights will also include supplemental information for each contract the District enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data from the District.

The District will publish on its website the supplement to the Bill of Rights (i.e., the supplemental information described above) for any contract or other written agreement it has entered into with a third-party contractor that will receive PII from the District. The Bill of Rights and supplemental information may be redacted to the extent necessary to safeguard the privacy and/or security of the District's data and/or technology infrastructure.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

Right of Parents and Eligible Students to Inspect and Review Students' Education Records

Consistent with the obligations of the District under FERPA, parents and eligible students have the right to inspect and review a student's education record by making a request directly to the District in a manner prescribed by the District.

The District will ensure that only authorized individuals are able to inspect and review student data. To that end, the District will take steps to verify the identity of parents or eligible students who submit requests to inspect and review an education record and verify the individual's authority to do so.

Requests by a parent or eligible student for access to a student's education records must be directed to the District and not to a third-party contractor. The District may require that requests to inspect and review education records be made in writing.

The District will notify parents annually of their right to request to inspect and review their child's education record including any student data stored or maintained by the District through its annual FERPA notice. A notice separate from the District's annual FERPA notice is not required.

The District will comply with a request for access to records within a reasonable period, but not more than 45 calendar days after receipt of a request.

The District may provide the records to a parent or eligible student electronically, if the parent consents. The District must transmit the PII in a way that complies with laws and regulations. Safeguards associated with industry standards and best practices, including but not limited to encryption and password protection, must be in place when education records requested by a parent or eligible student are electronically transmitted.

Complaints of Breach or Unauthorized Release of Student Data and/or Teacher or Principal Data

The District will inform parents, through its Parents' Bill of Rights for Data Privacy and Security, that they have the right to submit complaints about possible breaches of student data to the Chief Privacy Officer at NYSED. In addition, the District has established the following procedures for parents, eligible students, teachers, principals, and other District staff to file complaints with the District about breaches or unauthorized releases of student data and/or teacher or principal data:

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

a) All complaints must be submitted to the District's Data Protection Officer in writing.

b) Upon receipt of a complaint, the District will promptly acknowledge receipt of the complaint, commence an investigation, and take the necessary precautions to protect PII.

c) Following the investigation of a submitted complaint, the District will provide the individual who filed the complaint with its findings. This will be completed within a reasonable period of time, but no more than 60 calendar days from the receipt of the complaint by the District.

d) If the District requires additional time, or where the response may compromise security or impede a law enforcement investigation, the District will provide the individual who filed the complaint with a written explanation that includes the approximate date when the District anticipates that it will respond to the complaint.

These procedures will be disseminated to parents, eligible students, teachers, principals, and other District staff.

The District will maintain a record of all complaints of breaches or unauthorized releases of student data and their disposition in accordance with applicable data retention policies, including the Records Retention and Disposition Schedule ED-1 (1988; rev. 2004).

Reporting a Breach or Unauthorized Release

The District will report every discovery or report of a breach or unauthorized release of student data or teacher or principal data within the District to the Chief Privacy Officer without unreasonable delay, but no more than ten calendar days after the discovery.

Each third-party contractor that receives student data or teacher or principal data pursuant to a contract or other written agreement entered into with the District will be required to promptly notify the District of any breach of security resulting in an unauthorized release of the data by the third-party contractor or its assignees in violation of applicable laws and regulations, the Parents' Bill of Rights for Student Data Privacy and Security, District policy, and/or binding contractual obligations relating to data privacy and security, in the most expedient way possible and without unreasonable delay, but no more than seven calendar days after the discovery of the breach.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

In the event of notification from a third-party contractor, the District will in turn notify the Chief Privacy Officer of the breach or unauthorized release of student data or teacher or principal data no more than ten calendar days after it receives the third-party contractor's notification using a form or format prescribed by NYSED.

Investigation of Reports of Breach or Unauthorized Release by the Chief Privacy Officer

The Chief Privacy Officer is required to investigate reports of breaches or unauthorized releases of student data or teacher or principal data by third-party contractors. As part of an investigation, the Chief Privacy Officer may require that the parties submit documentation, provide testimony, and may visit, examine, and/or inspect the third-party contractor's facilities and records.

Upon the belief that a breach or unauthorized release constitutes criminal conduct, the Chief Privacy Officer is required to report the breach and unauthorized release to law enforcement in the most expedient way possible and without unreasonable delay.

Third-party contractors are required to cooperate with the District and law enforcement to protect the integrity of investigations into the breach or unauthorized release of PII.

Upon conclusion of an investigation, if the Chief Privacy Officer determines that a third-party contractor has through its actions or omissions caused student data or teacher or principal data to be breached or released to any person or entity not authorized by law to receive this data in violation of applicable laws and regulations, District policy, and/or any binding contractual obligations, the Chief Privacy Officer is required to notify the third-party contractor of the finding and give the third-party contractor no more than 30 days to submit a written response.

If after reviewing the third-party contractor's written response, the Chief Privacy Officer determines the incident to be a violation of Education Law Section 2-d, the Chief Privacy Officer will be authorized to impose penalties against the third-party contractor as set forth in the Commissioner’s regulations.

If the Chief Privacy Officer determines that the breach or unauthorized release of student data or teacher or principal data on the part of the third-party contractor or assignee was inadvertent and done without intent, knowledge, recklessness, or gross negligence, the Chief Privacy Officer may make a recommendation to the Commissioner that no penalty be issued to the third-party contractor.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

The Commissioner would then make a final determination as to whether the breach or unauthorized release was inadvertent and done without intent, knowledge, recklessness or gross negligence and whether or not a penalty should be issued.

Notification of a Breach or Unauthorized Release

The District will notify affected parents, eligible students, teachers, and/or principals in the most expedient way possible and without unreasonable delay, but no more than 60 calendar days after the discovery of a breach or unauthorized release of PII by the District or the receipt of a notification of a breach or unauthorized release of PII from a third-party contractor unless that notification would interfere with an ongoing investigation by law enforcement or cause further disclosure of PII by disclosing an unfixed security vulnerability. Where notification is delayed under these circumstances, the District will notify parents, eligible students, teachers, and/or principals within seven calendar days after the security vulnerability has been remedied or the risk of interference with the law enforcement investigation ends.

Notifications will be clear, concise, use language that is plain and easy to understand, and to the extent available, include:

a) A brief description of the breach or unauthorized release, the dates of the incident and the date of discovery, if known;

b) A description of the types of PII affected;

c) An estimate of the number of records affected;

d) A brief description of the District's investigation or plan to investigate; and

e) Contact information for representatives who can assist parents or eligible students that have additional questions.

Notification will be directly provided to the affected parent, eligible student, teacher, or principal by first-class mail to their last known address, by email, or by telephone.

Where a breach or unauthorized release is attributed to a third-party contractor, the third-party contractor is required to pay for or promptly reimburse the District for the full cost of this notification.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA *(continued)*

Annual Data Privacy and Security Training

The District will annually provide data privacy and security awareness training to its officers and staff with access to PII. This training will include, but not be limited to, training on the applicable laws and regulations that protect PII and how staff can comply with these laws and regulations. The District may deliver this training using online training tools. Additionally, this training may be included as part of the training that the District already offers to its workforce.

Notification of Policy

The District will publish this policy on its website and provide notice of the policy to all its officers and staff.

Education Law § 2-d
8 NYCRR Part 121

Adopted: 6/18/20

Business Operations

SUBJECT: SAFETY/HAZARD COMMUNICATION STANDARD

The Board of Education of the Wallkill Central School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons; students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

It shall be the responsibility of the Superintendent to establish and carry out written regulations which will:

a) Identify those staff members who will be responsible for the effective administration of the regulations;

b) Provide staff time and other necessary resources for the effective administration of the regulations;

c) Establish periodic written review of the activities of the staff to insure compliance with applicable laws and regulations;

d) Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;

e) Provide for reports as needed to the Board of Education regarding the significant aspects of safety and security of the District.

Hazard Communication Standard

The Board of Education recognizes the rights of all personnel to work in a healthy and safe environment which is as free as practicable from recognized hazards and risks to their safety.

Therefore, all personnel shall be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard.

The Board directs the Superintendent to adopt rules and regulations to insure District implementation of this policy which shall include awareness information, employee training and record keeping.

NYS Labor Law
12 NYCRR Part 820 Article 28
OSHA 29 CFR 1910.1200

Revised: 11/16/89

Business Operations

SUBJECT: EXPOSURE CONTROL PLAN

The Wallkill Central School District has developed an Exposure Control Plan in accordance with OSHA Standard 29 CFR 1910.1030, Occupational Exposure to Bloodborne Pathogens. The plan is designed to reduce an employee's risk of exposure to bloodborne pathogens in the workplace. For the purposes of this plan, a bloodborne pathogen is any pathogen microorganism, present in human blood, capable of causing disease in humans. This group includes, but is not limited to, the Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV). This plan outlines the steps which the Wallkill Central School District shall take to comply with the OSHA standard. This plan is available from the Assistant Superintendent for Support Services for review by all employees and the Assistant Secretary of Labor for Occupational Safety and Health upon request.

OSHA Standards 29 CFR 1910.1030

Adopted: 3/18/93

SUBJECT: CRISIS MANAGEMENT

No school system is immune to an emergency or disaster having an immediate negative physical or mental effect on its students, staff and the local community. When a crisis arises, immediate, effective and responsible management and communication can address the crisis and maintain a district's integrity and credibility. Therefore, the District shall develop and maintain a unified position by:

a) Identifying a crisis response team to develop a plan and maintain a strong, ongoing communications program in each school. This is the foundation for long range success.

b) Identifying a media spokesperson who will be briefed on all details. This spokesperson shall be the Superintendent or his/her designee. Only this spokesperson shall talk to and maintain a timely flow of information to the media.

The Superintendent/designee shall be responsible for informing staff of the crisis plan which is to be developed by both administration and the crisis response team.

Adopted: 3/15/90

SUBJECT: MAXIMUM TEMPERATURE FOR SCHOOL BUILDINGS AND INDOOR FACILITIES

The District is responsible for addressing the health, safety, and comfort of students and staff on extreme heat conditions days.

For purposes of this policy, the following definitions apply:

a) Extreme heat condition days means days when occupiable educational and support services spaces are 82 degrees Fahrenheit or higher.

b) Room temperature means the temperature measured at a shaded location, three feet above the floor near the center of the room.

c) Support services spaces do not include kitchen areas used in the preparation of food for consumption by students.

Implementation Plan When the Temperature Reaches Eighty-Two Degrees Fahrenheit

The District is required to take action to relieve heat-related discomfort when the occupiable educational and support services spaces temperatures reach 82 degrees Fahrenheit. These actions may include, but are not limited to:

a) Temperatures will be taken using a temperature device from the center of the classroom and 3' above the floor to determine room temps.

b) Overhead lights turned off *(if applicable)*

c) Pull down shades *(if applicable)*

d) Utilize fans *(if applicable)*

e) Open classroom doors and windows *(if applicable)*

f) Turn off electronics *(if applicable)*

g) Utilize air conditioning *(if applicable)*

h) Provide water breaks

SUBJECT: MAXIMUM TEMPERATURE FOR SCHOOL BUILDINGS AND INDOOR FACILITIES ***[continued]***

Implementation Plan When the Temperature Reaches Eighty-Eight Degrees Fahrenheit

If an educational room temperature reaches 88°, the class will be relocated to a location with a temperature less than 88° when practicable, as designated by the building administrator in consultation with the Assistant Superintendent for Support Services.

Note: The educational room temperature will continue to be monitored to determine when it can be reoccupied.

Education Law Section 409-n

NOTE: Refer also to Policy #3510 -- Emergency School Closings

Adopted 8/20/25

SUBJECT: WEBSITE ACCESSIBILITY

It is the goal of the Wallkill Central School District that the information on its website be accessible to individuals with visual, hearing or cognitive disabilities.

Good faith efforts have been made to ensure that the website complies with New York State and federal standards on website accessibility.

The majority of pages in the Wallkill Central School District site are available in HTML format that can be deciphered by screen readers. Some documents are in Adobe PDF format, which require Adobe Acrobat Reader to view. If you do not already have Adobe Acrobat Reader on your computer, you can download it for free from the Adobe website.

If you are unable to access any page(s) in our site, please send an e-mail to the district at webmaster@wallkillcsd.k12.ny.us with detailed information on the location of the page or document you were attempting to access. Be sure to include your name, e-mail address and phone number so that we may contact you to provide the information in another format.

Please note that some pages on the Wallkill Central School District website contain links to third party sites, which are not within the district's control and may not comply with accessibility standards. The district is not responsible for the content or accessibility of third party sites.

Adopted: 1/1/18

SUBJECT: TRANSPORTATION PROGRAM

It is the intent of the Board of Education of the Wallkill Central School to provide each student of the District, transportation as required by New York State Education Law.

The Wallkill Central School Board of Education believes that the safe transportation of the students is of prime importance.

Transportation services as required by the State Education Department calls for each elementary and secondary child being furnished with transportation beyond two and three miles of their home, respectively.

Transportation of Students

Students with Disabilities, Private and Parochial

Private and Parochial students with disabilities will be provided transportation in accordance with Commissioner's Regulations and New York State Law.

Elementary and High School Students

Elementary and High School students will be picked up and dropped off at distances .7 of a mile or greater from their appropriate school or on side roads which are .7 of a mile or greater from a main bus route. At noon every effort will be made to pick up and drop off kindergarten students at their driveway (if the District has a half day Kindergarten Program). In the hamlet of Wallkill, students residing above Crittenden Street toward the hamlet will walk to the Ostrander Elementary School and the John G. Borden Middle School.

Extra-Curricular Trips

All students who participate in a school-sponsored activity must ride the school bus to and from the activity [for additional information refer to Policy #7400.4]. Parents or legal guardians may apply to the appropriate school principal in writing for special permission to transport their children to a school activity where transportation is provided.

Building Principals will provide coaches, teachers and chaperones with a list of students who are granted permission to participate in any event and whose parents or legal guardians are providing transportation.

SUBJECT: TRANSPORTATION PROGRAM [continued]

Student Conduct on Buses

Acceptable conduct is required. It should be developed through the cooperative efforts of principals, parents, bus drivers, and students. Students and parents shall be informed of the Rules for Student Conduct each year. School children while being transported, are under the supervision, direction and control of the school bus driver. Student disturbances or violation of rules, which in the opinion of the bus driver cause disruption of normal, safe operation of the bus, shall be reported to the Building Principal on a Bus Incident Report form.

Coaches, teachers and chaperones, when accompanying students on a trip, shall be responsible for the control of student behavior.

Violation of the Rules for Student Conduct may result in suspension of student's riding privileges in accordance with Policies #7470 and #7471 (Suspension).

In the event of serious discipline problems, principals shall attempt to inform parents, first by telephone, before a suspension becomes effective. A follow-up letter shall be sent informing parents of the suspension.

The District does not permit students to carry items on the bus that do not fit on their laps; such as, but not limited to, musical instruments, sports equipment and any item of similar size and shape that may interfere with passenger seating space or obstruct the main aisle.

Education Law Section 3635
Part 721 of the Regulations of the New York State Department of Transportation

Revised: 1/26/89; 5/19/94; 2003; 12/19/05; 10/18/07; 11/15/07; 11/18/10; 3/17/16

SUBJECT: BUS ROUTES

a) Bus routes shall be reviewed each year and shall be established after consideration of the following:

1. An approved State, county or Town road;
2. Cost Efficiency;
3. Population Distribution;
4. Students with Handicapping Conditions;
5. Time Requirement.

Parents and students will be provided with bus route information, including expected times of pick up prior to opening of school each year.

b) The .7 mile limitation [referenced in Policy #5700] will be established by measuring the distances from the:

1. Main bus route to a residential driveway or sidewalk;
2. School driveway (where it intersects the main road) to a distance of .7 of a mile from school.

c) New bus routes and stops may be established during the school year. Notice will be given to parents advising them of this change.

Loading of Buses

In establishing bus routes in September, the following criteria will be used:

a) Elementary students shall ride three (3) to a seat.

b) Secondary students shall ride two (2) to a seat.

c) Standees shall not be permitted.

Late Buses

Buses will transport secondary students to a point no more than 1.5 miles from their homes.

SUBJECT: BUS ROUTES [continued]

Temporary Requests

If a parent wishes a child to ride a different bus or in any other way change their regular daily transportation pattern, the appropriate principal must be notified in writing of such a request. Students will then be either denied or given permission to change. However, established bus routes will not be altered or additional routes added in honoring such a request.

Bus Drivers' Children Riding on Bus

Bus drivers' children who do not attend the Wallkill Central School District shall not be allowed to ride on buses.

Child Care Provider Children Riding Bus

Children attending child care providers not on their regular bus route shall be allowed to ride another bus route under the following conditions:

a) Child care provider children shall not cause overcrowding of the bus or cause additional cost to the District.

Education Law Sections 3621 and 3635

Revised: 1/26/89; 11/18/04; 12/19/05; 6/15/06; 11/18/10

SUBJECT: REQUESTS FOR TRANSPORTATION TO AND FROM NONPUBLIC SCHOOLS

The parent or guardian of a parochial or private school child residing in the School District who desires that the child be transported to a parochial or private school outside of the School District during the next school year should submit a written request to the Board of Education no later than April 1 of the preceding year, or within thirty (30) days of moving into the District. No late request of a parent or guardian shall be denied where a reasonable explanation is provided for the delay.

A child who has not attained the age requirement for admission to the Wallkill Central School District is not entitled to transportation to a private or parochial school.

Education Law Section 3635

Revised: 11/17/88

Business Operations

SUBJECT: TRANSPORTATION OF STUDENTS WITH DISABILITIES

Students with disabilities in the District shall be transported up to fifty (50) miles (one way) from their home to the appropriate special service or program unless the Commissioner of Education shall certify that no appropriate nonresidential special service or program is available within such fifty (50) miles.

Education Law Section 4401/4405

Revised: 5/19/94; 12/19/05; 10/18/07; 11/15/07

SUBJECT: TRANSPORTATION OF NON-RESIDENT STUDENTS

The District shall not extend its bus routes outside of the District to pick up non-resident students.

SUBJECT: SCHOOL TRIPS

School District contracted buses with the approval of the Board may be used for transportation of pupils and teachers for any purpose that is clearly and distinctly a school purpose.

All students who participate in a school-sponsored activity must ride the school bus to and from the activity. Parents or legal guardians may apply to the appropriate school principal in writing for special permission to transport their children to and/or from a school activity where transportation is provided.

School District contracted buses shall not be used for any student overnight trips, without prior approval of the program by the Board of Education.

It will be the policy of the Wallkill Central School District to take every precaution for the safety of students on away trips. Proper regulations to insure this policy are to be developed and carried out, defining the responsibilities of the various District personnel involved. In establishing this policy, the Wallkill Central Board of Education will support the action taken when personnel have followed the directions as prescribed under the regulations governing this policy.

Buses will be provided for transportation of students to athletic events at other schools, along with bus supervision with the approval of the Superintendent or his/her designee.

Field trips, team trips, or other school related excursions whose nature will require overnight travel or lodging of pupils must have the prior approval of the Board of Education. This approval is to be requested through the office of the Superintendent of Schools and is to be requested before any commitments are made to, by, or for pupils, parents, staff, or other interested parties.

Building Principals will provide coaches, teachers and chaperones with a list of students who are granted permission to participate in any event and whose parents or legal guardians are providing transportation.

SUBJECT: SCHOOL BUS AND AUTOMOTIVE SAFETY PROGRAM

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses shall be observed by drivers, students and school personnel.

The Assistant Superintendent for Support Services in cooperation with the principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort. There is no substitute for training to develop safe habits in pedestrian and vehicular traffic.

All vehicles owned and operated by the School District will have frequent safety inspections, and will be serviced regularly. The Assistant Superintendent for Support Services through the Director of Operational Services will maintain a comprehensive record of all maintenance performed on each vehicle.

The bus company must report to the Assistant Superintendent for Support Services any accident that occurs. He/she should report the accident to the Superintendent who in turn reports this to the Board of Education.

Physical damage and/or any injury to passenger(s) shall constitute an accident.

Business Operations

SUBJECT: SCHOOL BUSES STOPPED ON SCHOOL PROPERTY

To assure the safety and security of our students boarding or exiting school buses on school property, it shall be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.

Vehicle and Traffic Law Section 1174, subdivisions a and b

Adopted: 10/25/90

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The Board of Education recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. This policy also applies to contractor owned and operated school buses under contract with the District.

The District shall ensure that each driver of a school bus or other vehicle owner, leased or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

Exceptions

Unless otherwise required by State or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

a) For mechanical work; or

b) To maintain an appropriate temperature for passenger comfort; or

c) In emergency evacuations where necessary to operate wheelchair lifts.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the School District and a private vendor that are entered into on or after August 21, 2008, shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

Education Law Section 3637
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR) Section 156.3(h)

Adopted: 3/19/09

SUBJECT: QUALIFICATIONS OF BUS DRIVERS

A person shall be qualified to operate a bus only if such person:

a) Is at least twenty-one years of age;

b) Has been issued a currently valid driver's license or permit which is valid for the operation of the bus in New York State;

c) Has passed the bus driver physical examination administered pursuant to Commissioner's Regulations;

d) Is not disqualified to drive a motor vehicle;

e) Has on file at least three character references;

f) Has completed, or is scheduled to complete, State Education Department safety programs as required by law; and

g) Has been approved by the Superintendent of Schools.

Section 509 Article 19-A of the Vehicle and Traffic Law
Part 6 of the Rules and Regulations of the
Commissioner of Motor Vehicles

Adopted: 1987
Revised: 12/19/05

SUBJECT: SPECIAL REQUIREMENTS FOR NEW BUS DRIVERS

Before employing a new bus driver, the Superintendent or his/her designee shall:

a) Require such person to pass a medical examination to drive a bus;

b) Make an inquiry to the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;

c) Investigate the person's employment record during the preceding three years;

d) Request the department of Motor Vehicles to initiate a criminal history check;

e) Require such person to submit to the mandated finger-printing procedure.

Section 509 Article 19-A of the Vehicle and Traffic Law
Part 6 of the Rules and Regulations of the Commissioner of Motor Vehicles Commissioner's Regulations Section 156.3

SUBJECT: GOALS AND OBJECTIVES OF THE PERSONNEL SYSTEM

The Board of Education recognizes that a dynamic and efficient staff dedicated to education is necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general well-being of the staff.

The Board is committed to providing a coordinated staff of specially trained personnel so that each discipline or area of responsibility has proper emphasis in the total curriculum and school system organization.

Duties of these personnel shall be outlined by the Superintendent and approved by the Board.

Additionally, the district's specific personnel service goals are:

a) To conduct an employee appraisal program that will contribute to the continuous improvement of staff performance;

b) To develop and manage a staff compensation program sufficient to attract and retain qualified employees;

c) To provide an in-service training program for all employees which will improve their rates of performance, retention and promotion;

d) To administer effectively all employee negotiated contracts;

e) To recruit, select and employ the best qualified personnel to staff the school system;

f) To develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction;

g) To deploy the available personnel and insure that they are utilized as effectively as possible;

h) To employ sufficient personnel to meet the district's purposes.

SUBJECT: EVALUATION OF PERSONNEL: PURPOSES

The administration shall undertake a continuous program of supervision and evaluation of all personnel in the school system in order to promote improved performance and to make decisions about the occupancy of positions. The primary purposes of this evaluation are:

a) To encourage and promote self-evaluation by personnel;

b) To provide a basis for evaluative judgments by school administrators.

Commissioner's Regulations Part 100

SUBJECT: SAFETY OF PERSONNEL

The Board recognizes the right of all personnel to work in an environment which is as free as practicable from hazards and risks to their safety.

The Board directs the Superintendent to adopt rules and regulations to comply with this policy.

Public Law Sections 91-596

SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STAFF AND THE PUBLIC)

The Board of Education of the Wallkill Central School District is committed to the prevention of alcohol, tobacco, drugs and other substance use/abuse. This policy describes the philosophy of the School District and the program elements that the District will use to promote healthy lifestyles for its staff to inhibit the use/abuse of alcohol, tobacco and other substances.

No person may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia, on school grounds or at school sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall be construed throughout this policy to refer to the use of all substances, including, but not limited to, alcohol, tobacco, vaporizers, e-cigarettes, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, opioids, heroin, steroids, herbs, substances, look-alikes, and any of those substances commonly referred to as "designer drugs." Additionally, the Board prohibits the misuse and/or unprescribed use of prescription and over-the-counter drugs in the workplace or when the effects of these actions may impair job performance.

In accordance with law, regulation, and District policy, smoking and vaping are prohibited on school grounds; within 100 feet of the entrances, exits or outdoor areas of any of the District's schools; and/or at any school-sponsored event or activity that occurs off school grounds.

Philosophy

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

a) Alcohol, tobacco, and other substance use/abuse is both preventable and treatable.

b) Abuse of alcohol and other substances inhibits the District from accomplishing its primary purpose of educating children.

c) Individuals connected with the school system (Board of Education, administration, faculty, staff) are expected to model the behavior asked of students.

d) The School District will work cooperatively with the community in preventing alcohol, tobacco, and other substance use/abuse.

<u>Information on Substance Use Related Services</u>

The Superintendent has designated one or more individuals to provide information regarding where and how to find available substance use related services to students, parents, and staff.

Any information provided by a student, parent, or staff member to the designated individuals will not be used in any school disciplinary proceeding and will, in addition to any other applicable privilege, be considered confidential in accordance with law.

SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STAFF AND THE PUBLIC) [continued]

Employee Assistance Program

The School District has in place an employee assistance program which offers confidential counseling to help cope with problems stemming from alcohol and other substance use/abuse. An employee assistance program has been set up on a cooperative basis with School District administration and collective bargaining units.

Disciplinary Measures

Staff will be informed of the range of penalties or consequences, up to and including termination of employment that may be imposed for engaging in prohibited conduct in accordance with any applicable law, District policy, collective bargaining agreement and/or other similar document.

Staff Development

a) The School District continues to provide a comprehensive staff development program for all instructional staff. Programs are designed to enhance the working knowledge of individuals in the area of alcohol, tobacco, and substance use/abuse, as well as assist in the development of strategies that can be utilized in the classrooms in conveying a positive prevention message to students.

b) The School District will make available to all non-instructional employees, staff development program offerings in the area of alcohol, tobacco, and substance use/abuse.

Implementation, Dissemination and Monitoring

The Board of Education directs the Superintendent of Schools to develop and implement specific programs and strategies that are necessary to implement the above policy.

NOTE: Refer also to Policy #7420 - Drugs/Controlled Substances and Alcohol (Students)

Adopted: 12/19/91; Revised 11/21/19

SUBJECT: DRUG-FREE WORKPLACE

It shall be the general policy of the Board of Education to affirm that all programs in the District that receive Federal funds shall guarantee that their workplaces are free of controlled substances. A "controlled substance" includes drugs that are illegal and prescription drugs that are considered highly addictive. This policy shall guarantee that not only Federally funded programs, but the entire District is free of controlled substances. Board of Education directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as shall be required to maintain a drug-free workplace.

In addition to complying with Federal legislation regarding the use of drugs, the Board of Education prohibits any employee to be under the influence, to use, to have in his or her possession or to distribute in any way alcohol on school property or at school sponsored activities off school property.

Drug-Free Workplace Act of 1988
(DFWA P.L. 100-690)

Adopted: 10/20/94
Revised 5/18/16

SUBJECT: HEALTH EXAMINATIONS

Pre-Employment Medical Examinations

In accordance with the American with Disabilities Act, as amended, the District shall not require applicants for positions to undergo a medical examination prior to an offer of employment. Further, the District shall not make inquiries of a job applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability.

However, the District may require pre-employment medical examinations, or make pre-employment inquiries into the ability of an applicant to perform job-related functions.

Employment Entrance Examinations

The Board reserves the right to request a medical examination at any time during employment, at School District expense, in order to determine whether an employee can perform the essential functions of the position with or without reasonable accommodation.

Annual or more frequent examinations of any employee may be required, when, in the judgment of the school physician/nurse practitioner and the Superintendent, such procedure is deemed necessary. When applicable, such examinations shall be subject to the approval of the Board of Education.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the Board. The decision of the physician designated by the Board as the determining physician shall take precedence over all other medical advice.

All medical and health related information will be kept in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Examination and Inquiries

Acceptable

The District may conduct voluntary medical examinations, including voluntary medical histories, which are part of an employee health program available to employees at that work site. The District may make inquiries into the ability of an employee to perform job-related functions.

Prohibited

The District shall not require a medical examination and shall not make inquiries as to whether such employee is an individual with a disability or as to the nature or severity of the disability, unless the examination or inquiry is shown to be job related and consistent with business necessity.

Adopted: 1987; Revised: 1/19/06; 6/2019

SUBJECT: INSTRUCTION AND EMPLOYMENT OF INDIVIDUALS WITH AIDS OR WHO TEST POSITIVE TO THE HUMAN IMMUNODEFICIENCY VIRUS

Policy

In accordance with the law, it is the policy of the Wallkill Central School District that any student or employee who has AIDS or tests positive for antibodies to HIV will not, for this reason solely, be excluded from educational opportunities or employment.

Students

a) Students who suspect that they are displaying symptoms of AIDS, ARC (AIDS Related Complex) or are at risk of contracting HIV are encouraged to contact the New York State AIDS Hotline (1-800-342-2437), the Hudson Valley HIV AIDS Service (845-562-5005) or to report to the County Health Department or a personal physician.

b) The Wallkill Central School District may only accept information that a student is HIV infected where it has received the Department of Health form "Authorization for Release of Confidential HIV Related Information" ("DOH-Information Form"). A student identified to the Wallkill Central School District as being HIV infected pursuant to its receipt of the DOH-Information Form shall continue to participate in a normal classroom program and other school activities with other students and shall retain access to educational opportunities within the Wallkill Central School District unless a determination is made by a Health Officer pursuant to Section 2782(4)(d) of the Public Health Law or other legal authority that a student is unfit to attend school.

Employees

Employees who suspect that they are displaying symptoms of AIDS, ARC or are at risk of contracting HIV are encouraged to contact the New York State AIDS Hotline (1-800-342-2437), the Hudson Valley HIV AIDS Service (845-562-5005) or to report to the County Health Department or a personal physician.

Confidentiality

a) The Wallkill Central School District personnel must receive confidential HIV-related information concerning Wallkill Central School District student or Wallkill Central School District personnel on the Department of Health Form DOH-2557, annexed hereto, or its successor. An authorization about such information concerning a student under the age of 18 should be signed by that student's parent. Information may only be used for the reason stated and during the period authorized.

SUBJECT: INSTRUCTION AND EMPLOYMENT OF INDIVIDUALS WITH AIDS OR WHO TEST POSITIVE TO THE HUMAN IMMUNODEFICIENCY VIRUS [continued]

b) Information must be kept confidential and disclosed only under the terms of the DOH 2557 form. All individuals who must process the information must be named in the release or the Wallkill Central School District will not release the information.

c) School officials may disclose confidential HIV related information pursuant to a court order.

d) Any individual within the Wallkill Central School District jurisdiction making an unauthorized request for or disclosure of HIV information or requesting an unauthorized test for HIV infection may be subject to disciplinary action.

Health Related Procedures

The Wallkill Central School District shall establish routine procedures for:

a) The handling of blood and/or body fluids; and

b) The care and handling of individuals to minimize contact with blood and body fluids.

Public Information and Education

The Wallkill Central School District is committed to an educational program designed to inform parents, students and personnel about human health including HIV, its communicability and the limited danger it poses to the general public having only casual contact with infected individuals. Such education will assist efforts to provide for the best care and education of infected individuals and provide information about reducing the transmission of the virus.

Education Law Section 913
Bus Drivers: Commissioner's Regulations Section 156.3(2)
Commissioner's Regulations of Motor Vehicles Section 5.09-b
Cafeteria Workers: State Sanitary Code

Adopted: 7/25/89; Revised: 2/16/06; 5/18/16

SUBJECT: LOYALTY OATH

All personnel shall be required to take an oath of allegiance to the Constitution of the United States and the State of New York before the effective date of their appointment or employment.

Education Law Section 3002
Civil Service Law Section 62

SUBJECT: INITIAL EMPLOYMENT

a) All teaching and non-teaching positions (full-time, part-time and temporary help) will be established and approved by the Board.

b) Any person employed (teaching or non-teaching) who is related to a Board member or administrator must be appointed by a two-thirds (2/3) majority of the entire Board.

c) Probationary teacher appointees may be granted credit at the discretion of the Superintendent of Schools and approval of the Board of Education. If exceptional circumstances prevail, a maximum of ten (10) years of service may be granted.

d) Substitute teachers will be hired at the daily rate of pay established by Board action. Any substitute replacing a teacher for more than ten (10) consecutive school days will be paid for the 11th day on, as if a probationary appointment had been made on step 1 of the reduced Bachelor schedule.

e) Non-teaching employees may be granted credit at the discretion of the Superintendent of Schools and approval of the Board of Education for up to five (5) years of consecutive prior experience. Substitute employees will be paid as hourly employees.

Revised: 12/17/87; 2/16/06

SUBJECT: CONDITIONAL AND EMERGENCY CONDITIONAL EMPLOYEES

In compliance with applicable law and regulations, the Board of Education may make conditional and/or emergency conditional appointments for employment. Where the Board has made such appointments, the safety of the students in contact with such employees shall remain a priority of the District. Therefore, the Superintendent of Schools shall develop and implement procedures which shall include provisions addressing the safety of all students under the supervision of the District and provisions for the supervision of employees with conditional or emergency conditional status.

Adopted: 10/18/01

SUBJECT: DRESS

Staff are expected to attend school in clean clothing appropriate for the occasion. Clothing which is unsafe or distracts from the educational process is prohibited.

SUBJECT: SEXUAL HARASSMENT: EMPLOYEES - WORKPLACE

Preamble

The Board of Education affirms its commitment to provide an environment free from sex-based discrimination and sexual harassment, including sexual violence and intimidation. The Board, therefore, consistent with state, federal and any applicable local laws, prohibits all forms of sexual harassment against District personnel by employees, school volunteers, students, and non-employees, such as contractors, volunteers, visitors, consultants, and vendors, which occur on school grounds or at school-sponsored events, programs, or activities, including those that take place at locations off school premises. Any form of harassment by or against employees not covered by this policy will be dealt with under the normal administrative and disciplinary proceedings for employees and/or any other relevant policy. Such issues would be dealt with under District policy 1800 "Non-Discrimination (Employees)" and its accompanying regulation 1800-R, the Code of Conduct, or any applicable collective bargaining provisions, depending upon the situation. Title IX complaints will be handled under the District's Title IX policy. Employees will be provided with notice of this policy in writing in accordance with applicable laws and regulations.

Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful under federal, state and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes harassment on the basis of sex when:

a) Submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

b) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or

c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

SUBJECT: SEXUAL HARASSMENT: EMPLOYEES - WORKPLACE [continued]

However, under New York State Human Rights Law, sexual harassment need not be severe or pervasive to be unlawful and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Rather, sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment.

Sexual harassment includes, but is not limited to, sexual violence. For the purpose of this policy, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, supervisors, co-workers or non-employees.

Prohibited Conduct

Sexual harassment can be verbal, non-verbal, or physical. Examples of such conduct may include, but are not limited to, the following:

a) Verbal abuse or ridicule, including innuendoes, stories and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

b) Direct or indirect threats or bribes for unwanted sexual activity.

c) Asking or commenting about a person's sexual activities.

d) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.

e) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.

f) The use of profanity and/or other obscenities that are sexually suggestive or degrading in nature.

g) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

SUBJECT: SEXUAL HARASSMENT: EMPLOYEES - WORKPLACE [continued]

h) Unwelcome and/or offensive public displays of sexual/physical affection.

i) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

j) Engaging in sexual conduct with an individual who is unable to consent due to his/her age, use of drugs or alcohol, intellectual disability, or other disability.

k) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Complaints and Investigation

Any employee who believes that he/she has been subjected to sexual harassment shall report all incidents of such conduct in accordance with District Regulation 1800-R.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, accused individuals, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of sexual harassment have not suffered retaliation.

Training and Outside Reporting

The District shall provide appropriate training annually to all staff on sexual harassment in accordance with applicable laws. Newly hired staff will also be provided training.

SUBJECT: SEXUAL HARASSMENT: EMPLOYEES - WORKPLACE [continued]

Aside from the internal process, employees may also choose to pursue legal remedies available to them, including, but not limited to, filing complaints with governmental entities. Employees and non-employees have the right to file a complaint with the New York State Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, or with the Equal Employment Opportunity Commission, 1-800-669-4000, www.eeoc.gov, info@eeoc.gov. Individuals may also call the New York State Division of Human Rights' (NYSDHR's) toll free confidential hotline at 1-800-HARASS-3 (1-800-427-2773) Monday through Friday, 9:00 AM to 5:00 PM, for counsel and assistance regarding complaints of workplace sexual harassment. The hotline connects individuals with attorneys who have experience in responding to issues relating to sexual harassment and can provide pro bono assistance. Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Civil Rights Act of 1991, 42 USC Section 1981(a) 29 CFR Section 1604.11(a)
Civil Service Law Section 75-B Executive Law Sections 296 and 297
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
34 CFR Section 100 et seq.

Adopted: 1/19/95; Revised: 4/25/95; 1/20/00; 10/26/10; 5/18/16; 11/19/18; 4/22/20; 12/21/22

SUBJECT: WORKPLACE VIOLENCE PROTECTION PROGRAM

The Wallkill Central School District is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our staff.

Workplace Violence is defined as any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

i. an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;

ii. any intentional display of force which would give an employee reason to fear or expect bodily harm;

iii. intentional and wrongful physical contact with a person without his or her consent that entails some injury; or

iv. stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against any of our employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for:

(a) helping to create an environment of mutual respect for each other and for visitors;

(b) following all policies, procedures and practices; and

(c) for assisting in maintaining a safe and secure work environment.

All incidents of violence or threatening behavior will be responded to immediately upon notification. All personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received. Reports will be sent to the Assistant Superintendent for Support Services or designee.

Retaliation against an employee who makes a good faith report of violence or other disruptive behavior is strictly prohibited and shall be subject to appropriate corrective or disciplinary measures.

SUBJECT: WORKPLACE VIOLENCE PROTECTION PROGRAM [continued]

The District shall work alongside authorized employee representatives in developing and implementing the Workplace Violence Prevention Program, which at a minimum, shall include:

- evaluating the physical environment;
- developing the Workplace Violence Prevention Program; and
- reviewing workplace violence incident reports at least annually to identify trends in the types of incidents reported, if any, and reviewing the effectiveness of the mitigating actions taken.

Adopted: 12/20/23

SUBJECT: CERTIFICATED PERSONNEL

The Board of Education shall, upon the recommendation of the Superintendent, create, abolish, maintain and/or consolidate positions as necessary for the proper and efficient achievement of its goals.

Education Law Section 2510

SUBJECT: RECRUITMENT

The District will attempt to employ the best qualified personnel for all positions.

Professional personnel shall be recruited and selected by, or at the direction of, the Superintendent of Schools, who shall recommend appointment to the Board of Education.

The District shall provide equal opportunity in employment for all qualified persons in accordance with Title IX of Educational Amendment of 1972 and Civil Rights Act of 1964.

SUBJECT: CERTIFICATION

a) In accordance with applicable statutes, Rules of the Board of Regents, and Regulations of the Commissioner of Education, each employee whose employment requires certification or other licensure shall inform the Superintendent of School immediately of any change in the status of their certification or licensure. The changes shall include, but not be limited to, the granting, revocation, upgrading, expiration, conversion and/or extension of these documents as to their periods of validity or their titles.

b) Online verification of an employment applicant's certification status will be used in lieu of printed certificates for current and potential employees. The District will also check the TEACH database to ensure that any Permanent or Professional certificates for new hires remain valid.

c) Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for his/her assignment.

Adopted: 1987; Revised: 7/11/18

Personnel

SUBJECT: STAFF: SEPARATION

A teacher may be dismissed at any time during the probationary period only upon the recommendation of the Superintendent in accordance with the Education Law.

The Board may require any teacher desiring to terminate his/her services to provide the Board with at least thirty (30) days' notice before the effective termination date.

When possible, a teacher shall make every effort to terminate employment at the end of the semester or school year. Resignations must be in writing and include the effective date.

Education Law Sections 3012, 3019-a, and 3031

Adopted: 1987
Revised: 2/16/06

SUBJECT: STUDENT TEACHERS

The Wallkill Central School District shall cooperate with teacher training institutions in the placement of student teachers in order to provide beginning teachers with the best possible student teaching experience.

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

The assignment of student teachers will be coordinated through building principals. Students will be placed only with tenured teachers.

Education Law Section 3023

SUBJECT: SUBSTITUTE TEACHERS

A substitute teacher fully qualified to teach in the Wallkill Central School District shall be employed, whenever possible, by the Superintendent of Schools for short periods of time in the absence of a regular teacher.

Except in emergency situations, persons to be employed as substitute teachers shall be recommended by the Superintendent. It is recognized that fully certificated persons will not always be available for employment as substitute teachers.

The Board of Education shall establish the ordinary rate for per diem and permanent per diem substitute teachers.

Adopted: 1987
Revised: 2/16/06

SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT

It is the policy of the District that attention be given to in-service and pre-service staff development programs. The Superintendent is directed to arrange in-service education programs which will help teachers master new methods which will be acceptable to the schools, or to help them to improve techniques which are already being used in the schools, with the object of improving their professional competencies as instructors.

The Board of Education will provide the means necessary to make staff in-service opportunities possible.

Members of the staff shall be encouraged to continue their formal education as well as to attend professional workshops, conferences and meetings, and to take an active part in professional organizations. Professional development opportunities are channeled through the Professional Development Committee and School Improvement Teams.

Attendance at Conferences

Authority - The Superintendent will authorize the attendance at conferences by administrators and teachers with the following guidelines:

a) Priority will be given to conferences related to the goals of the District;

b) Priority will be given to personnel who have not attended a conference the prior year.

General Procedures - The Superintendent may report to the Board the conferences authorized and the estimated cost to the District including substitute expenses when applicable.

A written report shall be submitted in order to obtain reimbursement.

Revised: 10/27/88; 2/16/06

SUBJECT: APPOINTMENT - SUPPORT STAFF

The probationary period for all new civil service employees shall be as established by the local Civil Service Commission or Collective Bargaining Agreement.

The time, place and conditions of employment shall be assigned by the Superintendent of Schools. The duties for each of the Civil Service employees shall be clearly defined.

Civil Service Law Section 63

Adopted: 1987
Revised: 2/16/06

SUBJECT: EMPLOYMENT OF AIDES

In accordance with Regulations of the Commissioner, the Board of Education may employ aides to assist in non-teaching duties.

The duties and responsibilities to be assumed by aides shall be outlined by the Superintendent of Schools or his/her designee.

Persons employed as aides shall be responsible to the building principal and/or his/her designated representatives.

Commissioner's Regulations Section 149

SUBJECT: COACHES/UNPAID VOLUNTEERS

Coaches outside of the Bargaining Units or unpaid volunteers who have children, brothers, or sisters as members of a specific athletic team shall not be appointed as a coach or unpaid volunteer for that athletic program.

Adopted: 6/15/00; Revised 8/22/19

SUBJECT: MAINTAINING DISCIPLINE AND CONDUCT

All personnel employed by the District are responsible for maintaining pupil discipline and appropriate conduct during school hours and/or at extracurricular events.

SUBJECT: DIAGNOSIS OF SUBSTANCE ABUSE

All staff members will inform the building administrator of any activity that could involve actual or potential alcohol or drug abuse. Anyone who is suspected of being engaged in substance abuse will be dealt with promptly and in accordance with the law and collective bargaining agreement.

Adopted: 1987
Revised: 4/26/06

SUBJECT: EMPLOYEE PERSONNEL RECORDS

The Board of Education directs the Superintendent to maintain a personnel file for each teacher, administrator and support staff member employed by the District.

The Board also directs the Superintendent to maintain regulations and procedures governing the inspection by District employees of their personnel file.

Commissioner's Regulations Section 84

SUBJECT: SOLICITATIONS BY STAFF PERSONNEL

Staff members shall not be engaged in advertising or commercial solicitations on school time, except as authorized by the Superintendent and/or designee.

SUBJECT: NEGOTIATIONS

Legal Status

The legal status for negotiations is the Public Employees' Fair Employment Law (Taylor Law), Article 14 of the Civil Service Law, being Chapter 392 of the Laws of 1967.

Organizations recognized for the purposes of collective bargaining include:

a) Wallkill Teachers' Association

b) Wallkill Civil Service Employees' Association

c) Wallkill Administrators' Association

SUBJECT: THEFT OF SERVICES OR PROPERTY

The theft of services or property from the District by an employee will result in immediate disciplinary action which may lead to dismissal or other penalty, and which shall not preclude the filing of criminal or civil charges by the District.

SUBJECT: JURY DUTY

A District employee called for jury duty shall receive his/her full day's pay from the School District plus mileage from the State. No employee shall be entitled to receive the per diem allowance for any regularly scheduled workday on which jury duty is rendered if on such a day his/her wages are not withheld on account of such service.

Judiciary Law Section 521(b)

Revised: 5/19/94

SUBJECT: HEALTH INSURANCE

Health insurance for certified and support staffs shall be in accordance with their respective negotiated agreements.

Continuation of Medical Insurance Coverage at Termination of Employment

Under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and their dependents are eligible to continue their insurance coverage when termination of their insurance is due to a reduction in their hours worked, or upon termination of their employment.

Under COBRA, employees generally may continue their group health insurance coverage for up to eighteen (18) months. In addition, with the exception of those in self-funded or self-insured plans, employees who have exhausted their federal COBRA coverage may extend their coverage for up to an additional eighteen (18) months, for a total period of thirty-six (36) months, under New York Insurance law.

Dependents of employees are eligible to continue their insurance for up to thirty-six (36) months upon occurrence of one (1) of the following events:

a) Death of the covered employee; or

b) Divorce or legal separation from the covered employee; or

c) An employee becomes eligible for Medicare and ceases to participate in the employer-sponsored plan; or

d) The dependents of a covered employee reach the maximum age for dependent coverage.

Those who are eligible to continue coverage have up to sixty (60) days to complete the Continuation of Coverage Election Form. They must pay the full cost of their premium plus administrative costs incurred by the District.

American Recovery and Reinvestment Act of 2009, Public Law 111-5
Consolidated Omnibus Budget Reconciliation Act of 1985
Insurance Law Section 3221(m)(4)(5) and (6)

Revised: 3/15/90; 1/19/12

SUBJECT: WORKERS' COMPENSATION

Employees injured in the performance of their duties are covered by Workers' Compensation. Employees are encouraged to report work-related injuries immediately (for their own protection), but must report such injuries within thirty (30) calendar days to their immediate supervisor and the appropriate form filled out with the building Health Office.

Reimbursement for Workers' Compensation Insurance benefits shall be in accordance with their respective negotiated agreements.

Education Law Sections 1604(31), 1709(34) and 2503(10)

Adopted: 1987
Revised: 6/15/06

SUBJECT: PAYROLL DEDUCTIONS

Payroll deductions may be made when authorized by employees or required by law.

Education Law Section 1709

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

Liability Protection Pursuant to Education Law

The Board of Education recognizes its statutory obligation to indemnify School District employees (and in certain circumstances, Board of Education members and volunteers) pursuant to the provisions of Sections 3023, 3028 and 3811 of the Education Law. For the purposes of this policy, the term "employee" shall be as defined in the applicable statute(s).

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by statute, delivers appropriate notice of the claim to the Board of Education.

a) For purposes of Education Law Section 3811, the employee must give written notice within five (5) days after service of process upon him/her. The statute mandates only written notice of the claim to the Board of Education; however, submission of relevant legal documents by the employee to the Board is also encouraged.

b) For purposes of Education Law Sections 3023 and 3028, the employee must deliver the original or a copy of the relevant legal documents to the Board within ten (10) days after service of process upon him/her.

The District will provide legal defense and/or indemnification for all damages, costs, and reasonable expenses incurred in the defense of an action or proceeding if authorized pursuant to statute and provided that the alleged action or omission which occurred or allegedly occurred is covered by the appropriate statute(s). Furthermore, the District will not be required to provide indemnification protection and/or legal defense unless the employee was, at the time of the alleged incident, acting in the discharge of his/her duties within the scope of his/her employment or authorized volunteer duties and/or under the direction of the Board of Education.

Public Officers Law Section 18

The Board of Education hereby also confers the benefits of Section 18 of the New York State Public Officers Law upon the "employees" of the District, as defined in Section 18 of the Public Officers Law; and the District assumes the liability for the costs incurred in accordance with the provisions of Section 18. The benefits accorded to District employees under Section 18 of the Public Officers Law shall supplement and be available in addition to defense or indemnification protection conferred by other enactments or provisions of law.

The term "employees" shall include members of the Board of Education; the Superintendent; District officers; District employees; volunteers expressly authorized to participate in a District sponsored volunteer program; or any other person holding a position by election, appointment or employment in the service of the District, whether or not compensated.

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES [continued]

The term "employee" shall also include a former employee, his/her estate or judicially appointed representative.

Pursuant to the provisions of Section 18 of the Public Officers Law, and upon compliance by the employee with the requirements of this statute, the District shall provide for the defense of the employee in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his/her public employment or duties. Furthermore, the District shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his/her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of the settlement by the Board of Education.

The duty to defend and/or indemnify and save harmless, in accordance with Section 18 of the Public Officers Law, shall be conditioned upon the delivery by the employee to the School District attorney or to the Superintendent a written request to provide for his/her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten (10) days after he/she is served with such document. Pursuant to Section 18, the full cooperation of the employee in the defense of such action or proceeding and in the defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal, shall also be required as a condition for the District's duty to defend and/or indemnify and save harmless to exist.

Exceptions to Liability Coverage

Indemnification coverage and/or provision of legal defense by the District will not apply unless the actionable claim is of the type covered by the statute(s) and/or is not otherwise exempt from coverage pursuant to law. Additionally, indemnification coverage and/or the duty to provide a defense shall not arise where such action or proceeding is brought by or on behalf of the School District.

Public Officers Law Section 18
Education Law Sections 1709(26) and (34-b), 2560, 3023, 3028, and 3811
General Municipal Law Sections 6-n and 52

Adopted: 4/22/98

SUBJECT: LEAVES OF ABSENCE

1. In general, leaves of absence:

   a) Shall be administered by the Superintendent.

   b) The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement.

   c) Under laws and rules governing such action, the Board may undertake appropriate disciplinary action where a leave of absence is falsely requested or improperly used.

   d) Except by permission of the Superintendent, as expressed in writing, the purpose or conditions of a leave of absence may not be altered.

2. Leaves of absence, contractual, et al:

   a) Employees who are members of a negotiating unit:

      Authorization is granted to approve requests for leaves of absence submitted pursuant to provisions of contracts in effect between the District and each bargaining unit.

   b) Employees who are not members of a negotiating unit:

      Authorization is granted to approve requests for leaves of absence submitted by such employees where such requests are not inconsistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.

   c) Employees who are under contract to the District:

      Authorization is granted to implement provisions for leaves of absence contained in each such contract.

3. Leaves of absence, unpaid, not covered in 2.a, above:

   a) Subject to limitations enumerated in this policy statement, authorization is granted for the following unpaid leaves of absence.

      1. For a period of time not to exceed one school year for approved graduate study, such leave to include any required internship experience.

      2. At the expiration of a paid sick leave of absence, to extend such a leave of absence for a period of time not to exceed the end of the school year next succeeding the school year in which the paid leave of absence commenced.

   b) Unpaid leaves of absence shall not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, are able to be secured.

   c) Except where it interferes with an employee's legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the District.

SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Wallkill Central School District Board of Education has developed this policy to be in compliance with the requirements of the Family and Medical Leave Act of 1993 (FMLA). This policy is adopted to provide eligible employees with FMLA benefits as defined by the Law. Under this policy, the Board shall take the necessary steps to comply with the FMLA requirements. A Fact Sheet, outlining the requirements of FMLA will be distributed to all eligible employees on an annual basis and posted. The Fact Sheet is part of the Regulations available for review by all employees and appropriate New York State and Federal compliance personnel upon request. The Fact Sheet will be reviewed, and if necessary updated annually. The implementation of this policy will be coordinated through the office of the Assistant Superintendent for Support Services.

Under the guidelines established by FMLA, the Wallkill Central School District has designated the 12 month period for FMLA purposes the District's fiscal year beginning July 1st.

The Board will retain and enforce the employer's rights under the FMLA consistent with the best interest of the District. The Regulations for this policy will set forth additional references with regard to the employer's rights.

The Superintendent is directed to develop regulations to implement this policy, informing employees of their rights and responsibilities under the FMLA.

Family and Medical Leave Act of 1993
Public Law 103-3
29 Code of Federal Regulations (CFR) Part 825

Adopted: 1/19/95

SUBJECT: EMPLOYEE ASSISTANCE PROGRAM

The Wallkill Central School District recognizes that an Employee Assistance Program (EAP) is an opportunity to provide the employees and their dependents with help in their concern about alcohol, drugs, and personal problems. An EAP is a systematic procedure for employees and administrators to resolve work performance or personal issues. The EAP provides all employees and their dependents a confidential, pre-paid, voluntary counseling and referral resource.

It is implicit in the EAP model that the use of the EAP is voluntary and confidential. It is not the role of the union or administration to be involved in diagnosing employees. The suggestion for participation can only be based on the job performance review or voluntary use. The services to be provided are:

a) Assessment and Referral - All EAP staff are to be professionally licensed with no less than a Masters Degree in S.W., and to be experienced in the treatment of chemical dependence and personal emotional problems. Employees and their dependents are provided up to five counseling sessions to clarify or resolve personal problems. Additional sessions per problem are available upon request. EAP staff are restricted from referring employees or their dependents to their own private practices. When a referral is indicated, the referral resource is to be a screened, accredited, appropriate community treatment agent. This non-EAP phase of treatment may be covered by the employee's own medical benefits.

b) Management Training - All supervising personnel are to be given training in the concepts and the appropriate use of an EAP. This includes information on how to make referrals or encourage employees to avail themselves of the EAP services. All supervisory referrals are to be consistent with the Wallkill Central School District contract. Procedures are to protect the employee in terms of job security, seniority, promotions. The employee will not experience any sanction by the use or refusal of the EAP. All supervisory referrals must be confined to job related performance.

c) Confidentiality - Records of the employee's use or experience with an EAP will never become part of the worker's personnel file. Strategic analysis may be provided to the administrators to provide demographic data useful to determine trends or for planning promotional activity. No individual information can be released without the written consent of the employee or the dependent.

d) Promotions - To maximize the use of EAP, promotions will be done regularly. The topics will cover a wide variety of problems that may be experienced by an employee or his/her dependents. The format can be posters, handouts, home mailings, newsletter articles, seminars, and workshops.

Adopted: 6/18/92

SUBJECT: COMPENSATORY TIME/OVERTIME PAY

The following practices must be adhered to by clerical staff regarding compensatory time and overtime pay:

Overtime Pay

There should be no overtime submitted to payroll unless prior approval is secured from your immediate administrative supervisor. Overtime will only be approved when unique situations arise and a clerical person must get a job completed.

Unique situations involve emergencies, tasks critical for the operation of the building, or when a deadline must be met. Overtime pay must not be requested or approved for routine work that can be completed during normal working hours.

Compensatory Time

As per the CSEA contract, compensatory time can be accrued for hours worked beyond the normal work week up to forty (40) hours. Again, as in the case of overtime pay, compensatory time must have prior approval by your immediate administrator and involve the same criteria of tasks as overtime pay. A list of compensatory time worked must be maintained by the employee indicating dates and hours. Compensatory time must be used up by the end of the school year, i.e. June 30th and cannot exceed 240 hours, and must be utilized at a time that does not unduly disrupt the operations of the building office.

Adopted: 5/17/06

SUBJECT: ATTENDANCE POLICY - WALLKILL CENTRAL SCHOOL DISTRICT

Overview

It is the goal of the Wallkill Central School District system to insure that each student attend**s** school the maximum number of days possible and to afford each student the opportunity to meet his/her potential. We, therefore, institute this policy.

Purpose

The Board of Education of the Wallkill Central School District recognizes that attendance at school serves the following fundamental purposes:

- Opportunity to engage in an enhanced learning experience supported by highly qualified, knowledgeable professionals.
- Participation in a learning community which includes access to multiple perspectives and opportunities for dialog with other learners.
- Good attendance and class participation are essential ingredients for academic success. Any absence from class is detrimental to the learning process.
- Classroom lessons foster and require social interaction, development of effective communication skills, and critical thinking in addition to subject mastery.
- Textbook or make-up assignments are not an adequate substitute for classroom attendance and participation.

Attendance Requirements

a) Applicability

All students of compulsory education age, who reside legally within the District, must attend school. Legal school age and legal residence are determined by the Board of Education in accordance with state requirements as set forth in New York State Education Law Sections 3202, 3205 to 3208, 3209 to 3210, and 8 NYCRR Section 100.2.

b) Notification Regarding Attendance Policy

1. <u>Student Notification</u>

(a) School Handbooks which shall include the District's attendance policy shall be distributed to all students.

2. <u>Parental/Guardian Notification</u>

(a) All parents/guardians will be given a plain language summary of this policy at the beginning of each school year.

SUBJECT: ATTENDANCE POLICY - WALLKILL CENTRAL SCHOOL DISTRICT [continued]

(b) At registration, the District will provide each new student's parent or guardian with a copy of the attendance policy.

(c) At any "open house" or "back to school" event, parents/guardians will have the opportunity to obtain/discuss the attendance policy.

(d) If a student misses successive class periods or school days without an excuse, the Principal/ Designee will notify the parent/guardian.

3. Faculty/Staff Notification

Each member of the faculty/staff will be given a copy of this policy, including any subsequent amendments. This policy will be distributed to new teachers upon commencement of employment.

4. Community Notification

Copies of this policy will also be available to any other member of the community upon request.

c) Guidelines

The Wallkill Central School District recognizes an important relationship between class participation and class performance. Consequently, each teacher may consider classroom participation as defined by the class syllabi as well as the student's performance on graded written and oral assignments, tests, quizzes, homework and final examinations.

1. Minimum Attendance Rule

All registered students are expected to attend all classes as scheduled. Specifically, each student should attend at least 85% of all classes per course. High School students who exceed 28 absences in a full-year course or 14 absences in a half-year course may not receive course credit IF required work is not made up. Physical Education falls into the half-year category.

2. Absences

(a) Absences under the attendance policy include:

1. Lateness to class more than 20 minutes; and

2. Any period of "Out-of-School Suspension ("OSS") where a student does not accept alternative instruction

3. All other absences (whether excused or unexcused) not excluded below

SUBJECT: ATTENDANCE POLICY - WALLKILL CENTRAL SCHOOL DISTRICT [continued]

(b) The following should NOT be counted as absences under the attendance policy:

1. In-School Suspension ("ISS");
2. Any period of OSS where student accepts alternative instruction;
3. Attendance at a special education program or service offered by a public school or an approved private school or facility when a student is homeless, disabled or incarcerated. (See Section 175.6 of the regulations of the NYS Commissioner of Education.)

3. Makeup Policy

(a) When a student misses a class or school day, he/she is expected within five (5) school days of his/her return, to provide a written explanation from his/her parent or guardian. Moreover, the student must consult with his/her teachers regarding missed work. If the absence is excused, the student may make up any work missed by arranging an assignment with the teacher.

(b) Make-up assignments must be completed by the date specified by the student's teacher for the particular class. Upon satisfactory and timely completion of the make-up grade.

(c) Reasonable make-up opportunities will be given to students with excused absences due to:

1. personal illness;
2. illness or death in the family;
3. disability;
4. impassable roads or weather;
5. religious observance;
6. quarantine;
7. required court appearances;
8. attendance at health clinics;
9. approved college visits;
10. approved cooperative work programs;
11. military obligations; or
12. such other reasons as may be approved by the Commissioner of Education and/or the building principal.

(d) Students who are unable to attend class period/day due to their participation in a school sponsored activity (e.g., field trip, music lessons, etc.) and who arrange with their teachers to make-up missed work, shall be given credit for class participation on the class day/period missed.

SUBJECT: ATTENDANCE POLICY - WALLKILL CENTRAL SCHOOL DISTRICT [continued]

4. Summer School Courses
   Students may complete a course in summer school only if they have attended the regular school-year course for all quarters of the course and have not exceeded 50 absences in a full-year course or 25 absences in a half-year course. (Physical Education falls in the 25 absence category.)

d) Attendance Taking Procedures

1. Kindergarten - Grade 6
   Attendance shall be recorded once per school day. If students are dismissed from school grounds, they must be signed out or in at the designated location in each building, and this will be added to their attendance record.

2. Grades 7-12
   Attendance shall be recorded during each class period of scheduled instruction (including instructional or supervised study activities). If students are dismissed from school grounds, they will sign out and back in at the main office, and it will be noted on their attendance record.

3. Distance/Remote Learning
   Students learning remotely will need to show daily school participation, which is to be verified by teachers and reported under the provisions of this policy. This can include one or more of the following as determined by a district administrator: documented participation in live online or virtual classes, participation in office hours, completion of assignments, documentation of daily school activities and learning, or correspondence via online platform, email, and telephone.

e) Maintenance of the Attendance Register

1. For each student, the register of attendance must include:

   (a) Name;
   (b) Date of Birth:
   (c) Date of enrollment;
   (d) Parent/Guardian's Full Name;
   (e) Address where student resides;
   (f) Phone numbers(s) where Parent/Guardian may be contacted;
   (g) ALL absences, tardiness, or early departures during any school day, in whole or in part, excused or unexcused;
   (h) Appropriate coding to identify the nature of the absence (full day, class cut);
   (i) Dates of school closings for all or part of the day of scheduled instruction due to extraordinary circumstances, including: adverse weather conditions, heating problems, lack of water or fuel, or destruction or damage to a school building; and
   (j) Date a student withdraws from, or is dropped from enrollment.

SUBJECT: ATTENDANCE POLICY - WALLKILL CENTRAL SCHOOL DISTRICT [continued]

2. A teacher or a district employee designated by the Board of Education will make entries on the Attendance Register. All entries must be verified by the oath or affirmation of the person taking attendance.

3. When additional information is received from a student during a student/staff conference that requires corrections to be made to a student's attendance records, such corrections will be made immediately. Notice of the change will be sent to appropriate school personnel (e.g., homeroom teachers, attendance officer, etc.).

f) Attendance Interventions

1. Chronic absenteeism is defined as missing at least 10% of enrolled school days in a year for any reason, excused or unexcused. Chronic absenteeism differs from truancy because it emphasizes missed instructional time rather than unexcused absences. Missed instructional time can increase a student's risk for disengagement, low achievement, and dropping out, among other things.

   Students who miss at least 5% of enrolled school days in a year are at risk of becoming chronically absent. In light of this, the District will implement intervention strategies for students who miss 5% or more of the enrolled school days in a year

2. The Building Principal will design and implement incentives to acknowledge students' efforts to maintain or improve school attendance.

g) Appeals

1. All appeals related to unexcused absences and/or denial of course credit will be made directly to the principal on the following basis:

   (a) Regarding the accuracy of a student's attendance record;

   (b) To ascertain whether it appears that students with disabilities are treated consistently with IDEA or Section 504 Plans.

   (c) To consider "extenuating circumstances".

2. Parent/Guardian will have twenty (20) calendar days from the issue of the written notification of unexcused absences to appeal to the building principal.

3. The building principal shall make the final decision regarding all appeals.

h) Returns to Wallkill Central School District

Students who leave Wallkill Central School District and subsequently return must still honor the attendance policy. All previous Wallkill class absences will still count for that academic year

SUBJECT: AGE OF ENTRANCE AND ATTENDANCE

Entry into Kindergarten

Pupils who are legal residents of the School District and who reside with parents or guardians within the School District at the time of the opening day of school, or who move into the District during the school year, must be five (5) years or more of age on December 1st in order to register for Kindergarten.

Entry into Other Grades

Every student of compulsory attendance age residing in the boundaries of the school District, shall be entered on a register for attendance during the time that school is in session except as may otherwise be provided by the Education Law and the recommendations of the Commissioner of Education.

According to Education Law, a student who becomes six 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 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 years of age.

Education Law Section 3202

Adopted: 1987; Revised 11/16/17

SUBJECT: PUPIL PROOF OF AGE

Pupil birth certificates or other satisfactory evidence of age shall be presented at the initial registration. The child shall be entered under his/her legal name, unless otherwise discussed with the appropriate administrator.

Education Law Section 3212

Adopted: 1987; Revised 11/16/17

SUBJECT: SCREENING OF SCHOOL ENTRANTS AND REPORTING TO PARENTS

Screening is defined as a preliminary method of distinguishing from the general population those students who may possibly be a student with a disability or those who may possibly be gifted. Screening identifies those students in need of further evaluation and should not be viewed as an in-depth method of assessing development. Screening is a quick method of assessing a student's overall performance and should indicate whether or not an in-depth evaluation is necessary. Based upon the results of the screening, students who are in need of further evaluation should be referred to appropriate school and medical personnel.

Wallkill Central School District is responsible for insuring that the following will be screened:

a) All new entrants including Pre-Kindergarten entrants.

b) Non-English speaking students.

Information will be secured regarding a child's development through a review of student's previous school records such as:

a) Cognitive Development;

b) Receptive and Expressive Language Development;

c) Articulation Skills;

d) Physical Development;

e) Motor Development (fine and gross);

f) Academic Standing.

Reporting to Parents

Parents/legal guardians of children to be screened for Kindergarten shall receive information in advance regarding the purpose of screening, the areas to be screened and the referral process. The information shall be communicated either orally or in writing in the parents' primary language(s).

Parent/legal guardians have the right to request information regarding their child's performance during screening. They shall have access to the screening results and obtain copies upon request.

Adopted: 1987
Revised: 6/15/06

SUBJECT: ATTENDANCE AREAS

The residence of children dwelling within the District boundaries shall be established in a manner consistent with State Law. Students will attend the elementary school designated specifically for their attendance area. The Board of Education shall have the ability, at the initiation of the Board or the Superintendent, to place a student in another elementary school for such reasons as overcrowding, redistricting, or programming.

All persons dwelling in the District who are between the ages of five (5) years and twenty-one (21) years and who have not received a high school diploma shall be entitled to enroll in the District.

Any student who resides outside the boundaries of the District or whose parent(s)/legal guardian reside outside the boundaries of the District shall be considered a "non-resident student."

Education Law Sections 2045 and 3202

SUBJECT: NON-RESIDENT STUDENTS

The only non-resident students that may be accepted into the Wallkill School District are foster students who are permitted to attend in accordance with state law. An annual tuition charge will be determined and the District from which the foster child originated will be billed accordingly.

Students moving out of the District during the Spring semester may complete the year and may complete their Senior year if they move after the beginning of the Spring semester of the Junior year if approved by the Building Principal. In either case, the parent(s) is responsible for providing transportation.

Education Law Sections 2405 and 3202

Adopted: 1987; Revised: 11/19/18

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND 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.

Pursuant to 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;

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.

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 pursuant to Article 19-H of the Executive Law; 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.

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH [continued]

An "unaccompanied youth" means:

1. A homeless child not in the physical custody of a parent or legal guardian.
2. 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 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 designation 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.

Enrollment, Retention and Participation in the Educational Program

The District will ensure continued enrollment for students enrolled in the District who become homeless, including those students who are temporarily residing outside of the District's boundaries.

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH [continued]

Enrollment of homeless children shall not be delayed and their ability to continue or participate in the educational program shall not be restricted due to issues such as:

a) Transportation;
b) Immunization requirements;
c) Residency requirements;
d) Birth certificates, medical records, IEPs, school records and other documentation;
e) Guardianship issues;
f) Comprehensive assessment and advocacy referral processes;
g) Resolution of disputes regarding school selection;
h) Proof of social security numbers;
i) Attendance requirements;
j) Sports participation rules;
k) Inability to pay fees associated with extracurricular activities such as club dues and sports uniforms; or
l) Other enrollment issues.

Educational Programs and Services

The School District shall 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 shall 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/limited English proficiency, 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 School District shall 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 School District shall 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 School District.

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH [continued]

Transportation

The district shall promptly provide transportation for homeless students currently attending district schools as required by applicable law. In general, the district shall ensure that transportation is provided to homeless students enrolled in the district who attend a school of origin, including a publicly funded preschool administered by the district or SED, even if the student lives outside the district's boundaries, as long as it is within fifty miles each way, even if such transportation is not provided to permanently housed students. Transportation shall be provided for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school.

Where the District is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities, including summer school, when:

- The student participates in, or would like to participate in an extracurricular or academic activity, including an after-school activity at the school; and
- The student meets the eligibility criteria for the activity; and
- The lack of transportation poses a barrier to the student's participation in the activity.

School District Liaison for Homeless Children and Youth

The School District shall designate an appropriate staff person, who may also be a coordinator for other federal programs, as the local educational agency liaison for homeless children and youth to carry out the duties as enumerated 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.

Training

The District will train all school enrollment staff, secretaries, school counselors, school social workers, and principals on the legal requirements for enrollment of homeless students. School nutrition staff, school nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH [continued]

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)/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 shall establish guidelines for the prompt resolution of disputes regarding school selection or enrollment of a homeless student and provide a written explanation to the parent or guardian, including a statement regarding the right to appeal to the State Education Department within 30 days of a determination. The District will provide a copy of the appeal papers. The homeless liaison is available to help with any appeal.

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.

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

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH [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).

McKinney-Vento Homeless Education Assistance Act
42 United States Code (USC) Section 11431 et seq.
Education Law Section 3209
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(x)

Adopted: 6/16/05; Revised 11/16/17; 10/19/22; 12/21/22

SUBJECT: FOREIGN EXCHANGE STUDENT PROGRAM

The Board encourages district participation in a foreign exchange student program. Foreign exchange students will be admitted to the high school for a one-year academic program.

1. The district recognizes only those organizations designated as "Exchange Visitor Programs" by the U.S. Department of State, pursuant to federal regulations, as sponsoring organizations for the exchange of students. Any such organization must supply proof of designation prior to recognition.

2. No foreign exchange students subject to this policy and regulation shall be brought into the district by a foreign exchange student program unless they have been accepted in writing as a student by the high school Building Principal or a designee.

3. The district reserves the right not to accept a foreign exchange student if doing so would require the district to hire additional staff, including an ENL teacher.

4. The district will accept no more than five foreign exchange students per school from any single foreign exchange program.

5. The foreign exchange student shall be subject to the District's Code of Conduct and all applicable District policies and regulations. The Board reserves the right, at any time, to terminate the approval of a foreign exchange program, and/or terminate the approval of a foreign exchange student when it is deemed to be in the best interests of the District to do so without the need for due process.

Adopted: 10/18/23

SUBJECT: RELEASED TIME OF STUDENTS

Written requests from the parent or guardian for the release of pupils for religious observance and education generally will be honored. The appropriate time and reason for absence shall be recorded on the attendance record, using the procedures mandated by the state.

The building principal shall assume this responsibility or shall designate an individual to review and approve all requests.

Commissioner's Regulations Section 109.2

Adopted 1987; Revised 11/16/17

SUBJECT: EMPLOYMENT - EARLY RELEASE

Seniors will only be released for employment if they meet the following conditions:

a) Must have two units in excess of diploma requirements and be passing all courses.

b) Must have a minimum of three days a week on the job.

c) Must have form properly completed and approved work site verified by the guidance department.

d) Must notify guidance on termination of employment.

SUBJECT: RIGHTS OF NON-CUSTODIAL PARENTS

The Board is mindful that various arrangements exist for the care and custody of children residing in the District. The District attempts to maintain current family information to help ensure student safety, proper communication with parents, and appropriate educational programming. Parents who are divorced, legally separated, or otherwise live apart should supply the District with relevant information and documentation, including custody orders, regarding who is responsible for the custody and care of their child, and who is permitted to make educational decisions for that child.

A non-custodial parent's participation in his or her child's education will be governed by the terms of any custody order. As a general matter, however, the District encourages non-custodial parents to participate in their child's education. Unless prohibited from doing so by a court order, non-custodial parents may request information about their child, inspect and review their child's records in accordance with the Family Educational Rights and Privacy Act (FERPA) and District policy, and otherwise remain interested in their child's education.

The District will not release students to a non-custodial parent without the custodial parent's consent. It is the parent's responsibility to inform the District if and when the child may be released to individuals other than the custodial parent in a form acceptable to the District.

Fuentes v Board of Education, 12 N.Y. 3d 209 (2009)

Adopted: 4/24/96; Revised 11/17/16

SUBJECT: ELEMENTARY PROMOTION, PLACEMENT AND RETENTION

Factors That Influence Decision Making

a) Age/Grade/Maturity
b) Previous retentions
c) Standardized Tests
d) Medical/Psychological evaluation
e) Social and physical development
f) Teacher, principal and parent recommendations
g) Handicapping conditions
h) Classroom performance
i) Attendance

Guidelines

A student will only be retained if there is strong rationale that the retention itself is likely to have a positive impact on the student.

No Student will be retained without detailed documentation of previously attempted interventions and having been through the Student Review Team/Child Study Team process.

If a student is retained, a plan must be developed for providing an alternate approach to the teaching strategies that were unsuccessful.

Teachers are required to bring to the building principal's attention those students whose promotion is in question, no later than the end of the third marking period and a parent conference must be held to discuss possible retention.

Final Decision

After consideration of all the above factors final decisions regarding promotion, placement and retention will be rendered by June 1st the building principal after consultation with the Superintendent or his/her designee.

Revised: 5/20/98; 4/29/03; 1/18/18

SUBJECT: HIGH SCHOOL COURSE GRADING

Grading Statement:

The Board of Education of the Wallkill Central School District recognizes that grading serves five essential purposes:

1. Feedback for students that informs them of their progress
2. Evidence of student progress that helps teachers to assess their instruction
3. A method of reporting student achievement to parents
4. Information for student placement purposes
5. Data for curriculum development

Course grades must be a full assessment of the full range of students' achievement in a course. Class participation, graded written and oral assignments, tests, quizzes, homework, as well as special project work for seniors approved by the principal and final examinations should all be part of the final grade. However, in no case will any of the aforementioned items be counted twice, nor grouped in such a way that they have a double impact on a student's final grade. Final examination means a class final exam if there is no applicable Regents or Regents Competency Test (RCT).

Grade point average (GPA) should also reflect this grading statement by not allowing a final exam grade to be equally rated with a course grade.

Procedures:

a. The weight of homework toward any quarter grade should not exceed twenty percent (20%) of the quarter average.

b. All final exams will be weighted as one-tenth of final grade for half-year and full-year courses.

c. All final exams taken for a second (or third) time will be averaged with the first (and second) final exam and then considered part of the one-tenth grading for the course.

d. If the course is taken again and a final exam is taken, then the new course grade will be entered as a separate course and both course grades are counted in the GPA. (Students must complete a summer school course or at least one semester. If not, then the final exam is computed as in number b.)

e. If a student challenges a Regents course (takes Regents exam but does not sit for the course) and receives an 85 or above, he/she passes the course and earns credit, but the grade is not part of the GPA. (Only completing the course counts in GPA.)

f. For courses requiring the passing of a Regents or RCT Exam as a final exam, the student will receive a unit of credit only when the student receives both a passing course grade, and a passing grade for the Regents or RCT Exam.

SUBJECT: HIGH SCHOOL COURSE GRADING [continued]

g. For full year courses no grade lower than 50 will be given during the first and second quarter. If the student's actual average is less than 50, a comment on the report card will be used to indicate such.

h. A student's final grade is subject to principal review.

Makeup Policy:

a. When a student misses a class or school day, he/she is expected within five (5) school days of his/her return, to provide a written explanation from his/her parent or guardian. Moreover, the student must consult with his/her teachers regarding missed work. If the absence is excused, the student may make up any work missed by arranging an assignment with the teacher.

b. Make-up assignments must be completed by the date specified by the student's teacher for the particular class. Upon satisfactory and timely completion of the make-up grade.

c. Reasonable make-up opportunities will be given to students with excused absences due to:

1) personal illness;
2) illness or death in the family;
3) disability;
4) impassable roads or weather;
5) religious observance;
6) quarantine;
7) required court appearances;
8) attendance at health clinics;
9) approved college visits;
10) approved cooperative work programs;
11) military obligations; or
12) such other reasons as may be approved by the Commissioner of Education and/or the building principal.

d. Students who are unable to attend class period/ day due to their participation in a school sponsored activity (e.g., field trip, music lessons, etc.) and who arrange with their teachers to make-up missed work, shall be given credit for class participation on the class day/period missed.

Adopted: 5/19/99; Revised 2/15/01; 7/2/08; 5/18/11; 1/18/23

SUBJECT: GRADES 6-8 COURSE GRADING

The Board of Education of the Wallkill Central School District recognizes that grading serves five essential purposes:

1. Feedback for students that informs them of their progress
2. Evidence of student progress that helps teachers to assess their instruction
3. A method of reporting student achievement to parents
4. Information for student placement purposes
5. Data for curriculum development

Course grades must be an assessment of the full range of students' achievement in a course. Class participation as defined by the class syllabi, graded written and oral assignments, tests, quizzes, homework, and final examinations should all be part of the final grade. However, in no case will any of the aforementioned items be counted twice, nor grouped in such a way that they have a double impact on a student's final grade. Final examination means a class final exam if there is no applicable Regents or Regents Competency Test (RCT).

Procedures:

a. No grade lower than fifty-five (55) will be given in the first and second marking period. If the student's actual average is less than fifty-five (55), a comment on the report card will be used to indicate such.

b. The weight of homework toward any quarter grade should not exceed twenty percent (20%) of the quarter average.

c. All final exams will be weighted as one-tenth of final grade for half-year and full-year courses.

Makeup Policy:

a. When a student misses a class or school day, he/she is expected within five (5) school days of his/her return, to provide a written explanation from his/her parent or guardian. Moreover, the student must consult with his/her teachers regarding missed work. If the absence is excused, the student may make up any work missed by arranging an assignment with the teacher.

b. Make-up assignments must be completed by the date specified by the student's teacher for the particular class. Upon satisfactory and timely completion of the make-up grade.

SUBJECT: GRADES 6-8 COURSE GRADING [continued]

c. Reasonable make-up opportunities will be given to students with excused absences due to:

1. personal illness;
2. illness or death in the family;
3. disability;
4. impassable roads or weather;
5. religious observance;
6. quarantine;
7. required court appearances;
8. attendance at health clinics;
9. approved college visits;
10. approved cooperative work programs;
11. military obligations; or
12. such other reasons as may be approved by the Commissioner of Education and/or the building principal.

d. Students who are unable to attend class period/ day due to their participation in school sponsored activity (e.g., field trip, music lessons, etc.) and who arrange with their teachers to make-up missed work, shall be given credit for class participation on the class day/period missed.

SUBJECT: ACADEMIC LEVEL CHANGE

A student requesting a change of academic level may be considered up to the tenth week if the following conditions are met:

a) Parent approval;

b) Teacher approval;

c) Counselor approval after reviewing the above and all student records;

d) In the absence of total agreement by the aforementioned parties, the principal shall make the final decision.

Adopted: 1987
Revised: 7/20/06

SUBJECT: SCHEDULE CHANGE

Students in grades 9-12 who request a schedule change may do so (with parental permission), without penalty as follows:

a) During the first five (5) attendance days of a ten (10) week course.

b) During the first ten (10) attendance days of a twenty (20) week course.

c) During the first fifteen (15) attendance days of a full year course.

After the above drop period has passed, a student may drop a course with parent permission, and will receive a DP/DF depending on the class average. No request of a lunch or study hall change will be honored without Administrative approval.

Adopted: 1987
Revised: 7/20/06

SUBJECT: REGENTS AND REGENTS COMPETENCY TESTS

Where a Regents or Regents Competency (RCT) is required, the benchmark for earning a high school course credit will be the successful completion of both the course offered by the District and the RCT or appropriate Regents Exam which reflects the state standard.

Adopted: 3/18/99
Revised: 2/15/01

SUBJECT: HIGH SCHOOL GRADUATION REQUIREMENTS

The Board of Education minimum standards and the New York State Regents minimum standards are required for graduation from high school.

Students with disabilities may receive a high school diploma if they meet the minimum standards set forth for all students. Specialized equipment and testing modifications approved by the Committee on Special Education may be implemented for the student.

All school programs have one main purpose even though they provide a variety of experience to students. This purpose is to help all students develop and acquire the skills, abilities, knowledge and attitudes necessary to work towards high school graduation. Eligibility of a student for a Wallkill Central High School or a New York State Regents Diploma will be determined by the high school principal on the basis of the official high school record. Students who meet the requirements may be issued a diploma.

Elective – A subject which a student may choose according to his/her own wishes other than those required by New York State Education Law. However, an elective should be chosen carefully in order to meet the requirements of colleges or certain vocations.

Local Diploma/New York State Regents/Advanced Diploma

Required Subjects	Local Diploma	Regents Diploma	Advanced Diploma
English	4 units	4 units	4 units
Social Studies	4 units	4 units	4 units
Mathematics	3 units	3 units	3 units
Science	3 units	3 units	3 units
Second Language (Language Other Than English – LOTE)	1 unit	1 unit	*
Health	½ unit	½ unit	½ unit
Art/Music	1 unit	1 unit	1 unit
Physical Education	2 units	2 units	2 units
Languages Other Than English Sequence Requirements and/or Electives	3.5 units	3.5 units	4.5 units*

SUBJECT: HIGH SCHOOL GRADUATION REQUIREMENTS [continued]

Required Subjects	Local Diploma	Regents Diploma	Advanced Diploma
TOTAL	**22 units**	**22 units** 65 or above on 5 Regents Exams	**22 units** 65 or above on 8 Regents Exams
		***Complete one of the following:** 3 credits in LOTE + 1.5 Elective 5 credits in Career and Technical Ed. 5 credits in the Arts	

The words "With Honors" may be added to the Advanced Regents Diploma if a student has earned an average of at least 90 on the eight (8) required Regents Exams.

Revised: 5/16/89; 5/19/94; 3/18/04; 11/18/05

SUBJECT: EARLY GRADUATION

A student shall be eligible for early graduation following the completion of all requirements for graduation. All students seeking approval for early graduation must complete all Wallkill High School Guidance paperwork.

Adopted: 1987
Revised: 7/20/06

SUBJECT: GRADUATION CEREMONIES

The graduation or commencement ceremony is a time to celebrate the honors and achievements of the graduating class. The Board of Education will establish the date for graduation ceremonies, while the administration will determine the place and program details, including attire. Academic and other awards and scholarships may be presented along with diplomas.

Participation in the graduation ceremony and related activities will be predicated on satisfactory completion of all graduation requirements, or as otherwise described in this policy. Exceptions may be made under extraordinary circumstances with the permission of the Superintendent of Schools. A student who has earned either a Career Development and Occupational Studies Commencement Credential (CDOS) or Skills and Achievement Commencement Credential (SACC) by the time his/her ninth grade cohort reaches graduation may, but is not required to, participate in that graduation ceremony and related activities.

If a student who participates in the graduation ceremony by earning a CDOS or SACC only subsequently meets the requirements for either a Regents or local high school diploma, he/she may participate in the graduation ceremony of that graduating class as well.

A student with a disability who participates in graduation ceremonies by earning only a CDOS or SACC is entitled to continue his/her educational program until the end of the school year in which the student turns 21 years old, or until he/she earns a Regents or local high school diploma.

The Superintendent shall develop regulations to implement this policy, to be adopted by the Board. The district shall provide annual written notice to all students and their parents/guardians of the requirements of this policy an associated regulations.

Cross References: **4321, Programs for Students with Disabilities Under the IDEA and New York's Education Law Article 89**
4321.9, Declassification of Students with Disabilities
4773, Diploma and Credential Options for Students with Disabilities

Reference: **Education Law §3204(4-b)**
8 NYCRR §§100.5; 100.6

Adopted: 6/14/18

1987 7350

Students

SUBJECT: MATRICULATION POLICY

All senior students that have successfully fulfilled their requirements to enter into their senior year and have demonstrated intellectual and social maturity, may choose to matriculate at any one of the colleges that have a cooperative agreement with our School District. These opportunities might include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. Review and approval by the building principal is necessary before any college courses may be taken during the school day.

SUBJECT: REPORTING TO PARENTS

Parents shall receive an appropriate report of pupil progress at regular intervals. Report cards shall be used as a standard vehicle for the periodic reporting of pupil progress and appropriate school related data. Report cards, however, are not intended to exclude other means of reporting progress, such as conferences, phone conversations, etc.

Release of Information to the Noncustodial Parent

The District may presume that the noncustodial parent has the authority to request information concerning his/her child and release, upon request, such information. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his/her responsibility to obtain and present to the school, a legally binding instrument which provides to the contrary.

20 U.S.C. 1232(b)(4)(A)
34 CFR, Part 99

SUBJECT: STUDENT RECORDS: ACCESS

In compliance with the provisions of the "Family Educational Rights and Privacy Act of 1974", it shall be the policy of this school district to permit parents/guardians and "eligible students" to inspect and review any and all official records, files, and data directly related to that student, including all materials that are incorporated into each student's cumulative record folder. For the purpose of this regulation, "eligible students" are those students who are 18 or older or former students who are attending any school beyond the high school level. The rights created by FERPA transfer from the parents/guardians to the student once the student attains eligible student status.

Parents/guardians or the eligible student will have an opportunity for a hearing to challenge the content of that student's records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Except to the extent that FERPA authorizes disclosure of student records without consent, student records and any material contained herein which is personally identifiable, are confidential and will not be released or made available to persons other than parents/guardians or eligible students without written consent of parents/guardians or eligible students 18 years of age or younger.

A letter shall be sent annually to parents/guardians and eligible students informing them of their rights pursuant to FERPA. The District shall provide translations of this notice, as requested, to parents/guardians and eligible students in their native language or dominant mode of communication.

Family Educational Rights

Adopted: 1987
Revised: 11/16/06

SUBJECT: ACADEMIC INTERVENTION SERVICES

The Board of Education is committed to providing academic intervention services to students at risk of not meeting the state learning standards. Such services may include additional instruction supplementing the instruction provided in the general curriculum and/or student support services such as guidance, counseling, attendance and study skills needed to support improved academic performance.

Eligibility for academic intervention services will be determined based on a student's performance on state assessment exams and/or in accordance with the uniformly applied district-developed or district-adopted procedures. Eligible students will receive services consistent with law and regulations which shall commence no later than the beginning of the semester following a determination that a student is eligible for such services.

Parental Notification and Involvement

Notification on Commencement of Services. The Building Principal will notify the parents of a student determined to be in need of academic intervention services, in writing, upon the commencement of such services. Such notification will include:

- A summary of the academic intervention services to be provided;
- The reason the student needs such services; and
- Consequences of not achieving expected performance levels.

Notification on Ending of Services. The Principal will notify the parent in writing when academic intervention services are no longer needed. Such notification will include:

- The criteria for ending services; and
- The performance levels obtained on district selected assessments, if appropriate.

In addition, the district/schools will provide for ongoing communication with parents which must include opportunities to consult with teachers and other professional staff, regular reports on the student's progress and information on ways to monitor and work with educators to improve the student's performance.

All parental notifications and communications will be done in English and translated, when appropriate, into the native language or mode of communication of the parents.

SUBJECT: ACADEMIC INTERVENTION SERVICES [continued]

Description and Review of Academic Intervention Services

The District shall maintain a description of academic intervention and/or student support services for each school. This description will include any variations in services in schools within the district and will specifically delineate:

- the district-wide procedures used to determine the need for academic intervention services;
- the academic intervention instructional and/or support services to be provided;
- whether instructional services and/or support services are offered during the regular school day or during an extended school day or year; and
- the criteria for ending services, including, if appropriate, performance levels that students must obtain on district-selected assessments.

On a biennial basis the District shall review and revise the description of academic intervention services based on student performance results.

Ref: 8 NYCRR §§100.1(g); 100.2(r), (ee); 100.4(b)(2)(vi), (c)(5), (h)

Adopted: 11/19/18

SUBJECT: VIDEO AND TAPE RECORDINGS OF CONFERENCES, LESSONS AND MEETINGS

In order to foster the communicative process between parent and teacher/administrator and the learning process between student and teacher/administrator, and to allow for the free flow of information, recordings of parent/teacher/administrator conferences or student recordings of classroom lessons or meetings shall be prohibited unless specifically approved by the teacher and/or administrator.

Exceptions to the above apply to Committee on Special Education meetings/Committee on Preschool Special Education meetings only when parent/guardian is taping. Additionally, this policy shall not be implemented in any manner which may otherwise conflict with the provisions of the Open Meetings Law.

Education Law Section 1709(2)
Public Officers Law Article 7

Adopted: 2/15/96
Revised: 7/20/06

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY

The Board of Education of the Wallkill Central School District, in accordance with Section 2801 of the New York State Education Law has adopted and implemented a written policy on school conduct and discipline designed to promote responsible behavior by teachers, school administrators, other school personnel, students and visitors.

A. Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property, including a school function, and conduct, dress and language deemed unacceptable and inappropriate on school property and provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property, including a school function, including the appropriate range of disciplinary measures which may be imposed for violation of such code, and the roles of teachers, administrators, other school personnel, the Board of Education and parents.

1. Conduct, Dress and Language Deemed Acceptable

   a) Students – Student conduct, dress and language for students on school property shall be determined in accordance with law and collective bargaining agreements.

   b) Employees – Conduct, dress and language for employees on school property shall be determined in accordance with law and collective bargaining agreements.

   c) Contractors – with the School District will be required to adhere to the District policy section regarding conduct, dress and language on school property, as applicable. See B(5) of this Code of Conduct.

   d) Visitors – Conduct, dress and language of visitors on school property shall be governed by Section "B(5)" of this Code of Conduct.

   (See, Board Policies 3200, 3400, 7400.1, 7400.2, 7400.3)

2. Roles of Stakeholders Implementing Appropriate Conduct on School Property:

   All stakeholders should assist students in maintaining a safe, supportive school environment, a climate of mutual respect and dignity for all students regardless of actual or perceived race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category, which will strengthen students' self-concept and promote confidence to learn.

   (i) Teachers – Teachers should familiarize themselves with the requirements of this Code, including their rights and responsibilities in removal of disruptive students; referrals of "violent" students as defined in the Code; as well as reporting a dangerous situation.

   (ii) Administrators – Administrators should review and familiarize themselves with their obligations under this Code, including their role in removal of disruptive students; procedures for dealing with "violent" students; as well as their role in enforcing the Code in a manner which will protect the safety and well-being of the various populations of the school while respecting individual rights;

   (iii) Other School Personnel – Should familiarize themselves with the requirements of the Code and for reporting a dangerous student.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

(iv) Board of Education – The Board's role is to review and adopt this Code of Conduct in accordance with law, and to review, at least annually, the Code's effectiveness and the fairness and consistency of its implementation.

(v) Parents – Parents should recognize that education is a joint responsibility of parents and the school community and should familiarize themselves with the Code.

(vi) Dignity Act Coordinators – oversee bullying prevention measures and address issues surrounding bullying in their building.

(vii) Students – It shall be the right of each student in the District to:

1. have a safe, healthy, orderly and courteous school environment;
2. take part in all District activities on an equal basis regardless of race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category.
3. take part in student government activities unless properly suspended from participation pursuant to the District's discipline policy;
4. address the Board on the same terms as any citizen of the District; and
5. attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with the process of law.

It shall be the responsibility of each student in the School District to:

1. be familiar with, and abide by, all District policies, rules and regulations pertaining to student conduct;
2. work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible;
3. conduct him/herself, when participating in or attending school-sponsored extracurricular events, as a representative of the School District, and as such, hold him/herself to the highest standards of conduct, demeanor and sportsmanship;
4. be in regular attendance at school and in class;
5. contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and property; and
6. make constructive contributions to the school and to report fairly the circumstances of school-related issues.
7. familiarize themselves with the Code.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

B. Standards and procedures to assure security and safety of students and school personnel.

1. The Board of Education encourages and supports all rules and regulations that must be implemented to provide a safe and healthy environment for all students. The provisions of this section will be addressed through Board policy. The safety of students shall be assured through close supervision of students in all school buildings and on school grounds, and through special attention to:

   a) maintenance of a safe school environment;

   b) observation of safe practices on the part of school personnel and students, particularly in those areas of instruction or extracurricular activities that offer special hazards.

   c) provision of safety education for students, particularly laboratory courses in science, technology courses, and health and physical education;

   d) the provision, through the school nurse, of first and care for students in case of accident or sudden illness; and

   e) altering the school nurse to all accidents. An accident report shall be completed and filled for each accident.

2. The Board of Education also acknowledges the efforts of local law enforcement to notify the District when a person with a history of sex offenses against a child is being paroled or released into the community, in accordance with the provisions of the Sex Offender Registration Act, commonly known as Megan's Law. The purpose of this notification is to protect members of the community, particularly children, by notifying them of the presence of individuals in their midst who may present a danger. Consistent with its duty to protect students under the care, the District shall cooperate with local law enforcement agencies in this endeavor.

The Superintendent of Schools shall ensure the dissemination of such information, as appropriate provided by local law enforcement officials pursuant to Megan's Law to all staff who might come into contact with the offender in the course of doing their jobs, including Building Principals, staff who issue visitors' passes. bus drivers, custodians, playground monitors, security personnel, and coaches. All other staff members and community residents shall be informed of the availability of such information, upon written request. All staff requests for information provided by the law enforcement agencies shall be directed to the Building Principal. Requests for information from community residents shall be directed to the Superintendent.

3. The Board of Education further recognizes its responsibility to provide an environment which is reasonably secure from known hazards. The Board therefore directs the Superintendent of Schools and all professional and support staff members to comply with occupational safety and health regulations, including the Hazard Communication Standard and "Right-to-Know" legislation.

   The Superintendent will direct appropriate personnel to develop and oversee a written hazard community program. Such program will include the following:

   a) the acquisition, maintenance and review of Material Safety Data Sheets (MSDS's) for all known hazardous materials on District property;

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

b) the compilation of a hazardous materials inventory;

c) employee training in hazardous materials management and protection; and

d) the recording of all incidents involving exposure to known hazardous materials.

The District will comply with the requirements for the visual notification of pesticide spraying as set forth in the Environmental Conservation Law.

It is the responsibility of the entire school community to report any unsafe building or equipment conditions to the main office as soon as possible. In addition, designated administrators will provide notice of hazardous materials within 72 hours of an employee's request. (See, Board Policy No. 6120, 5621, 5670, 5671)

4. The Board of Education also seeks to ensure the safety of students and employees of the District while on District property.

The Board and administrative staff; in cooperation with students and employees, will take reasonable measure to prevent accidents on the school premises.

Any dangerous conditions involving equipment or buildings or any unsafe practices by anyone in the building or on the grounds of the District are to be immediately reported to the Building Principal and/or Head Custodian.

Unless specifically authorized, all motorized vehicles are prohibited from use on school property.

The 15 mile per hour speed limit is to be observed and other posted signs on school grounds are to be obeyed.

Formal objective investigations of all accidents are to be immediately conducted by the Building Principal and the results of the investigation are to be presented to the Superintendent in a written report. The results of selected investigations should be communicated to employees and students for the purpose of determining how the accident might have been avoided. (See Board Policy No. 7610)

The Superintendent of Schools and Building Principals shall cooperate with the governmental agencies on matters of safety. The Superintendent shall arrange for bus emergency drills, including instruction in the use of windows as a means of escape in case of fire or accident, to take place a minimum of three times during the school year. Such drills shall include such instruction and be held at such times as requested by the Regulations of the Commissioner. (See Board Policy No. 8206)

5. Visitors to the schools of the District shall be governed by the following rules:

a) Each building principal shall establish and maintain a safety plan outlining the process for registration and authorization for visits to his/her school. Such plans shall be submitted to the Superintendent of Schools for approval, and thereafter be made available in the school

b) The building principal must be contacted by the person or group wishing to visit, and prior approval must be obtained for the visit.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

c) Parents or guardians wishing to speak with a specific teacher concerning the progress of a child must make an appointment with the teacher, in addition to obtaining the permission of the building principal.

d) All visitors must immediately report to the main office, sign in, and be issued a visitor's permit, which must be displayed at all times. The permit must be returned to the main office and the visitor must sign out at the conclusion of the visit.

e) Registration shall not be required for school functions open to the public, whether or not school-related.

f) Parents are encouraged to visit guidance counselors, school nurses, school psychologists and other support personnel by appointment; in order to discuss any school related problems or concerns the parent may have regarding the student.

g) Any visitor wishing to inspect school records or interview students on school premises must comply with all applicable Board policies and administrative regulations. In questionable cases, the visitor shall be directed to the Superintendent's office to obtain written permission for such a visit.

h) The principal is authorized to take any action necessary to secure the safety of students and school personnel. Unauthorized visitors shall be requested to leave school premises immediately, and will be subject to arrest and prosecution for trespassing, pursuant to the New York State Penal Law, if they refuse. (See Board Policy No. 3200).

C. Provisions for the Removal from the Classroom and from School Property and School Functions of Students and Other Persons Who Violate the Code.

i. Students

Teachers will have the authority to remove disruptive students (as defined below) from High School for 1-5 days, Middle School for 3-5 days. Elementary Schools 3-5 days in accordance with the process described. The removal from class applies to the class of the removing teacher only in the High School and Middle School and a period of 40 minutes each day in the elementary teachers' class.

Disruptive Pupil – One who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Removal – means that students are precluded from returning to the class of the teacher from which they were removed.

Process for Removal of Disruptive Student

1. If the student does present a danger or an ongoing threat of disruption to the academic process, removal can be immediate, but teacher must provide removed student an opportunity to present his/her version of the events within 24 hours of removal.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

2. If the student does not present a danger or an ongoing threat of disruptive to the academic process, before removal teacher must provide student with explanation as to why being removed, and an opportunity to present his/her version of the events.

3. Within 24 hours of removal, parents must be notified by principal of removal and reasons for removal.

4. Informal conference – If the pupil denies the charge, an opportunity for informal hearing must take place with parents, principal and teacher within 48 hours of removal.

5. Principal's determination – The principal must make determination and notify parent and teacher by close of business on the day following the informal conference to either uphold or reverse determination (determination can only be reversed if finding lacks substantial evidence, inconsistent with Code of Conduct, a violation of law, or if conduct warrants suspension). The principal may designate a School District administrator (e.g., an assistant principal) to carry out the principal's functions in this regard. No pupil removed by a teacher may return until:

   a) the principal or designee makes a final determination, or

   b) the period of removal expires, whichever is less.

Continued Educational Programming – In the event of teacher removal of a disruptive student in accordance with this Code of Conduct, continued educational programming will be provided during the period of removal as soon as is practicable. This type of continued educational programming will vary depending upon the student's individual needs but may consist of, for example, study hall; in-school suspension; or other instruction as provided by the teacher and determined by the principal.

(ii) Staff

Removal shall be determined in accordance with applicable law and collective bargaining agreement.

(iii) Visitors and Contractors

Removal of contractors and visitors will be accomplished in accordance with Section B(5) of this Code of Conduct.

D. Provisions for detention, suspension and removal from the classroom of students, consistent with Section 3214 and other applicable federal, state and local laws including provisions for the school authorities to establish policies and procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school.

(i) "Violent" pupils – Teachers shall report and refer a "Violent" pupil (as defined below) to the principal for appropriate action under the Code of Conduct, and a minimum suspension period in accordance with Section "M" of this Code of Conduct.

For purposes of this section, a "violent" pupil is an elementary or secondary student entitled to attend school on a tuition free basis under New York State Education Law who:

1) commits an act of violence upon a teacher, administrator or other school employee;

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

2) commits, while on School District property, an act of violence upon another student or any other person lawfully upon said property;

3) commits a verbal or threatening act of violence upon a teacher, administrator, other school employee or another student;

4) possesses, while on School District property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;

5) displays, while on School District property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or serious bodily injury;

6) threatens, while on School District property, to use any instrument that appears capable of causing physical injury or death;

7) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or

8) knowingly and intentionally damages or destroys School District property.

Serious and/or flagrant violations of the District's Code of Conduct can result in an immediate Superintendent of Schools' hearing. A student may be suspended from school or subjected to other disciplinary action when such student:

1. engages in conduct which is:

2. disorderly, i.e., fighting or engaging in violent behavior, threatening another with bodily harm, intimidation of students or school personnel, making unreasonable noise, using abusive language or gestures, including racial or ethnic remarks which are improper; or is

3. insubordinate, i.e., failing to comply with the lawful directions of teachers, school administrators of other school employees in charge of the student, or missing or leaving school without permission.

4. engages in any of the following forms of academic misconduct:

5. missing or leaving school without permission; and/or

6. plagiarism; and/or

7. engages in conduct in violation of the Board's rules and regulations for the maintenance of public order on school property, i.e., vandalism or graffiti, arson, theft, truancy,

8. possession/use/sale of drugs or alcohol, possession of weapons, smoking, bringing fireworks onto school grounds.

9. is a "violent" pupil as defined above.

10. is "repeatedly substantially disruptive" as defined in Education Law Section 32114.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

11. trespasses. A student or unauthorized person is not permitted in any school building, other than the one that he/she regularly attends, without permission from the Building Principal or designee. Should a student be found in a building without permission, the necessary authorities will be called and trespassing charges will be lodged against the student.

12. harasses another student or member of the school community on the basis of race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category.

13. harasses or bullies another student by creating a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying that either has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or reasonably causes or would reasonably be expected to cause physical injury and/or emotional harm to a student or to cause a student to fear for his/her physical safety.

The range of penalties which may be imposed for violations of the student disciplinary code includes the following:

1. verbal warning
2. written notification to the parents
3. detention
4. probation
5. reprimand
6. suspension from transportation
7. suspension from extracurricular activities
8. suspension of other privileges
9. suspension from a particular class
10. in-school suspension
11. out-of-school suspension

Depending upon the nature of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that an employee or agent take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination. Such penalties will be imposed by the Superintendent of Schools, the Building Principal, or in cases of removal from a particular class for disruptive conduct, the classroom teacher.

E. Disciplinary Measures to Be Taken in Incidents Involving the Possession or Use of Illegal Substances or Weapons, the Use of Physical Force, Vandalism, Violation of Another Student's Civil Rights and Threats of Violence.

(i) For any of the above violations, the range of penalties which may be imposed upon students (in accordance with Education Law Section 3214, Part 100 of the Commissioner's Regulations, and this Code of Conduct pursuant to the student disciplinary code which includes the following:

1. verbal warning
2. written notification to the parents
3. detention
4. probation
5. reprimand

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

6. suspension from transportation
7. suspension from extracurricular activities
8. suspension of other privileges
9. exclusion from a particular class
10. in-school suspension
11. out-of-school suspension

Depending upon the nature of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that an employee or agent take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

The Board of Education recognizes the importance of school attendance. Therefore, suspension from school must be viewed as a last resort in dealing with student disciplinary infractions. The Board also recognizes the need to remove unruly or disruptive students from the regular class so that learning can take place in the classrooms.

The responsibility for student dress and general appearance rests with individual students and parents. However, the Board of Education requires students to attend school in appropriate dress that meets health and safety standards and does not materially or substantially interfere with the learning process. The Board also requires students to wear appropriate protective gear in certain classes (e.g., home economics, shop, P.E.). In addition, the Board prohibits attire bearing an expression or insignia which is obscene or libelous, which advocates racial or religious prejudice, or which displays and/or encourages the use of drugs, alcohol or tobacco.

F. Procedures by Which Violations Are Reported, Determined, Discipline Measures Imposed and Discipline Measures Carried out.

(i) The Board of Education believes that each student can be expected to be responsible for his/her own behavior. The school administration shall develop and disseminate rules of conduct, focusing on personal safety and respect for the rights and property of others to be consistently applied in the classrooms and through the schools. Students who fail to meet this expected degree of responsibility and violate school rules will be subject to appropriate disciplinary action and more regulated supervision.

Discipline is most effective when it deals directly with a problem at the time and place it occurs, and in a way that is fair and impartial. Therefore, before seeking outside assistance, teachers will first use all their positive resources to create a change of behavior in the classroom.

Disciplinary action, when necessary, will be firm, fair, and consistent in order to be most effective in changing behavior.

(ii) Early Identification and Resolution of Student Discipline Problems

Pupil service personnel, administrators, teachers and others will report students to the Building Principals when they believe such students present a discipline problem. If the Principal suspects that the problem may be manifestation of a disability, he/she will refer the matter to the Committee in Special Education in the manner prescribed by the Commission's Regulations and by District policy.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

(iii) Discipline Policy for Students with Disabilities

Students with disabilities will be suspended in accordance with the procedures established under applicable federal and state law and regulation. (See, Board Policy No. 8504).

The Board of Education assures that students of the District shall have all the rights afforded them by federal and state constitutions and statutes. The District recognizes all federal, state and local laws in connection with these rights and reminds students that certain responsibilities accompany the rights they are given.

(iv) Reporting Discrimination, Harassment and Bullying

a) The Board of Education recognizes its responsibility to protect students from unlawful harassment, discrimination and bullying while on school property. Students or staff who wish to report harassment, discrimination or bullying should contact the appropriate compliance officer.

b) The Dignity Act Coordinators for the Schools are:

Wallkill Senior High:
Mr. Robert Albanese, Assistant Principal (845) 895-7150
Mr. Joseph Napoli, Assistant Principal (845) 895-7150
John G. Borden Middle School:
Mr. Michael Pritts, Dean of Student (845) 895-7175
Leptondale Elementary School:
Ms. Anita Hoyt, Intervention Specialist (845) 895-7200
Clare F. Ostrander Elementary School:
Ms. Kristine Boyle, Intervention Specialist (845) 895-7225
Plattekill Elementary School:
Ms. Lori Williams, Intervention Specialist (845) 895-7250

G. Provisions Ensuring this Code and the Enforcement Thereof Are in Compliance with State and Federal Laws Relating to Students with Disabilities.

Discipline issues regarding students with disabilities under Section 504 will be referred to the appropriate Section 504 accommodation team for processing. Code of Conduct issues pertaining to students classified under IDEA will be referred to the Committee for Special Education.

H. Provisions Setting Forth the Procedures by Which Local Law Enforcement Agencies Shall Be Notified of Code Violations Which Constitute a Crime.

In accordance with consultation with local law enforcement, it is the District's understanding that the following types of conduct are generally referable to law enforcement as crimes:

- forcible sexual offenses
- use or possession of weapons
- drug offenses
- assaults resulting in serious physical injury
- serious threat which a reasonable person would perceive as placing persons in imminent danger.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

The usual contact between the District and law enforcement parties will be the school administration. (See, Board Policy No. 7441).

I. Provisions Setting Forth the Circumstances under and Procedures by Which Persons in Parental Relation to the Student Shall be Notified of Code Violations.

Notification of persons in parental relations of code violations will be accomplished in accordance with the procedure for removal of disruptive students and the due process rights of students referenced above.

J. Provisions Setting Forth the Circumstances under and Procedures by Which a Complaint in Criminal Court, a Juvenile Delinquency Petition or Persons in Need of Supervision Petition as Defined in Articles Three and Seven of the Family Court Act Will Be Filed.

The District will observe all applicable procedures under the Family Court Act for filing of PINS petitions. Juvenile Delinquency petitions and it will follow the appropriate sections of Penal Law and Criminal Procedure Law and other statutes for filing criminal complaints.

K. Circumstances under and Procedures for Which Referral to Appropriate Human Service Agencies Shall Be Made.

Referrals to appropriate human service agencies will be provided through a list maintained by the Committee on Special Education or the Child Study Team or the 504 Team which list will be made available to parents where appropriate.

L. A Minimum Suspension Period, for Students Who Repeatedly Are Substantially Disruptive of the Educational Process or Substantially Interfere with the Teacher's Authority over the Classroom.

Provided That the Suspending Authority May Reduce Such Period on a Case by Case Basis to Be Consistent with Any Other State and Federal Law. For Purposes of this Section, the Definition of "Repeatedly Are Substantially Disruptive" shall be determined in accordance with the Regulations of the Commissioner.

Where a student engaged in conduct which would define that student as "repeatedly substantially disruptive" (i.e., engaging in conduct requiring removal from classroom on four or more occasions during a semester), the minimum suspension period will be 5 days for the High School and Middle School and 3-5 days for the Elementary Schools (subject to modification on a case-by-case basis based upon the particular circumstances present.)

M. A Minimum Suspension Period for Acts That Would Qualify the Pupil to be Defined as a Violent Pupil

Pursuant to a Paragraph of Subdivision 2-a of Section 3214 of the Education Law, Provided That the Suspending Authority May Reduce Such Period on a Case by Case Basis to Be Consistent with Any Other State and Federal Law.

Where a student engaged in conduct which would define that student as "violent" as defined in Section "D" of this Code, the minimum suspension period will be 5 days for the High School, Middle School and Elementary Schools (subject to modification on a case-by-case basis based upon the particular circumstances present.)

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

N. A Bill of Rights and Responsibilities of Students Which Focuses Upon Positive Student Behavior, and Which Shall Be Publicized To All Students on an Annual Basis

Student's Right to:	**Student's Responsibility to:**
Attend school in the District in which his/her parent or legal guardian resides.	Attend school daily, except when ill and be on time to all classes
Express his/her opinions verbally or in writing.	Express his/her opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others.
Be responsible for his/her dress and appearance.	Refrain from wearing any item of clothing, which in the opinion of the Administration or dangerous, indecent or distracting, which may be prohibited.
Expects that the school will be a safe orderly place for all students to gain an education.	Be aware of all rules and expectations regulating student behavior and conduct him/herself in accordance with these guidelines.
Be afforded due process in the event of disciplinary action brought against him/her, including suspension.	Be willing to volunteer information in disciplinary cases if he/she has knowledge of importance in such a case.
Be represented by a student government selected by free school elections.	Take an active part in student government by running for office, or conscientiously voting for the best candidates and making his/her problems known to the representative.
Be afforded equal educational opportunities.	Be aware of available educational programs in order to use and develop capabilities to maintain.
Be afforded channels of communication to Board of Education and School administration concerning operation of the school system and curriculum planning.	Express views concerning the operation of the school system and curriculum planning using predefined channels of student government.
Be afforded the opportunity to develop school publications such as school newspapers.	Refrain from libel and obscenities.
Be afforded the opportunity to participate on athletic teams, regardless of sex, except pursuant to Regulations of the State Education Commissioner.	To participate and follow athletic requirements.

SUBJECT: CODE OF CONDUCT FOR THE MAINTENANCE OF ORDER ON SCHOOL PROPERTY [continued]

Student's Right to:	**Student's Responsibility to:**
Be afforded the opportunity to participate in extra-curricular activities.	Be aware of all rules governing participation and conduct him/herself in accordance with these guidelines.
Have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance.	Be aware of the information and services available, when it is needed.
Have his/her student records available for inspection by his/her parent or legal guardian upon request, or by the student him/herself if 18 years of age or older.	Be aware of right to access and guidelines governing such access.
Be respected as an individual entitled to his/her personal dignity and integrity.	Refrain from participating in any discriminatory practices against others – students, teachers, custodians, etc.

O. Guidelines and Programs for In-Service Education Programs for All District Staff Members to Ensure Effective Implementation of School Policy on School Conduct and Discipline.

1. Each school principal shall review this Code of Conduct, and the applicable Building Discipline Code before opening of each school year, with the entire teaching and non-teaching staff of each school.

2. A copy of the Code of Conduct and the applicable Building Discipline Code shall be posted in each school office and each faculty room for reference.

3. The Code of Conduct and the applicable Building Discipline Code shall be printed as a part of the student handbook for all students on an annual basis.

4. Classroom/homeroom teachers in grades K-12 will review the Code of Conduct and applicable Building Discipline Code at the beginning of each school year.

5. The Superintendent of Schools may, as part of Superintendent's Conference days, direct additional in-service programs for staff members to ensure effective implementation of the Code of Conduct.

SUBJECT: WALLKILL SENIOR HIGH SCHOOL CODE OF CONDUCT

To achieve a quality education, the school must establish and enforce guidelines and procedures that provide for reasonable order and an atmosphere where learning can take place. It is the purpose of the High School Code of Conduct to provide a satisfying, productive and safe environment in which all persons may gain a worthwhile school experience.

Maintaining this type of environment is the role of Board of Education members, administrators, teachers, students and parents. Every student in grades 9-12 has the responsibility of maintaining his/her own good conduct. Self-discipline is essential to the effective operation of our school.

CONDUCT THAT MAY RESULT IN DETENTION, SUSPENSION OR REMOVAL

Items A through T are in effect at all school-sponsored extra-curricular events or activities, including inter-scholastic athletic functions (both home and away), and at any time while on school property, which is defined as "In or within any building, school bus, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school." Please find disciplinary steps on Page 25 of the Student Handbook (Disciplinary Steps are advisory only).

A. HALL PASS RESTRICTION VIOLATION (STEPS 3-5)
Violators of Hall Pass Restriction will be considered insubordinate.

B. CLASS ABSENCE/CUTS (STEPS 2-4)
Students are required to follow their schedule of classes unless they received permission from each teacher in advance to do otherwise.

C. DETENTION CUTS (STEPS 2-5)
Students must report to detention by 2:35 pm.

D. DISRUPTIVE BEHAVIOR (STEPS 1-6)

1) One who is substantially disruptive of the educational process or substantially interferes with the authority over the classroom.

2) Those students who are substantially, repeatedly disruptive of the educational process or who substantially, repeatedly interferes with the teacher's authority over the classroom, will be subject to an out-of-school suspension period of up to 5 days (Subject to a modification on a case-by-case basis, based upon the particular circumstances present).

E. DRUGS/CONTROLLED SUBSTANCES (STEPS 5-6)

1) Selling or attempting to sell, supplying on school property or any school function: alcohol, marijuana, drugs, toxic inhalants or other controlled substances, counterfeit/synthetic drugs or a substance which the individual believes or represents to be such drugs or alcohol.

SUBJECT: WALLKILL SENIOR HIGH SCHOOL CODE OF CONDUCT [continued]

2) Using or possessing or coming onto school property, student parking lots, or coming to any school function while under the influence of: alcohol, marijuana, drugs, toxic inhalants or controlled substances, counterfeit/synthetic drugs or a substance which the individual believes or represents to be such drugs or alcohol.

3) Selling or attempting to sell, supplying, using or possessing drug paraphernalia.

4) Possessing prescription medication (see page 33 for school drug policy)

F. ENDANGERMENT (STEPS 1-6)

1) Causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof.

2) Attempting, while on school district property, to use any instrument that appears capable of causing physical injury or death.

3) Any other offense that endangers the health, safety or well-being of the school population

4) Arson-Lighting or attempting to light a fire while on school property.

G. FIGHTING (STEPS 5-6)
While on school property commits an act of violence upon another student or another person lawfully upon school property

H. HARASSMENT/BULLYING (STEPS 1-6)
Any behavior that is done to intimidate, demean, insult, embarrass or have power over another person or group of individuals.

I. INAPPROPRIATE BEHAVIOR (STEPS 1-6)
Any behavior that interferes/disrupts the educational process or the rights of any student, staff or faculty member.

J. INSUBORDINATION (STEPS 3-6)
Any action either written, verbal or physical which defies or disrespects authority.

K. MISREPRESENTATION (STEPS 3-6)
Refusing to provide name to any staff member that works in the building or giving a false name, forgery, taking or illegally using passes, intentional plagiarism/cheating, lying and failure to display ID upon request.

L. PROFANITY (STEPS 3-6)
Using or wearing of garments of abusive or obscene, lewd, vulgar or plainly offensive language or gestures.

SUBJECT: WALLKILL SENIOR HIGH SCHOOL CODE OF CONDUCT [continued]

M. RACIAL HARASSMENT (STEPS 4-6)
Violating the civil rights of any person. Any written, verbal, symbolic or vulgar act directed at or implied toward any person's race, religion or any other civil right. (See District Policy on Discrimination)

N. SEXUAL HARASSMENT (STEPS 4-6) (See page 32 for Sexual Harassment Procedure)
Any conduct by a person of the opposite sex or same sex which a reasonable second person, who is the object of such conduct, would conclude is:

1. Unwanted touching of a sexual nature of any part of the second person or

   An unwanted expression which scares or embarrasses or offends the second person.

2. Sexual harassment includes but is not limited to:

   a) making sexual comments, jokes, gestures or looks;
   b) touching, grabbing or pinching in a sexual way;
   c) intentionally brushing up against someone;
   d) flashing or mooning;
   e) spreading sexual rumors about a person;
   f) pulling at someone's clothing in a sexual way;
   g) showing, giving or leaving sexual pictures, photographs, illustrations, messages or notes;
   h) forcing someone to kiss you or do something sexual other than kissing;
   i) spying on someone while dressing or showering;
   j) calling someone a "fag" or a "lesbian" or "gay".
   k) Any written, verbal, symbolic or vulgar act directed at or implied toward any person's gender (identity or expression), sexual orientation or any other civil right.

   (See District Policy on Discrimination)

O. TARDINESS - CUMULATIVE (STEPS 1-4)
Unauthorized/Unexcused tardiness to school (homeroom) and classes as well as study halls. Students are expected to be on time for class or have a pass or excuse explaining their tardiness.

SCHOOL: When students arrive to school late, they are to sign in at the lobby and present a note SIGNED BY PARENT/GUARDIAN explaining their tardiness. In emergency situations, students will be allowed to bring a note in the next day. FIRST THREE (3) LATES TO SCHOOL/CLASS EACH SEMESTER, A WARNING WILL BE GIVEN. ONE (1) DETENTION WILL BE ASSIGNED FOR THE 4th, 5th, & 6th LATES BANNING ANY EXTENUATING CIRCUMSTANCES FOR THE TARDINESS. ON THE SEVENTH (7th) LATE, AND EACH LATE THEREAFTER, THE TEACHER WILL WRITE A REFERRAL TO THE BUILDING ADMINISTRATOR.

CLASS: Arriving late to class breaks up the continuity of instruction and may affect the learning process for all students'. Repeat offenders will be put on hall pass restriction. Students who violate the rules of hall pass restriction will be considered insubordinate and the steps for insubordination will apply.

SUBJECT: WALLKILL SENIOR HIGH SCHOOL CODE OF CONDUCT [continued]

P. THEFT (STEPS 4-6)
Theft of money, personal or public property, or theft involved in the breaking or entering of school property.

Q. TOBACCO, USE/POSSESSION/SUPPLYING (STEPS 1-5)
There will be no use or possession of tobacco, electronic cigarettes, rolling papers, personal vaporizers, e-liquids and any electronic nicotine device or paraphernalia associated with these products, lighters, matches, etc., by students on school property or in the building at any time.

R. TRUANCY (STEP 4)
Truancy is the act of staying out of school without the knowledge of the parent.

S. VIOLENCE (STEPS 5-6) In accordance with Board of Education Policy #7400 Section D, a violent pupil is defined as a secondary student entitled to attend school on a tuition free basis under New York State Education Law who:

1) Commits an act of violence upon a teacher, administrator or other school employee;

2) commits, while on School District property, an act of violence upon another student or any other person lawfully upon said property;

3) commits a verbal or threatening act of violence upon a teacher, administrator, other school employee or another student;

4) possesses, while on School District Property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;

5) displays, while on School District Property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or seriously bodily injury;

6) threatens, while on school district property, to use any instrument that appears capable of causing physical injury or death;

7) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or

8) knowingly and intentionally damages or destroys School District property.

In accordance with the "Gun Free School Act of 1994", any student who, after a hearing, held pursuant to Education Law Section S 3214, is found guilty of bringing a fire-arm on to school property, will be subjected to a penalty of at least one year suspension from school.

However, the Superintendent of Schools may review the penalty and modify such suspensions on a case-by-case basis considering, among other things, the totality of circumstances surrounding the offense and the student's previous record.

SUBJECT: WALLKILL SENIOR HIGH SCHOOL CODE OF CONDUCT [continued]

"Students classified with disabilities under the Individuals with Disability Education Act (IDEA) or who qualify as a student with a handicap condition under Section 504 of the Rehabilitation Act of 1973, who use or possess a weapon on school property or at a school function, will be disciplined according to the procedures established under applicable federal and state law and regulation."

T. DESTRUCTION OF SCHOOL PROPERTY (STEPS 3– 6)

1) Knowingly and intentionally damages or destroys personal property of a teacher, administrator, other school district employee, student or any person who is lawfully on school district property.

2) Knowingly and intentionally damages or destroys school district property.

DISCIPLINARY STEPS (ADVISORY ONLY)

Step 1 Administrative/teacher conference with student (warning issued)

Step 2 Could include one or more of the following: hall pass restriction, computer restriction, revocation of early release/late entry privileges, lunch detention, loss of driving privileges and participating in afternoon activities.

Step 3 Detention (1-5 days) 2:35 p.m. to 4:00 p.m. or removal from the classroom by the teacher in accordance with the District-wide Code of Conduct (Board of Education Policy #7400)

Step 4 In School Suspension (1 to 5 days)
If removed from ISS for any reason, OSS will occur

Step 5 Out of School Suspension (1 to 5 days)

Step 6 OSS (5 days) Superintendent of School's Hearing

Note: In conjunction with the following disciplinary steps, students may be referred for in-school counseling or the One80 Restorative Justice Program for crisis intervention and other support services. For more information about the One80 Restorative Justice program, please see Appendix A in the Wallkill Senior High School Student Handbook.

CONDUCT THAT MAY RESULT IN DETENTION, SUSPENSION OR REMOVAL

Students on suspension are banned from participating in, or attending extra-curricular activities for a period beginning with being notified of the suspension until the beginning of school following the last day of suspension. Students are not permitted to be on school property at any time while serving an out-of-school suspension term.

SUBJECT: WALLKILL SENIOR HIGH SCHOOL CODE OF CONDUCT [continued]

The following acts will be reported to the Superintendent and local law enforcement officials:

- Forcible sexual offenses
- Use or possession of weapons
- Drug offenses
- Assaults resulting in serious physical injury
- Serious threats which a reasonable person would perceive as placing persons in imminent physical danger.

"The disciplinary penalties are intended to be a range of penalties that may be imposed on students depending upon the nature of the violation. It is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations."

DISCIPLINE OF STUDENTS WITH, OR SUSPECTED OF HAVING A DISABILITY

Discipline of students classified of having, or suspected of having, a disability will occur in accordance with the IDEA and/or Section 504 of the Rehabilitation Act of 1973, and the regulations implemented there under, as applicable.

The Discipline Code is intended to be read and interpreted in a manner that is consistent with the District-wide Code of Conduct, (Policy #7400). To the extent any terms of provisions contained herein conflict with the District-wide Code of Conduct; the District-wide Code of Conduct shall govern.

DIGNITY FOR ALL STUDENTS ACT

The Dignity Act Coordinators for the Wallkill Senior High School are:

Mr. Robert Albanese, Assistant Principal (845) 895-7150
Mr. Joseph Napoli, Assistant Principal (845) 895-7150

The Dignity Act Coordinators oversee bullying prevention measures and address issues surrounding bullying in the High School.

Approved: 2005; Revised: 6/21/07; 6/18/09; 6/17/10; 6/16/11; 6/14/12; 10/18/12; 6/13/13; 6/16/16; 7/2/24

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT

To achieve a quality education, the school must establish and enforce guidelines and procedures that provide for reasonable order and an atmosphere where learning can take place. It is the purpose of the Middle School Code of Conduct to provide a satisfying, productive and safe environment in which all persons may gain a worthwhile school experience.

As a student at the John G. Borden Middle School you are expected to:

1. Respect authority and comply with school rules
2. Respect the rights and privileges of others and cooperate with all members of the school community
3. Respect school property and property of others
4. Respect yourself by being diligent in studies and profiting from the available educational experiences

Maintaining this type of environment is the role of Board of Education members, administrators, teachers, students and parents. Every student in grades 7-8 has the responsibility of maintaining his/her own good conduct. Self-discipline is essential to the effective operation of our school.

CONDUCT THAT MAY RESULT IN DETENTION, SUSPENSION OR REMOVAL

Items A through U are in effect at all school-sponsored extra-curricular events or activities, including inter-scholastic athletic functions (both home and away), and at any time while on school property, which is defined as "In or within any building, school bus, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school." Please find steps on page 16 of the Student Handbook (Steps are advisory only).

A. HALL PASS RESTRICTION VIOLATION (STEPS 1-5)
Violators of Hall Pass Restriction will be considered insubordinate.

B. CLASS ABSENCE/CUTS (STEP 7)
Students are required to follow their schedule of classes unless they received permission from each teacher in advance to do otherwise.

C. DETENTION CUTS (STEP 7)
Students must report to detention by 2:20 pm.

D. DISRUPTIVE BEHAVIOR (STEPS 1-7)

1) One who is substantially disruptive of the educational process or substantially interferes with the authority over the classroom.

2) Those students who are substantially, repeatedly disruptive of the educational process or who substantially, repeatedly interferes with the teacher's authority over the classroom, will be subject to an out-of-school suspension period of up to 5 days (Subject to a modification on a case-by-case basis, based upon the particular circumstances present).

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT [continued]

E. DRUGS/CONTROLLED SUBSTANCES (STEPS 7-8)

1) Selling or attempting to sell, supplying on school property or any school function: alcohol, marijuana, drugs, toxic inhalants or other controlled substances, counterfeit/synthetic drugs or a substance which the individual believes or represents to be such drugs or alcohol.

3) Using or possessing or coming onto school property, student parking lots, or coming to any school function while under the influence of: alcohol, marijuana, drugs, toxic inhalants or controlled substances, counterfeit/synthetic drugs or a substance which the individual believes or represents to be such drugs or alcohol.

4) Selling or attempting to sell, supplying, using or possessing drug paraphernalia.

5) Possessing prescription medication.

F. ENDANGERMENT (STEPS 1-9)

1) Causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof.

2) Attempting, while on school district property, to use any instrument that appears capable of causing physical injury or death.

3) Any other offense that endangers the health, safety or well-being of the school population

4) Arson-Lighting or attempting to light a fire while on school property.

G. FIGHTING (STEPS 7-8)
While on school property commits an act of violence upon another student or another person lawfully upon school property.

H. HARASSMENT/BULLYING (STEPS 1-8)
Any behavior that is done to intimidate, demean, insult, embarrass or have power over another person or group of individuals.

I. INAPPROPRIATE BEHAVIOR (STEPS 1-8)
Any behavior that interferes/disrupts the educational process or the rights of any student, staff or faculty member.

J. INSUBORDINATION (STEPS 1 -8)
Any action either written, verbal or physical which defies or disrespects authority.

K. MISREPRESENTATION (STEPS 5-8)
Refusing to provide name to any staff member that works in the building or giving a false name, forgery, taking or illegally using passes, intentional plagiarism/cheating, lying and failure to display ID upon request.

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT [continued]

L. PROFANITY (STEPS 1-8)
Using or wearing of garments of abusive or obscene, lewd, vulgar or plainly offensive language or gestures.

M. RACIAL HARASSMENT (STEPS 5-8)
Violating the civil rights of any person. Any written, verbal, symbolic or vulgar act directed at or implied toward any person's race, religion or any other civil right.
(See District Policy on Discrimination)

N. SEXUAL HARASSMENT (STEPS 5-8) (See page 32 for Sexual Harassment Procedure)
Any conduct by a person of the opposite sex or same sex which a reasonable second person, who is the object of such conduct, would conclude is:

1. Unwanted touching of a sexual nature of any part of the second person
-or-
An unwanted expression which scares or embarrasses or offends the second person.

2. Sexual harassment includes but is not limited to:

a) making sexual comments, jokes, gestures or looks;
b) touching, grabbing or pinching in a sexual way;
c) intentionally brushing up against someone;
d) flashing or mooning;
e) spreading sexual rumors about a person;
f) pulling at someone's clothing in a sexual way;
g) showing, giving or leaving sexual pictures, photographs, illustrations, messages or notes;
h) forcing someone to kiss you or do something sexual other than kissing;
i) spying on someone while dressing or showering;
j) calling someone a "fag" or a "lesbian" or "gay".
k) Any written, verbal, symbolic or vulgar act directed at or implied toward any person's gender (identity or expression), sexual orientation or any other civil right. (See District Policy on Discrimination)

O. TARDINESS - CUMULATIVE (STEPS 1-7)
Unauthorized/Unexcused tardiness to school (homeroom) and classes as well as study halls. Students are expected to be on time for class or have a pass or excuse explaining their tardiness.

Tardy to school: When students arrive to school late, they are to sign in at the lobby and present a note SIGNED BY PARENT/GUARDIAN explaining their tardiness. In emergency situations, students will be allowed to bring a note in the next day.

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT [continued]

FIRST TWO (2) LATES TO SCHOOL/CLASS - A WARNING WILL BE GIVEN. ONE (1) DETENTION will be assigned each time the student is late to class three times. Beginning the second semester of school once a student has been given two warnings he/she will be assigned detention each time he/she is late.

CLASS: Arriving late to class breaks up the continuity of instruction and may affect the learning process for all students'. Repeat offenders will be put on hall pass restriction. Students who violate the rules of hall pass restriction will be considered insubordinate and the steps for insubordination will apply.

P. LARCENY OR OTHER THEFT OFFENSE/ POSSESSION OF STOLEN GOODS: (STEPS 3-9)
Theft of money, personal or public property, or theft involved in the breaking or entering of school property. Being in possession of stolen goods while on school property.

Q. TOBACCO, USE/POSSESSION/SUPPLYING (STEPS 1-7)
There will be no use or possession of tobacco, rolling papers, electronic cigarettes, personal vaporizers, e-liquids and any electronic nicotine device or paraphernalia associated with these products, lighters, matches, etc., by students on school property or in the building at any time.

R. TRUANCY (STEP 4-7)
Truancy is the act of staying out of school without the knowledge of the parent.

S. VIOLENCE (STEPS 5-6) In accordance with Board of Education Policy #7400 Section D, a violent pupil is defined as a secondary student entitled to attend school on a tuition free basis under New York State Education Law who:

1) commits an act of violence upon a teacher, administrator or other school employee;

2) commits, while on School District property, an act of violence upon another student or any other person lawfully upon said property;

3) commits a verbal or threatening act of violence upon a teacher, administrator, other school employee or another student;

4) possesses, while on School District Property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;

5) displays, while on School District Property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or seriously bodily injury;

6) threatens, while on School District Property, to use any instrument that appears capable of causing physical injury or death;

7) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or

8) knowingly and intentionally damages or destroys School District property.

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT [continued]

In accordance with the "Gun Free School Act of 1994", any student who, after a hearing, held pursuant to Education Law Section S 3214, is found guilty of bringing a fire-arm on to school property, will be subjected to a penalty of at least one year suspension from school.

However, the Superintendent of Schools may review the penalty and modify such suspensions on a case-by-case basis considering, among other things, the totality of circumstances surrounding the offense and the student's previous record

"Students classified with disabilities under the Individuals with Disability Education Act (IDEA) or who qualify as a student with a handicap condition under Section 504 of the Rehabilitation Act of 1973, who use or possess a weapon on school property or at a school function, will be disciplined according to the procedures established under applicable federal and state law and regulation."

T. DESTRUCTION OF SCHOOL PROPERTY (STEPS 2– 9)

1) Knowingly and intentionally damages or destroys personal property of a teacher, administrator, other school district employee, student or any person who is lawfully on school district property.

2) Knowingly and intentionally damages or destroys school district property.

U. UNAUTHORIZED RECORDINGS (STEPS 5-8)

1) Unauthorized Video/Audio recording and/or picture taking with a cell phone or any recording device during the school day or on the bus and/or to or from school events.

For any of the above forms of prohibited conduct, the range of penalties which may be imposed upon students (in accordance with Education Law 3214. Part 100 of the Commissioner's Regulations, and the District Code of Conduct and this Middle School Discipline Code) pursuant to the student disciplinary code which includes the following:

1. verbal/written warning and disciplinary conference to review corrective measures
2. written notification to the parents
3. exclusion from extra-curricular activities
4. Lunch Detention
5. detention
6. removal from a particular class
7. in-school suspension
8. out-of-school suspension and/or Superintendent's hearing
9. repayment where applicable

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT [continued]

Depending upon the nature and severity of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. Since all types of infractions may not be included, disciplinary procedures may be modified at the discretion of Building Administration.

Students on suspension are banned from participating in, or attending extracurricular activities for a period beginning with being notified of the suspension until the beginning of school following the last day of suspension. Students are not permitted to be on school property at any time while serving an out-of-school suspension term

The following acts will be reported to the Superintendent and local law enforcement officials:

- forcible sexual offenses
- use or possession of weapons
- drug offenses
- assaults resulting in serious physical injury
- serious threat which a reasonable person would perceive as placing in imminent danger.

This Discipline Code is intended to be read and interpreted in a manner consistent with the District-wide Code of Conduct (Policy No. 7400). To the extent any terms or provisions contained herein conflict with the District-wide Code of Conduct the District-wide Code of Conduct will govern.

For any of the above listed offenses, the listed consequences are the range of penalties which may be imposed upon students. Depending on the nature and severity of the violation, it is the desire of the Board of Education that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations.

Buses
School buses are provided by the District for the safe transportation of all students to and from school. All students are expected to be on time for the morning pick-up. Afternoon dismissal will be directly following the last period class. Late buses (3:50 p.m.) for students participating in after school clubs, athletic activities or staying for detention are scheduled for Monday through Friday. Late buses may not necessarily drop students off at the same location as the 2:10 p.m. bus.

Bus Rules
All students must obey the bus driver. The bus driver has the right to assign seats to any or all students. A student who is in violation of bus rules will be referred to building administration. Students who violate bus rules are subject to disciplinary action under the Middle School Code of Conduct. Any student who violates the bus rules may be suspended from riding the bus. The parents of a student who has been suspended from riding the bus will have the responsibility of providing transportation to and from school during the time of the loss of privileges..

SUBJECT: JOHN G. BORDEN MIDDLE SCHOOL CODE OF CONDUCT [continued]

1) Students are to be seated at all times and not change seats unless directed by driver.
2) Students must keep their hands, arms, heads, etc., inside the bus.
3) Students are not to push, shout or fight.
4) Students are not to damage or deface the school bus.
5) Students are not to use obscene language.
6) Students are not allowed to smoke.
7) Students are not to litter.
8) Students are not to eat or drink on the bus.
9) Students are not to disembark at the high school without written authorization from the main office.
10) Students must ride their assigned bus unless they have written authorization from the main office to ride a different one

Bus Procedures
Any student, who wishes to be discharged at a different stop or ride a different bus on a particular day, must bring a signed note from his or her parents and present the note to the office during the homeroom period. A bus pass will be issued to the student granting permission for the change.

Student who misses the 2:10 p.m. bus is to report to the office for assignment to a supervised area.
Students may not leave school property at 2:10 p.m. and return to ride the 3:50 p.m. bus unless permission is granted by Building Principal or Dean of Students.

Students may not walk into town or to the high school at dismissal or at any other time.

Discipline of Students with, or Suspected of Having a Disability
Discipline of students classified as having, or suspected of having, a disability will occur in accordance with the IDEA and/or Section 504 of the Rehabilitation Act of 1973 and the regulations implemented there under, as applicable.

Dignity for all Students Act

The Dignity Act Coordinator for the Middle School is:

Mr. Michael Pritts, Dean of Students (845) 895-7175

The Dignity Act Coordinator oversees bullying prevention measures and addresses issues surrounding bullying in the Middle School.

Approved: 2005; Revised: 6/21/07; 6/18/09; 6/17/10; 6/16/11; 6/14/12; 10/18/12; 6/13/13; 6/16/16; 7/2/24

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT

There is a concern on the part of the Board of Education, the administration, the faculty, parents, and the student body regarding student behavior and disciplinary procedures. This statement is to inform parents and students as to what is expected of students as school citizens of the Wallkill Elementary Schools.

I. Student Rights:

A. Education: All persons between the ages of 6 and 21 residing in the State of New York are entitled to a free education without discrimination or harassment on the basis of sex, race, creed, or personal condition.

B. Association: Students have the right to participate in any and all student organizations which have been recognized by the school district in accordance with established criteria. Such organizations may not restrict membership on the basis of race, sex, national origin or other arbitrary criteria.

C. Discipline: Rules for student conduct and discipline have been adopted by the Board of Education. Such rules will be clearly stated, explained, and distributed to all students at the beginning of every school year or at the start of enrollment in the school. These standards of conduct do not infringe upon the constitutional rights of students, and include prohibited student conduct and the range of penalties, which may be imposed for such misconduct.

D. Confidentiality: Student records will be maintained by the school district for use by appropriate district personnel in developing the best possible educational program for each student. Parents or legal guardians are entitled to inspect the student's cumulative record with the principal or his/her designee in attendance. The parent is afforded the opportunity through a hearing to challenge the accuracy or content of the child's records. A student over the age of 18 is given the same rights as his/her parents.

E. Freedom of Expression: Students will not be denied the right to express themselves on the basis of the nature of their beliefs. However, such expression will not be allowed if it substantially or materially interferes with school activities or the rights of others.

F. Sexual Harassment: Students have a right to attend school without being sexually harassed. Sexual harassment is unwanted behavior by another person of the opposite or the same sex toward you just because you are a girl or boy. No one should act that way to another person. Acts which a fair person would think of as sexual harassment include:

1. The unwanted touching of a sexual nature of any part of your body such as pinching, brushing the body, pulling clothes, kissing, grabbing or holding someone down.

2. An unwanted expression made to a person which scares or embarrasses that person or otherwise makes that person feel uncomfortable such as threats, "dirty jokes", making fun of someone for being a girl or boy, calling someone a "fag", gay, lesbian, "slut", "whore", or being shown, given, or left sexual pictures, photographs, illustrations, messages, or notes. These types of acts should be reported to your parent(s), teacher, or principal and/or intervention specialist.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

G. Wallkill Central School District Notice of Non-Discrimination

1. All students of the Wallkill Central School District have a right to feel respected and safe. Consequently, we want you to know about our policy to prevent discrimination based on race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, and domestic violence victim status. This policy applies to students in connection with all academic, educational, extra-curricular, athletic, and other programs of the school whether they take place in the facilities of the school, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

2. Discrimination may include, but is not limited to the following, when based on one's membership in a protected category:

   a. name calling, jokes or rumors;

   b. pulling on clothing;

   c. graffiti;

   d. notes or cartoons;

   e. unwelcome touching of a person or clothing;

   f. offensive or graphic posters or book covers;

   g. any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad; or

   h. denial of access to a school program or activity

3. If any words or actions by another student, district personnel, or third party, such as volunteers, vendors, contractors, or visitors, make you feel uncomfortable, embarrassed, angry or unsafe, and you perceive that such conduct is being exhibited as a result of your race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, or domestic violence victim status, you must make a report (either oral or in writing) which should be given to a teacher, counselor, assistant principal, the principal or the District Compliance Officer.

4. Your right to privacy will be respected as much as possible.

5. We take seriously all reports of discriminatory conduct and will take all appropriate actions based on your report.

6. The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported an incident.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

7. This is a summary of the School District non-discrimination policy. Complete policies and procedures are available in the District Office upon request.

8. Students considering themselves to have a grievance against the District on the basis of race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity and expression), weight, predisposing genetic characteristics, marital status, military status, or domestic violence victim status may contact Brian Devincenzi, District Compliance Officer, at 895-7102 for a copy of the Grievance Procedure and for assistance in processing such a grievance.

H. Due Process: All students are guaranteed the right of due process.

II. Student Responsibilities:
It is the responsibility of the student to comply with the elementary code of conduct throughout their school day, including but not limited to actions on school property, school buses, halls, bathrooms, cafeteria, playground, field trips, school assemblies, and after school-sponsored activities.

Policy Statement

A. Students shall respect constituted authority. This shall include conformity to school rules and regulations and those provisions of law, which apply to the conduct of juveniles or minors.

B. Citizenship in a democracy requires respect for the rights of others. Student conduct shall reflect consideration for the rights and privileges of others and demands cooperation with all members of the school community.

C. High personal standards of courtesy, decency, morality, appropriate language, honesty, and wholesome relationships with others shall be maintained.

D. Respect for gender (identity or expression), race, creed, or personal condition, for real and personal property, pride in one's work, and achievement within one's ability shall be expected of all students.

E. Every student who gives evidence of a sincere desire to remain in school, to be diligent in studies, and to profit by the educational experiences provided, will be given every opportunity to do so and will be assisted in every way possible to achieve scholastic success to the limit of individual ability.

It is the responsibility of each teacher to administer the discipline in his or her classroom. Teachers will refer students to the principal and /or intervention specialist only in extreme cases when all other disciplinary measures have been exhausted/ or if a significant incident has occurred.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

III. Criteria for Referral: The following criteria apply to behaviors occurring on school property, buses, and/or off-site school related functions:

A. Fighting: While on school property commits an act of violence upon another student or another person lawfully upon school property (updated). This can include but is not limited to hitting, pushing, kicking, biting and spitting. If the instigator can be determined, he/she will be penalized, if not, all participants will be disciplined.

B. Profanity: Use of profane language in verbal or written form or in the form of a gesture.

C. Insubordination: Any action either written, verbal or physical which defies or disrespects authority.

D. Drugs/Controlled Substances/Tobacco:

1. Use or possession of Tobacco, Alcohol, Inhalants, Drugs or Drug Paraphernalia (including matches and lighters) on School Property. (Prescribed medication and inhalants must be kept in Nurses office.) All medication has to be registered in person with the school nurse by a parent/guardian.

E. Theft/Larceny: Theft of money, person or public property, or theft involved in breaking or entering of school property. Being in possession of stolen goods while on school property.

F. Destruction of School Property:

1. Vandalism: Destruction of property, Destroying or defacing and/or personal property.
2. Knowingly and intentionally damaging the personal property of a teacher, administrator, or other school employee, student or any person lawfully upon district property.
3. Knowingly and intentionally damaging or destroying school property.

G. Sexual Harassment:

1. Making sexual comments, jokes, gestures or looks.
2. Touching, grabbing, or pinching in a sexual way.
3. Intentionally brushing up against someone.
4. Spreading sexual rumors about a person.
5. Pulling at someone's clothing in a sexual way.
6. Showing, giving, leaving, or possessing sexual pictures, photographs, illustrations, messages or notes.
7. Forcing someone to kiss you or do something sexual other than kissing.
8. Calling someone a "fag" or a "lesbian" or "gay".

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

H. Harassment/Bullying: Any behavior that is done to intimidate, demean, insult, embarrass, or have power over another person or group of individuals, including but not limited to teasing, name calling.

I. Disruptive Behavior:

1. Intentional disturbance of a class, cafeteria, school function.

2. Substantially disrupting the educational process or substantially interfering with the teacher's authority over the classroom.

J. Violence: In accordance with Board of Education Policy #7400 Section D, a violent pupil is defined as an elementary student entitled to attend school on a tuition free basis under New York State Education Law who:

1) commits an act of violence upon a teacher, administrator, or other school employee;

2) commits while on School District Property, an act of violence upon another student or any other person lawfully upon school property;

3) commits a verbal or threatening act of violence upon a teacher, administrator, other school employee or another student;

4) possesses, while on School District Property, what appears to be a gun, ~~a~~ knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;

5) displays, while on School District Property, what appears to be a gun, a knife, explosive or incendiary device or other dangerous instrument capable of causing death or serious bodily injury;

6) threatens, while on School District Property, to use any instrument that appears capable of causing physical injury or death;

7) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or

8) knowingly and intentionally damages or destroys School District property.

K. Endangerment:

1. Endangering the health, safety, or well-being of the school population, including but not limited to horseplay.

2. Attempting, while on school property, to use any instrument that appears capable of causing physical injury or death.

L. Inappropriate Behavior:

1. Any behavior that interferes/disrupts the educational process or the rights of any student, staff, or faculty member.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

2. Possession and/or use of Electronic Devices/Cell Phones. Unauthorized videotaping, picture taking and/or texting with a cell phone or any other recording devices during the school day and/or on the bus to and from school taken as well as to and from school events.

3. Unauthorized financial transaction (selling/buying/trading) will not occur on school property.

4. Dressing in such a manner that it causes material or substantial disruption or presents health or safety problems. Any form of dress, which is distracting or is substantially disruptive, is not permitted. Students are expected to keep themselves well-groomed and neatly dressed at all times

   i. Coats are not to be worn in school.
   ii. Hats, hoods and bandannas are not to be worn in school. (head coverings)
   iii. Shirts advertising alcoholic beverages and/or the use of drugs, or those with inappropriate printing on them are not to be worn in school.
   iv. Short-shorts, short skirts, pants worn excessively low, or midriff tops are not to be worn in school.
   v. Gang related attire is not allowed and not to be worn in school.
   vi. Appropriate footwear needs to be worn at school. "Heelies" (Shoes with wheels) are not allowed at school.

5. Possessing inappropriate materials, dangerous instruments and/or including but not limited to pornographic materials and other sexually oriented materials.

IV. Disciplinary Measures - Below is a list of disciplinary measures that may be used should there be a violation of the Code of Conduct:

A. Oral Warning

B. Pre-referral Behavior Notification: can be issued as a warning; therefore, notifying parents in regards to behaviors that may lead to more serious disciplinary measures

C. Written Referral

D. Work assignment to fit infraction (with parental permission)

E. Lunch time, recess or activity period detention.

F. Any student may be detained after school providing administrative and parental permission to stay is obtained. It is understood that transportation home will be the responsibility of the parent.

G. Suspension warning letter may be issued

H. In School Suspension 1-2 Days

I. Suspension for up to five days. Every attempt will be made to notify parent that a suspension is to occur.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

J. If the student's inappropriate behavior continues after the third referral, the principal has the option of instituting any of the disciplinary measures again or referring the case to the Superintendent for further action.

K. Teacher removal from a classroom for 3-5 days (subject to the rights and procedures set forth in the District Code of Conduct).

L. When a student engages in conduct, which would define that student as "repeatedly substantially disruptive" (i.e. engaging in conduct requiring removal from classroom on four or more occasions during the semester), the student will be subject to a minimum suspension of 3-5 days (subject to modification on a case-by-case basis based upon the particular circumstances present.

M. When a student engages in conduct which would define that student as a violent pupil under section 3214(2-a) (a) of the Education law, the student will be subject to a minimum of suspension of 5 days (subject to modification on a case-by-case basis based upon the particular circumstances present.)

V. Referral Procedure

The teacher/ school personnel sending the student must immediately notify the office that a student was being referred to the principal and/or intervention specialist for disciplinary action.

A. First Referral: The principal and/or intervention specialist will review the code of conduct with the student, identifying the infraction and discuss what steps must be taken to improve behavior.

Within a reasonable time (preferably 24 hours), a copy of the original referral slip with the action taken by the principal and/or intervention specialist will be returned to the teacher. A copy of the completed referral form is to be sent to the child's parents. A copy of the discipline code may be included. The principal and/or intervention specialist shall determine if there will be disciplinary action to fit the infraction in addition to the above.

B. Second Related Referral: The student shall be informed by the Principal and/or intervention specialist of the severity of the infraction. The student will be informed that any further serious disciplinary problems may result in parent/guardian contact. Contact will be made by Principal, Intervention specialist or the principal's proxy.

Within a reasonable time (preferably 24 hours) a copy of the original referral slip with the action taken by the principal and/or intervention specialist will be returned to the teacher. A duplicate copy and a copy of the discipline code may be mailed to the parent. This may be preceded by a phone call.

The principal and/or intervention specialist shall determine the disciplinary action to fit the infraction.

SUBJECT: ELEMENTARY SCHOOL CODE OF CONDUCT [continued]

C. Third Related Referral or a separate significant incident: Parents will be notified immediately by phone of the severity of the situation or if necessary a letter will be sent to parents to schedule a meeting with all involved school personnel (preferably within 24 hours).

If no response is received within three school days, the administration will attempt to contact the parent by phone to schedule the meeting. If no contact is made, the principal will inform the parents by certified mail of the action taken.

The principal shall determine the further action to fit the infraction.

Two of the most important lessons education should offer are self-discipline and self-respect. While they do not appear as subjects, they underlie the whole educational structure. These lessons develop self-control, character, orderliness, and efficiency. They are keys to good conduct and proper consideration for other people.

We believe it is important for all students to acknowledge and understand the mistakes that they have made, so they can make better choices in the future. A child, with the assistance of the school and home, acquires a positive attitude and develops self-control to avoid problems. These efforts should help the child become all he or she is capable of being. We feel this Conduct Code meets the purpose.

As always, parents are encouraged to contact the school at any time to arrange for a conference with staff and administration concerning discipline or any other matters.

VI. Dignity for all Students Act *(Refer to Board Policy #7625)*

The Dignity Act Coordinators for the Elementary Schools are:

Leptondale Elementary School:
Mr. Stephen Cabarcas, Intervention Specialist (845) 895-7200

Clare F. Ostrander Elementary School:
Ms. Kristine Boyle, Intervention Specialist (845) 895-7225

Plattekill Elementary School:
Mrs. Lori Williams, Intervention Specialist (845) 895-7250

The Dignity Act Coordinators oversee bullying prevention measures and address issues surrounding bullying in the Elementary Schools.

"The Discipline Code is intended to be read and interpreted in a manner that is consistent with the District-wide Code of Conduct, (Policy #7400). To the extent any terms of provisions contained herein conflict with the District-wide Code of Conduct; the District-wide Code of Conduct shall govern."

Approved: 9/26/85; Revised: 8/28/86; 7/14/88; 7/25/89, 7/27/93; 9/1/94; 6/15/95; 6/20/96; 6/19/97/ 6/18/98; 6/17/99; 6/15/00; 6/21/01; 6/02; 6/03; 6/04; 6/05; 6/06; 6/07; 6/18/09; 6/17/10; 6/16/11; 6/14/12; 10/18/12; 6/13/13; 9/16/13; 6/19/14; 7/2/24

SUBJECT: ATHLETIC CODE OF CONDUCT

THE CONDUCT OF a student-athlete is closely observed in many areas of life; on the field, in the classroom and in the community. Take pride in yourself, your team and your school. You should always project a positive image. Winning or losing is not as important as your reaction to winning or losing. Your reaction is what people will remember – not the score. You should be modest in victory and steadfast in defeat.

ON THE FIELD – In the area of athletic competition a Wallkill student-athlete does not use profanity or illegal tactics, and learns fast that losing is a part of the game. It is always courteous to congratulate the opponent on a well-played game after the contest, whether in defeat or victory.

The school is interested in each student-athlete as an individual, and the coaches will do all they can to help each achieve the highest level he or she is capable of achieving. However, each student-athlete must accept the responsibility that goes with being a member of a team. Our teams represent the Wallkill community. The following rules of conduct have been developed for all our modified, junior varsity, and varsity team members. The school realizes that in order for these rules to be adhered to, the student-athletes must believe in them and discipline themselves to abide by them. Parents/guardians are requested to do all they can to support the Code of Conduct and help their son or daughter live up to this code.

This Athletic Discipline Code will be administered by the Director of Athletics, Physical Education and Health and building principal. Parent/guardian notification will take place as soon as possible, and a conference will follow if requested.

A. TEAM STANDARDS

INFRACTION/REASON	PENALTY/POLICY
l. Late for practice	Coach's discretion. Subject to review by Director of Athletics, Physical Education and Health.
2. Late for game	1st offense: Coach's discretion. 2nd offense: Ineligible for that game. 3rd offense: Permanent suspension.
3. Absent from practice	Coach's discretion. Subject to review by Director of Athletics, Physical Education and Health. Students will not be penalized for missing practice for a District approved field trip.
4. Absent from game	Permanent suspension pending investigation of Director of Athletics, Physical Education and Health and coaches concerned. Students will not be penalized for missing a game for a District approved field trip.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

5.	Quitting a sport after start of that season	Withdrawal from all athletics for that sport season unless written permission is given from the coach whose sport the student-athlete quit to participate in another sport within that same season. All awards are forfeited (see also "Suspension from a Sport").
6.	Excused from physical education class	A student-athlete who has been excused from physical education for medical reasons may not practice or participate in a contest on the day he/she is excused. A medical release from the physician issuing the excuse is required before reinstatement in practice sessions.
7.	Absent or tardy on the day of the game/practice	A student-athlete who is absent or tardy on the day of a game/practice will not be allowed to participate in that days athletic practice or game unless they have an excused note from a parent/guardian. If a pattern is detected it will be subject to the decision of the Director of Athletics, Physical Education and Health as to whether the student-athlete can participate.
8.	Suspension from classes or detention	If a student-athlete is suspended per disciplinary steps 2-6 of the Student Code of Conduct, he/she will not be allowed to practice or play during the suspension. He/she will not be able to play a minimum of one (1) contest either during the suspension period or immediately following said period.
9.	Care of uniform and equipment	Each team member shall assume full responsibility for the uniform and equipment issued to him/her. The student-athlete is financially responsible for any damaged or lost items.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

10. Unauthorized equipment

Any student-athlete in possession of unauthorized athletic equipment from Wallkill or any other school may be suspended from the team for the remainder of that season. The item will be confiscated and judgment reserved pending an investigation by the coach and the Director of Athletics, Physical Education and Health.

11. Transportation

A player must travel to and from the game under the direct supervision of the coach/advisor.

It is the responsibility of the school to transport all participants to the event and back to the school.

The only exception to this policy is:

1. The parent/guardian completes at the beginning of each sport season a request form to transport the student-athlete home after each away contest.
2. If the request form is approved by the Director of Athletics, Physical Education and Health, the parent/guardian must sign out the student-athlete with the coach at the end of each contest.
3. In case of an emergency, when prior approval was not granted, the student-athlete may be released to a parent/guardian at the discretion of the coach.

A player who travels home from an away contest inconsistent with this policy will be suspended for one (1) game.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

12. End of season	The season officially ends for each student-athlete upon the return to the coach, at a specified time, all equipment issued to him/her for that particular sport. Until the above requirement is met, the student-athlete is subject to all eligibility rules and regulations of that sport. Failure to comply with these requirements will result in the denial of all athletic awards and credit for participation. It will disqualify a student-athlete from participation in all sports until the end of season requirements are met.

TRAINING RULES

1. **Alcohol & Drug Violations**

Medical research clearly substantiates that the use of alcohol and illegal drugs produce harmful effects. You cannot compromise athletics with substance abuse. Student-athletes who experiment with such substances jeopardize team morale, team reputation and team success and do physical harm to themselves. Students have to decide if they want to be athletes. If they do wish to be an athlete, they must make the commitment in order to be a competitor. A big part of this decision means refraining from the use of alcohol, drugs and steroids.

Possession/Consumption (including being under the influence of) and/or distribution, other than prescribed by a physician for personal use, any controlled drug and/or intoxicant, at any time during that sports season whether during school, at a school activity, on school property, or at locations off school property is prohibited.

1st Offense:

- Loss of leadership position – Team Captain.
- The student-athlete will be suspended from participation for a four (4) week period*.
- The student-athlete must attend all games during the period of probation period as a non-participant.
- The student-athlete must practice independently to maintain standing – this schedule will be determined by the coach.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

***The Four Week Suspension Period Will be Reduced to Two (2) Weeks if:**

- The student-athlete voluntarily attends one meeting with the school social worker during the first two (2) weeks of suspension (appropriate documentation required).
- The student-athlete writes a reflection essay that addresses the violation as well as the health consequences associated with alcohol/drug use during the first two (2) weeks of suspension.

Student-athlete and parent/guardian will meet with Review Board for multiple violations (intoxication, possession, distribution, violation of School Code of Conduct and Athletic Handbook) to determine if additional sanctions are necessary

2nd Offense:

- The student-athlete will be removed from all athletic teams for 90 school days.

Student-athlete and parent/guardian will meet with Review Board for multiple violations (intoxication, possession, distribution, violation of School Code of Conduct and Athletic Handbook) to determine if additional sanctions are necessary

3rd Offense:

- The student-athlete will be suspended from participation in all sports for at least one (1) year.

Student-athlete and parent/guardian will meet with Review Board for multiple violations (intoxication, possession, distribution, violation of School Code of Conduct and Athletic Handbook) to determine if additional sanctions are necessary

The review board shall consist of the Principal, Director of Athletics, Physical Education and Health, School Social Worker and two coaches.

2. **Tobacco Use**

Possession or use of tobacco, electronic cigarettes, rolling papers, personal vaporizers, e-liquids and any electronic nicotine device or paraphernalia associated with these products, lighters, matches, etc., is prohibited.

1st Offense:

- Loss of leadership position – Team Captain.
- The student-athlete will be suspended from participation for a one (1) week period.

2nd Offense:

- The student-athlete will be suspended from participation for a two (2) week period.

3rd Offense:

- Review board will meet to decide if student-athlete is permitted to continue on athletic team.

The review board shall consist of the Principal, Director of Athletics, Physical Education and Health, School Social Worker and two coaches.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

3. Hazing Policy

"Hazing" is not permitted under any circumstances. "Hazing" is defined as any act committed against someone who would like to join or become a member of, or maintain membership in, any organization (including an interscholastic athletic team or club) that is humiliating, intimidating or demeaning, or endangers the emotional, mental, or physical health and safety of the person. Hazing includes active or passive participation in such acts and occurs regardless of the willingness to participate in the activities. Hazing creates an environment/climate in which dignity and respect are absent.

If an act is determined as being a hazing incident, the following athletic consequences take effect:

1st Offense:

- Suspension from team for one (1) week and mandatory two (2) game suspension. Meeting with Director of Athletics, Physical Education and Health, Principal, and student-athlete's parents/guardians. (May be removed from team at discretion of Principal and Director of Athletics, Physical Education and Health).

2nd Offense:

- The student-athlete will be suspended from participation in all sports for at least one (1) year.

These offenses apply for any season and carry over from season to season. An offense will be determined by School Administration, DASA Coordinator and the Director of Athletics, Physical Education and Health.

Please also refer to Policies #7623, #7625 and #7626 for further information regarding Harassment, Discrimination and Dignity for All Students Act (DASA).

4. Social Media

As an organization with a commitment to quality of education and the safety of our students, as well as the preservation of our outstanding reputation as a school, the standards for appropriate online communication are equally as high. It is important that student-athletes recognize the power of public media domains and the potentially negative image that they can portray about other student-athletes, coaches, the athletic program and the school district. While we respect the right of student-athletes to utilize the variety of social media options available (Facebook, Twitter, blogs, etc.), we ask that the following guidelines be met by our student-athletes at all times:

- Refrain from posting material, including pictures, that is threatening, harassing, illegal, obscene, defamatory, slanderous, promoting illegal activities or hostility towards any individual or entity (including opponents, competitors, coaches, etc.).

- Be aware that college recruiters or future employers are starting to access information placed online on social networking sites. The information you post is considered public information. Protect yourself by maintaining a self-image that you can be proud of years from now.

Any inappropriate activity that is in violation of the above guidelines, including first time offenses, is subject to investigation by the school district as well as civil authorities and can be disciplined under the Code of Conduct.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

5. **Infractions of Rules of Good Citizenship**

Student-athletes must represent their school on and off the field and maintain a high behavioral standard. To be a team member is a privilege; it makes you visible and your actions may be noticed more than other students. This visibility comes with accountability for your actions and not escaping accountability. Student-athletes may be suspended or dismissed for citizenship reasons, including but not limited to – disorderly conduct at athletic events or practice, profanity, tardiness, truancy, insubordination, fighting, and other conduct that violates the student code of conduct applicable to all students. Decisions regarding dismissal from a team or suspension from more than one contest will be made by the coach in collaboration with the Director of Athletics, Physical Education and Health. Notwithstanding, the Director of Athletics, Physical Education and Health/Building Principal reserves the right to dismiss a student-athlete from a team or suspend from more than one contest.

6. **Suspension from a Sport**

If a student-athlete who has been suspended from one (1) sport desires to participate in a sport in any subsequent season, he/she must arrange a meeting between the Director of Athletics, Physical Education and Health, the two (2) coaches involved and himself/herself. He/she must have proven that he/she is deserving of reinstatement back into the athletic program. This is also applicable for a student-athlete who quits a sport after the start of that season.

7. **Appeal Procedure**

The student-athlete and/or parent/guardian have the right to appeal penalties imposed under the Training Rules to the Building Principal and Director of Athletics, Physical Education and Health. Appeals must be made in writing within three (3) school days of assignment of a penalty for a Training Rules violation. A response to the appeal will be provided within three (3) school days after receipt of the letter by the Director of Athletics, Physical Education and Health/Building Principal. During the appeal period a student is not eligible to practice or compete.

The Discipline Code is intended to be read and interpreted in a manner that is consistent with the District-Wide Code of Conduct (Policy No. 7400). To the extent any terms or provisions contained herein conflict with the District-Wide Code of Conduct, the District-Wide Code of Conduct shall govern.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

ATHLETIC ACADEMIC ELIGIBILITY

POLICY STATEMENT: The Wallkill Central School District Board of Education, and all athletic coaches of the District (Middle School/High School), recognize the first priority of the student-athlete's education experience is academic excellence. All student-athletes must recognize that participation in interscholastic athletics for the Wallkill Central School District is an honor and privilege earned by maintaining academic and discipline standards. Failure to maintain the minimum standards listed below will result in the following actions:

1. In order to be eligible to participate in athletics, a student-athlete is required to be taking at least four (4) subjects, one of which must be physical education (per NYSPHSAA Handbook). However, a student-athlete may opt-out for physical education class, for that specific sport season, if he/she successfully meets the requirements of the New York State Physical Fitness Test.

2. A total grade point average of less than 70% for all credit bearing courses scheduled during each of the five-week marking periods under consideration will result in:

   a) The Director of Athletics, Physical Education and Health and coach will first review the Teacher Evaluation/Grade Average Report or the Report Card to verify the status of the student-athlete, consider extenuating circumstances (which will be presented to and must be approved by the building principal), and outline with the student-athlete a planned effort for improvement.

   b) Suspension from playing in any games/scrimmages for two (2) weeks.

3. At the end of the suspension period, a second informal hearing will be held involving the same parties and:

   a) The student-athlete must produce a new Teacher Evaluation/Grade Average Report or Report Card that lists the current average for each credit bearing course scheduled.

   b) If the Report indicates a total grade average of 70% or higher, the student-athlete may be reinstated to full status on the team.

   c) A continuation of a grade average of less than 70% will result in a continuation of the suspension until the next five week evaluation period when steps "2a" and "2b" will be repeated.

4. A total grade average of less than 70% for all credit bearing subjects scheduled during the entire year as indicated in the final marking period of June will result in suspension from participating in a fall sport unless summer school is attended and the total grade average is brought up to 70% or greater.

5. A student-athlete who is on suspension and then drops a failing course will have his/her case reviewed by the Director of Athletics, Physical Education and Health and is not automatically dropped from suspension.

6. The building principal will have final review authority to determine practice and playing eligibility.

7. No student-athlete will be released from suspension without documented proof of a 70% or greater total grade average for credit bearing courses scheduled during any five week period.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

TWO SPORT ELIGIBILITY

A student-athlete who chooses to participate in two (2) or more sports in the same season must obtain a two-sport declaration form from the coach and declare his/her primary sport (sport of choice). This policy was formed to eliminate conflicts when the two (2) sports are scheduled to play at the same time or on the same day. This form, when signed by the student-athlete and his/her parent/guardian, must be turned in to the Director of Athletics, Physical Education and Health. Student-athletes must be aware that they must meet all of the required practices of both sports to become eligible.

CONCUSSION MANAGEMENT POLICY

Concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and recreational activity. Please refer to Concussion Management Policy #7605.

SUBJECT: ATHLETIC CODE OF CONDUCT [continued]

AGREEMENT

PARTICIPATION ON A WALLKILL ATHLETIC TEAM is a privilege not a right. Standards of behavior and expectations are high for each student-athlete and parent/guardian. Please remember that as a member of a sport team, you represent Wallkill. For this reason, each student-athlete will be required to sign the athletic handbook agreement indicating the student-athlete's personal commitment. This signature will recognize the student-athlete's responsibility to the team and their willingness to set a positive example, adhere to basic concepts of good citizenship and follow proper training practices.

I have read the Wallkill Central School District Athletic Handbook and fully understand the content within the handbook. I hereby pledge to follow the intent of this handbook.

_____ _____

Signature of Student-Athlete Date

I have read and agree to the Wallkill Central School District Athletic Handbook. I will support the Athletic Department by emphasizing to my son/daughter that they adhere to the handbook and I support/understand the penalties that come with non-compliance.

_____ _____

Signature of Parent/Guardian Date

_____ _____

Sport Season

Approved: 9/18/84; Revised: 7/27/93; 7/25/85; 7/24/86; 8/27/87; 7/25/89; 7/25/91; 8/27/92; 9/1/94; 6/15/95; 6/20/96; 6/21/07; 6/18/09; 6/17/10; 6/19/14; 6/16/16; 10/19/22; 5/17/23; 7/1/25

SUBJECT: CELL PHONES

The Board of Education recognizes that students may have personal electronic devices that can perform different functions such as smartphones, tablets, smartwatches, or other devices capable of connecting to the internet. The District prohibits students from using such devices during the instructional day both in the building and on school grounds.

Communication with Parents/Persons in Parental Relation

During the school day, to minimize distractions, parents may contact their children via the following methods:

1. Calling the school office.
2. Messaging students and/or student's teacher on a District approved learning management platform.

Additionally, students may contact their parents via the following methods:

1. Requesting to go to the school office to call.
2. Messaging parents on a District approved learning management platform.

The District will notify parents in writing of these options at the beginning of each year or upon enrollment.

Device Access and Storage

As required by Education Law §2803, this policy prohibits student use of internet-enabled devices during the school day on school grounds unless under an exception.

1. At the elementary level, student devices must be stored in a location designated by the building principal.

2. At the middle school level, student devices must be stored in student lockers prior to students entering their homeroom (or prior to the student attending their first class of the day).

3. At the high school level, student devices must be stored in student lockers prior to students entering their homeroom (or prior to the student attending their first class of the day).

SUBJECT: CELL PHONES [continued]

Exceptions for Specific Purposes

Use of internet-enabled devices must be permitted where included in a student's Individualized Education Program, Section 504 plan, or where required by law. Additionally, student use of otherwise prohibited devices during the school day on school grounds may be permitted:

1. If authorized by a teacher, principal, the Superintendent, or other personnel as the Superintendent may designate, for a specific educational purpose;

2. Where necessary for the management of a student's healthcare;

3. In the event of an emergency, as determined by teachers or administrators;

4. For translation services

5. On a case-by-case basis, upon review and determination by a school psychologist, school social worker, or school counselor, for a student caregiver who is routinely responsible for the care and wellbeing of a family member.

Parents may request an exception for their children to use internet-enabled devices during the school day as listed above. Requests must be made to the building principal, and for healthcare exceptions, must include documentation from an appropriate healthcare professional.

Enforcement, Consequences and Reporting

Enforcement of this policy is chiefly the responsibility of building administrative staff; however, all designated employees are expected to assist in enforcement. Students will be reminded of this policy on the first day of school and throughout the school year.

For students out of compliance with this policy, the device will be held in the school office until the end of the school day. The first time this happens, the device will be returned at the end of the school day, and the parents will be notified. The second time this occurs, the student(s) will provide the device upon arrival to a school official and it will be returned at the end of the school day for a period of up to five (5) days. For further instances student(s) will be subject to consequences under the District's code of conduct and the device will be held in the office for a minimum of five (5) days.

The District will exercise reasonable care to maintain the security of devices that are held by the District but cannot guarantee the devices will be secure. For students with exceptions under this policy, the District will examine alternative ways to achieve the purpose of the exception, including different storage or access provisions.

SUBJECT: CELL PHONES [continued]

Administrators will also discuss the aims of this policy with students and their parents, the benefits of a distraction-free environment, the reasons the student had difficulty following this policy, and how the District can help the student contribute to a distraction-free environment.

The District may not impose suspension from school if the sole ground for the suspension is that the student accessed an internet-enabled device as prohibited by this policy. However, the District may utilize consequences under the District's Code of Conduct, including detention, in-school-suspension, and exclusion from extracurricular activities. The District may also utilize assignments on the detrimental impact of social media on mental health, smartphones in school, or other relevant topics.

Some uses of personal electronic devices may constitute a violation of the District's Code of Conduct or other District policies, and in some instances, the law. The District will cooperate with law enforcement officials as appropriate.

Beginning on September 1, 2026, and annually thereafter, the District will publish an annual report on its website detailing the enforcement of this policy over the past year, including non-identifiable demographic information of students who have faced disciplinary action for non-compliance with this policy, and an analysis of any demographic disparities in enforcement of this policy. If a statistically significant disparate enforcement impact is identified, the report will include a plan to mitigate such disparate enforcement.

Electronic Devices and Testing

To ensure the integrity of testing, in accordance with state guidelines, students may not bring cell phones or other electronic devices into classrooms or other exam locations during state assessments. Teachers may grant specific permission for electronic device usage during tests other than state assessments.

Test proctors, monitors and school officials have the right to collect cell phones and other prohibited electronic devices prior to the start of the test and to hold them for the duration of the test taking time. Admission to the test will be prohibited to any student who has a cell phone or other electronic device in their possession and does not relinquish it.

Students with Individualized Education Plans or Section 504 Plan, or documentation from medical practitioners specifically requiring the use of electronic devices may do so as specified.

SUBJECT: CELL PHONES [continued]

Policy Distribution and Translation

As required by law, the District will post this policy in a clearly visible and accessible location on its website.

Cross-ref:

8270, Instructional Use of Computers
8273 Misuse/Abuse of Software and/or Electronic Communications Systems
8274, Acceptable Computer and Internet Use Policy
8275 , Internet Safety/ Internet Content Filtering Policy
7400.1, 7400.2, 7400.3 , Code of Conduct

Ref:
Education Law §2803
Price v. New York City Board of Education, 51 A.D.3d 277, Iv. to appeal denied, 11 N.Y.3d 702 (2008) (District may ban possession of cell phones on school property)
NYSED, Prohibition of Cell Phones and Electronic Devices in New York State Assessments

Adopted: 7/21/25

SUBJECT: LOSS OR DESTRUCTION OF DISTRICT PROPERTY

Students and their parents or legal guardians are responsible to make restitution for district-owned property which is damaged or destroyed by students. The amount of compensation shall not exceed $5,000. The District may bring civil action for damages against the parents or guardians when the student's age is over ten and less than eighteen years of age.

Education Law Section 1709(36)
General Municipal Law 78-a
General Obligations Law Section 3-112

Adopted: 1987
Revised: 7/20/06

SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STUDENTS)

The Board of Education of the Wallkill Central School District is committed to the prevention of alcohol, tobacco, and other substance use/abuse. This policy describes the philosophy of the School District and the program elements that the District will use to promote healthy lifestyles for its students and to inhibit the use/abuse of alcohol, tobacco and other substances.

No person may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia, on school grounds or at school sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall be construed throughout this policy to refer to the use of all substances, including, but not limited to, alcohol, tobacco, vaporizers, e-cigarettes, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, opioids, heroin, steroids, herbs, supplements, look-alikes, and any of those substances commonly referred to as "designer drugs." The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

Additionally, any person who has consumed or used any of the aforementioned substances is prohibited from entering school grounds or school-sponsored events.

Philosophy

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

a) Alcohol, tobacco, and other substance use/abuse is both preventable and treatable.

b) Abuse of alcohol and other substances inhibits the District from accomplishing its primary purpose of educating children.

c) Individuals connected with the school system (Board of Education, administration, faculty, staff) are expected to model the behavior asked of students.

d) The School District will work cooperatively with the community in preventing alcohol, tobacco, and other substance use/abuse.

SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STUDENTS) [continued]

Information on Substance Use Related Services

The Superintendent has designated one or more individuals to provide information regarding where and how to find available substance use related services to students, parents, and staff.

Any information provided by a student, parent, or staff member to the designated individuals will not be used in any school disciplinary proceeding and will, in addition to any other applicable privilege, be considered confidential in accordance with law.

Primary Intervention

The goal for all instructional programs is to prevent or delay the onset of alcohol, tobacco and other substance use by students. Components of this program shall include:

a) K-12 prevention curriculum that includes:

1. Accurate and age appropriate factual information about alcohol, tobacco, and other substances, including the effect they have on a variety of health related topics.

2. Students will be given an opportunity to develop life and decision making skills which will assist them in resisting the use of alcohol, tobacco, and other substances.

3. Students will have an opportunity to develop good self-esteem.

4. Students will learn how to cope with stress, and how to deal with problems.

Instructional program consists of K-6 - support and assistance provided the classroom teachers. Other components include:

Grade 5 - D.A.R.E. Program.
Grade 6 - Too Good For Drugs Program
Middle School - Grade 7 - Health Education Course and Home and Careers.
High School - Grade 10/11 - Health Education Course.

b) Community Education - provide educational programs to parents and other members of the community.

SUBJECT: DRUGS/CONTROLLED SUBSTANCES AND ALCOHOL (STUDENTS) [continued]

c) Provide students with a wide variety of extracurricular activities that foster the healthy use of leisure time.

Intervention

The School District will take the following steps in eliminating any existing use/abuse of alcohol and other substances:

a) Provide counseling services for all students.

b) Work cooperatively with community agencies in seeking placement for treatment/assistance.

c) Continue to offer at-risk students additional support and assistance.

Disciplinary Measures

Disciplinary measures for students found to be in possession of, or using, alcohol, tobacco, or other substances are outlined in the School District's Code of Conduct for all buildings and the athletic code.

Implementation, Dissemination and Monitoring

a) The Board of Education directs the Superintendent of Schools to develop and implement specific programs and strategies that are necessary to implement the above policy.

b) The Superintendent of Schools directs the Building Administrators to provide leadership and direction in the development and implementation of comprehensive Health Education programs K-12. Included in this will be formal classroom learning in the prevention of alcohol, tobacco, and other substances use/abuse, staff development, and community education programs.

c) This comprehensive policy will be reviewed annually along with other School District policies and discipline codes. At such time, appropriate recommendations for revision in the policy will be discussed and brought to the Board of Education.

NOTE: Refer also to Policy #6130 - <u>Drugs/Controlled Substances and Alcohol (Staff and the Public)</u>

Adopted: 12/19/91; Revised: 7/20/06; 3/15/18; 11/21/19

SUBJECT: DRUG DETECTING CANINES

1. PURPOSE AND PHILOSOPHY

To establish a school climate conducive to learning and the prevention of student drug use and abuse.

2. POLICY

2.1 The Board of Education recognizes the responsibility of the Superintendent of Schools and District Administration to establish a school climate conducive to preventing and combating students' drug, alcohol and tobacco use and abuse.

2.2 Within this expectation, the Superintendent of Schools and District Administration have a responsibility to be fair and to protect students from excessive and unreasonable intrusion of their individual rights.

2.3 The invasion of individual privacy should be minimized (see policy 7440).

2.4 Students do not have an exclusive right to possession of individual school lockers and no reasonable expectation of privacy.

2.5 The use of drug detecting canines on lockers, desks and other such equipment will be permitted because the District has control of lockers, desks and other such equipment and a student shall have no reasonable expectation of privacy in these spaces.

2.6 If a searched locker, desk or other such equipment contains drugs, alcohol or tobacco or other contraband, students assigned to the locker and the owner of such contraband shall be subject to school disciplinary action. Information about such prohibited materials may be referred to law enforcement officials for appropriate action.

3. ADMINISTRATIVE GUIDELINES

3.1 The Superintendent of Schools or Assistant Superintendent for Support Services shall have the primary responsibility to determine when, and if, a drug detecting canine shall be used in the school. No drug detecting canine shall be used in the school without the permission of the Superintendent of Schools or Assistant Superintendent for Support Services.

SUBJECT: DRUG DETECTING CANINES [continued]

3.2 When drug detecting canines are in the school, law enforcement officials shall be present only to handle the canines. Pursuant to the District Code of Conduct, for school disciplinary purposes, the school official will retain authority and responsibility to conduct any investigations, search of lockers, questioning of students and notification of parents. A positive response from a drug detecting canine to a particular locker, desk or other such equipment shall be interpreted by the school official as reasonable suspicion that a search may be conducted without a search warrant.

3.3 If upon the search of a particular locker, desk or other such equipment a controlled substance is not in plain view, then the school official shall speak with the student responsible for the locker, desk or other such item for the district to inspect. If consent is not granted, a drug detecting canine may inspect each item in the locker, desk or other such equipment and a positive response from a drug detecting canine to any individual item shall be interpreted by the school official as reasonable suspicion to conduct a search of such item without a search warrant. Alternatively, the school official may also contact the student's parent or guardian for consent to search any closed book bag, back pack, purse or other such property.

3.4 As a part of a school drug prevention and education program, drug detecting canines may be used for demonstration purposes in the school.

3.5 Drug detecting canines will not be permitted to be used directly on any student. Students shall not be in immediate vicinity or the area where drug detecting canines are conducting searches and the area where searches are being conducted will be secure from students.

3.6 Drug detecting canines may be used to sniff vehicles in the school parking lot under the same guidelines pertaining to the sniffing of school lockers.

Definitions:

"Drug Detecting Canines" means police trained and controlled dogs used to investigate the possible presence of controlled substances.

"Controlled Substance" means a substance as defined in 220 of the New York State Penal Law or defined in 812 of Title 21 of the United State Code.

Cross Reference Policies:
Policy 7420 - Drugs/Controlled Substances and Alcohol (Students), Policy 7440 - Search by School Personnel, Policy 7441 - Law Enforcement Officials and Policy 7442 – Interrogations.

Adopted: 6/15/17; Revised: 3/15/18

SUBJECT: SEARCH BY SCHOOL PERSONNEL

Students are protected by the Constitution from unreasonable searches and seizures. The key word is unreasonable, as a student may be searched and contraband seized on school grounds, in vehicles, or in school buildings if there is reasonable suspicion that the student is engaging in illegal activity or behavior contrary to the student discipline code.

It is the policy of the Wallkill Central School District under no circumstances will a strip or frisk (search) be performed by any school personnel. If such a search is deemed warranted, the local police agency will be contacted.

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 to students and without their consent. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent.

Adopted: 1987; Revised: 12/17/98; 3/15/18

SUBJECT: LAW ENFORCEMENT OFFICIALS

It shall be the policy of the Wallkill Central School District that a cooperative effort shall 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 such 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. The school district's administrators shall at all times act in a manner which protects and guarantees the rights of students and parents.

If a School Resource Officer ("SRO") is involved in an investigation, he/she shall perform his/her duties in compliance with the agreement between the law enforcement agency and the District. Generally, the SRO shall perform investigations and interrogations of students at the direction of school officials. However, if the SRO is conducting an investigation into a matter that may be a violation of the penal law, he/she shall perform such investigation as any other law enforcement officer would.

SUBJECT: INTERROGATIONS

Police Interrogations

Police authorities generally have no right to initiate interviews with students in the school building related to a potential crime unless parental/guardian permission is given to school administration or the police have a warrant. However, police officials and other law enforcement authorities who are assigned to work exclusively in school buildings ("SRO") may interview students on school property or at school functions if they possess a reasonable suspicion that an act has been committed which violates the Code of Conduct.

If an SRO is involved in an investigation, he/she shall perform his/her duties in compliance with the agreement between the law enforcement agency and the District. Generally, the SRO shall perform investigations and interrogations of students at the direction of school officials. However, if the SRO is conducting an investigation into a matter that may be a violation of the penal law, he/she shall perform such investigation as any other law enforcement officer not assigned to work in school buildings. If the police wish to speak to a student without a warrant, they should take the matter up directly with the student's parents or legal guardians.

If a student is to be questioned by police, as a result of a warrant or at the request of the District, it is the responsibility of the school administration to see that the interrogation takes place privately. The building principal or his designee must be present with the student at all times during an interrogation. The School District shall bear no responsibility for the actions of police officers.

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 by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/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.

SUBJECT: INTERROGATIONS [continued]

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/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such 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 (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called "Miranda warnings" prior to the questioning of students.

If deemed appropriate and/or necessary, the Superintendent/designee may also review the circumstances with School District legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

Education Law Sections 1709(2) and (33) and 2801
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)

Revised: 5/19/94; 12/9/97; 11/16/06; 3/17/16

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

As part of its role of providing a safe and secure learning environment, the Board of Education employs numerous measures designed to ensure the safety of students and staff, including video cameras on school ground, in school buildings, school facilities, and buses to monitor activity. While the Board of Education recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property. These surveillance cameras will help to assist the Board in maintain 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, gymnasiums, 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.

SIGNAGE/NOTIFICATION

The District will place signage at major entrances to notify 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 or his/her designee, regarding the use of its surveillance cameras through means such as publication in the employee handbook and/or student handbook, and/or on the District's website.

LOCATION

The building principal or his/her designee in conjunction with the Superintendent of Schools or his/her designee will determine when and where video surveillance cameras are to be used.

INITIAL REVIEW

The building principal or his/her designee and the Superintendent or his/her designee are the only individuals permitted to conduct an initial review of the surveillance camera recording(s), when necessary.

RETENTION/USE

Surveillance recordings will be erased or reused within 30 days unless the building principal or his/her designee or the Superintendent or his/her designee determines that those recordings should be preserved for use in disciplinary proceedings or other investigations.

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

Surveillance recording determined to be useful for student disciplinary proceedings or other investigations will be retained and maintained as an educational record in accordance with relevant law and regulation, including the Family Educational Rights and Privacy Act ("FERPA"). As a result images of students captured on the preserved recording, who are not party to the disciplinary proceeding, will be blurred to the extent practicable in order to protect their identity.

Students and/or their parent(s)/guardian(s) may be permitted to view certain portions of surveillance camera recordings that are maintained by the District to the extent they are used as evidence in their own disciplinary hearing. Requests for viewing a camera surveillance recording must be made in writing to the Superintendent or his/her designee and, if the request is granted, such viewing must occur in the presence of the District's designated custodian of the recording. The District will maintain the recording solely in incidents regarding disciplinary or legal situations. Access in those limited situations will be governed under applicable law, regulations and the District's policies and procedures.

In order to maintain the integrity and confidentiality of the recordings, surveillance recordings will generally not be available for viewing by the public, District employees, or the media. However, certain staff members be permitted to view segments of the recording for the purpose of documenting disciplinary issues, criminal activity, or other educational reasons as determined by the building principal or his/her designee or the Superintendent or his/her designee.

If required by court order, subpoena, or law, the building principal or his/her designee or the Superintendent or his/her designee will make the surveillance recordings available to law enforcement officials or the Office of Children and Family Services.

OWNERSHIP AND STORAGE

Any camera recording used for surveillance purposes in school buildings, school buses, school facilities, and/or school property, shall be the sole property of the District; or its authorized designee. All surveillance recordings will be stored in their original form and secured to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations.

Legal Reference:
8 NYCRR § 156.9(d)(1)
Implementation of NYSAFE Act (June 2013)

Adopted: 6/19/97; Revised: 12/21/06; 5/18/16

SUBJECT: CORPORAL PUNISHMENT

Corporal punishment as a means of discipline shall not be used against a pupil by any teacher, administrator, officer, employee or agent of this School District.

However, if alternative procedures and methods are unsuccessful or not practical, reasonable physical force may be used for any of the following purposes:

a) Self-protection;

b) Protection of others;

c) Protection of property; or

d) Restraining/removing a disruptive pupil.

Whenever a school employee uses physical force against a pupil, the school employee shall, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent of Schools shall submit a written semi-annual report to the Commissioner of Education, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the Wallkill Central School authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Commissioner's Regulations Section 100.2 (1)(3)

Adopted: 1987; Revised: 11/16/06; 3/15/18

SUBJECT: SUSPENSION

The principal and/or the Superintendent may suspend the following minors from required attendance and instruction:

a) A minor who is insubordinate or disorderly.

b) A minor whose physical or mental condition, or whose conduct endangers the health, safety or morals of himself/herself or of other minors.

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

Suspension: Five Days or Less

The principal of the school where the student attends is empowered to suspend a student for a period not to exceed five (5) school days. In the absence of a principal, the "Acting Principal", who is designated by the Board, may then suspend a student for a period of five (5) days or less.

When a student is suspended from school for a period of five days or less, administration shall immediately notify the parents/legal guardians in writing that the student has been suspended. Notice will be sent to the last known address of the student's parents/legal guardians in such manner as to assure receipt of the notice within 24 hours of the student's suspension. Where possible, notification shall also be provided by telephone.

The notice shall describe the incident(s) which resulted in the suspension and shall inform the parents/legal guardians of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law, Section 3214(3)(d). Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/legal guardians.

Suspension: More Than Five Days

The Superintendent or his/her designee may suspend a student for a period in excess of five school days. Such student and the person in parental relationship to such student, upon reasonable notice, shall have had an opportunity for a hearing. The student has the right of representation by counsel, with the right to question witnesses.

SUBJECT: SUSPENSION [continued]

Suspension of Students with Disabilities

In the case of a student who has been identified as having a disability, determination has to be made regarding whether or not the suspension is related to the disability. If so, a referral must be made to the Committee on Special Education for a consideration for a change of placement.

In-School Suspension (If and When Implemented by the District)

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her classwork while attempting to reinforce acceptable behavior, attitudes and personal interaction.

Commissioner's Regulations Section 100.2(l)

Revised: 7/26/94

SUBJECT: SUSPENSION FROM BOCES CLASSES

The Board of Education empowers the BOCES principal, in conjunction with the District principal, to suspend Wallkill Central School students from BOCES classes when student behavior warrants such action for a period not to exceed five (5) days.

Education Law Section 3214

Adopted: 1987
Revised: 11/16/06

SUBJECT: BOCES ACTIVITIES

BOCES activities, like field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES is to be considered as an act within the Wallkill Central School System itself.

A student who is ineligible to attend a Wallkill Central District School on a given day is ineligible to attend BOCES classes.

SUBJECT: WEAPONS IN SCHOOL

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Superintendent or his/her designee, no person may have in his/her possession any weapon on school grounds, in any District building, on a school bus or District vehicle, or at any school sponsored activity or setting under the control and supervision of the District. This prohibition includes, but is not limited to: any of the objects or instruments referred to in Section 265.01 of the New York State Penal Law; any air-gun, spring-gun, or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge; and any object that could be considered a reasonable facsimile of a weapon.

Penal Law 265.01 – a

Adopted: 1987; Revised: 3/15/18

SUBJECT: GUN-FREE SCHOOLS POLICY

No student shall bring onto school premises or have in his/her possession on school premises or bring to any setting that is under the control and supervision of the School District, any "firearm" as defined in federal law. For purposes of this policy, the term "firearm" includes any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any "destructive device" (i.e., any explosive, incendiary, or poison gas, including bombs, grenades, rockets or other similar devices). The term does not include a rifle which the owner intends to use solely for sporting, recreational or cultural purposes; antique firearms; or Class C common fireworks.

In accordance with the Gun-Free Schools Act of 1994 and Section 3214(3)(d) of the Education Law, any student who brings a firearm, as defined in federal law, onto school property, or has such a firearm in his/her possession on school premises, or brings such a firearm to any setting that is under the control or supervision of the School District, will be referred by the Superintendent to the appropriate agency or authority for a juvenile delinquency proceeding in accordance with Article 3 of the Family Court Act when the student is under the age of sixteen and will be referred by the Superintendent to the appropriate law enforcement officials when the student is sixteen years of age or older.

In addition, any student attending a District school who has been found guilty of bringing a firearm to school, after a hearing has been provided pursuant to Section 3214 of the Education Law, shall be suspended for a period of not less than one (1) calendar year and any student attending a non-district school who participates in a program operated by the School District using funds from the Elementary and Secondary Education Act of 1965 who is determined to have brought a firearm to a District school or other premises used by the School District to provide such programs shall be suspended for a period of not less than one (1) calendar year from participation in such program. The procedures of Education Law Section 3214(3) shall apply to such a suspension of a student attending a non-district school. Further, after the imposition of the one (1) year penalty has been determined, the Superintendent of Schools has the authority to modify this suspension requirement for each student on a case-by-case basis. In reviewing the student's one (1) year suspension penalty, the Superintendent may modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law. The determination of the Superintendent shall be subject to review by the Board of Education in accordance with Education Law Section 3214(3)(c) and by the Commissioner of Education in accordance with Education Law Section 310.

A student with a disability who is determined to have brought a firearm to school may be placed in an interim alternative educational setting, in accordance with state law, for not more than 45 school days. If the parent or legal guardian requests an impartial hearing, the student must remain in the interim alternative placement until the completion of all proceedings, unless the parent or legal guardian and District can agree on a different placement.

SUBJECT: GUN-FREE SCHOOLS POLICY [continued]

A student with a disability may be given a long term suspension pursuant to the GFSA only if a group of persons knowledgeable about the student, as defined in federal regulations implementing the IDEA, determines that the bringing of a firearm to school was not a manifestation of the student's disability, subject to applicable procedural safeguards.

If it is determined that the student's bringing of a firearm to school was a manifestation of the student's disability, the Superintendent must exercise his/her authority under the Gun-Free Schools Act to modify the long term suspension requirement, and determine that the student may not be given a long term suspension for the behavior. The Committee on Special Education may review the student's current educational placement and initiate change in placement proceedings, if appropriate, subject to applicable procedural safeguards.

The District may offer home instruction as an interim alternative educational setting during the pendency of review proceedings only if the student's placement in a less restrictive alternative educational setting is substantially likely to result in injury either to the student or to others.

The District may also seek a court order to immediately remove a student with a disability from school if the District believes that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others.

Students with disabilities continue to be entitled to all rights enumerated in the Individuals With Disabilities Education Act and Article 89 of the Education Law; and this policy shall not be deemed to authorize suspension of students with disabilities in violation of these laws.

This policy does not prohibit the District from utilizing other disciplinary measures including, but not limited to, out-of-school suspensions for a period of five (5) days or less, or in-school suspensions, in responding to other types of student misconduct which infringe upon the established rules of the school. Additionally, this policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

The District will continue to provide the suspended student who is of compulsory attendance age with appropriate alternative instruction during the period of the student's suspension.

Goals 2000: Educate America Act, PL 103-227 (Gun-Free Schools Act of 1994)
18 United States Code (USC) Section 921
Education Law Sections 310, 809-a, 3214, and Article 89
8 New York Code of Rules and Regulations (NYCRR) Section 100.2 and Part 200
20 United States Code Annotated (USCA) Sections 1400-1485
Individuals With Disabilities Education Act (IDEA)

Adopted: 10/20/94
Revised: 11/16/95; 1/19/06

SUBJECT: EXTRACURRICULAR ACTIVITIES

The Board of Education recognizes the educational values inherent in student participation in the extracurricular life of the school, and supports the concept of the formation of student organizations for such purposes. Such student organizations will be for the purposes of building sound social relationships, student morale and spirit of positive support for the school, honoring outstanding achievement, developing interest in academic area, gaining an understanding of the elements and responsibilities of good citizenship, and providing wholesome recreational activities.

Curriculum-Related Groups

Principals may approve the formation of curriculum-related extracurricular clubs under the following conditions:

a) An advisor, or his/her substitute, must attend all meetings and be approved by the principal and Board of Education.

b) Officers must be elected by the participating members of the prospective club.

c) A constitution, stating the purpose of the club and its rules of organization must be approved by the principal.

d) Before any funds are raised within the school population, the principal must approve the purpose and the method of raising the funds. The purpose must be for the entire organization or the school.

e) The principal will submit to the Superintendent, who in turn will inform the Board of Education, a list of the clubs or organizations and their advisors and any fund-raising activities that he/she has approved at the beginning of each school year with addendums as necessary throughout the school year.

f) The organization is non-discriminatory and has the purpose of education, recreation or civic service.

When funds are raised by a class organization, a minimum net profit of 25% shall be allocated to the general fund of that class.

Any clubs that will require a faculty advisor stipend, in accordance with the relevant provisions of the collective bargaining agreement, must receive approval from the Board of Education.

SUBJECT: EXTRACURRICULAR ACTIVITIES [continued]

Non-Curriculum Related Student Groups

The Board maintains a limited open forum where secondary students may meet for voluntary student-initiated activities unrelated directly to the instructional program, regardless of religious, political or philosophical content.

To provide "a fair opportunity" to students who wish to conduct a meeting, the Board, in accordance with the provisions of the Equal Access Act, will ensure that:

a) The meeting is voluntary and student-initiated;

b) There is no sponsorship of the meeting by the school, the government, or its agents or employees;

c) Employees or agents of the school or government are present at religious meetings only in a nonparticipatory capacity;

d) The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and

e) Nonschool persons may not direct, conduct, control, or regularly attend activities of student groups.

The Board prohibits student organizations whose activities may be unlawful or may cause substantial disruption or interference with the orderly conduct of the educational process.

Student-initiated extracurricular clubs in the secondary schools that are not related to the school's curriculum but wish to meet on school property must obtain approval of the building principal prior to formation and meeting on school property.

Adopted: 1987; Revised: 11/16/06; 5/16/18

SUBJECT: HOME SCHOOLING - PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

Commissioner's Regulation Section 135.4(c)(7)(ii)(b)(2) directs that a participant in interscholastic sports must be enrolled in the public school. Access may only be granted to an activity that is not part of the District's instructional program. At the Board of Education option, children educated other than at the public school may participate in intramural and/or extracurricular activities which are not part of the instructional program.

However, it is Board of Education policy to allow participation in non-instructional, extracurricular activities for students in a home instructional setting.

8 New York Code of Rules and Regulations (NYCRR) Sections 100.10 and 135.4(c)(7)(ii)(b)(2)

Adopted: 11/21/96
Revised: 12/21/06

SUBJECT: MANAGEMENT OF FUNDS

An extraclassroom activity fund will be established for activities conducted by students whose financial support is raised other than by taxation or through charges of the Board.

All extraclassroom activities will be approved by the Board. The building principal will maintain an up to date register of all extraclassroom activities that are approved or discontinued. Each extraclassroom activity will have a faculty advisor appointed by the building principal. A Central Treasurer and a Faculty Auditor will oversee all financial aspects of extraclassroom activities. The annual District audit will include all extraclassroom activity funds.

All extraclassroom activity funds will be handled in accordance with the financial procedures set forth in Safeguarding, Accounting and Auditing of Extraclassroom Activity Funds, Revised 2015, published by the New York State Education Department. All commitments and contracts will be the sole responsibility of the extraclassroom activity club giving rise to the transaction, regardless of a change in advisors, membership or officers.

Proper books will be kept and all moneys deposited in appropriate accounts as set up by the Board. These accounts will be subject to audit. All transactions involving extraclassroom funds will be on a cash basis and no accounts will remain unpaid at the end of the school year. Funds will be invested in accordance with the Board's Fiscal Management Policy on the "Investment of District Funds."

The extraclassroom activities of the District are not included in the exemption granted to the District from New York State sales tax. Without exception, clubs and activities are prohibited from using the school's tax exemption.

Funds of discontinued extraclassroom activities, those inactive for one year and of graduating classes will revert to the account of the general student organization or student council and will be expended in accordance with the organization's constitution.

The building principals, with approval of the Superintendent, will set up procedures for receipt and payment from the extraclassroom activity fund in their respective schools.

8 NYCRR Part 172

Adopted 1987; Revised 5/16/18

SUBJECT: SECRET SOCIETIES, FRATERNITIES AND SORORITIES

The existence of secret societies is determined not to be in the best interest of students and the school program. The Board will not permit the organization or operation of such groups as are deemed to be contrary to the educational process.

Education Law Sections 1709 and 2503(a)

SUBJECT: STUDENT SPECTATORS USING BUSES

The Board of Education approves the use of buses to transport student spectators to away school approved activities and events.

The buses will be provided only to students of the particular school involved and it will be the responsibility of that school's administration to provide appropriate supervision.

SUBJECT: SOCIAL EVENTS

The Building Principal or Superintendent has the authority to approve social events that are limited to the student body and the parents and relatives of the students. The principal may allow each student to bring one guest.

SUBJECT: SENIOR TRIP

The senior trip must be approved by the High School Principal and must meet the following criteria:

a) It shall be no longer than 4 days and 3 nights.

b) Chaperones must be approved by the Building Principal.

c) The Building Principal determines the class trip to be educational in nature.

d) All efforts should be made to limit costs to encourage participation.

e) Must be submitted and approved prior to Thanksgiving vacation of the Junior year to the High School Principal. Any exception to this request must be submitted for Board consideration by the last meeting in November of the Senior year.

f) All school policies and regulations will be strictly enforced. This is a school activity.

The principal will submit the approved trip proposal to the Board of Education at a regular Board meeting of the students Junior year.

Adopted: 1987
Revised: 11/16/06

SUBJECT: INTERSCHOLASTIC ATHLETICS

The Wallkill School District will provide an equitable athletic program for boys and girls on the secondary level, both in the number of sports and the number of sports per season, and the support of each program, when possible.

The Director of Athletics, Physical Education and Health shall direct the District interscholastic and intramural programs, as well as the Physical Education and Health instructional programs. The Director of Athletics, Physical Education and Health shall work under the direct supervision of the Assistant Superintendent(s).

Adopted: 1987; Revised: 2/15/07; 5/16/18; 7/1/25

SUBJECT: ATHLETIC PLACEMENT PROCESS

The Athletic Placement Process was created to provide a mechanism for qualified seventh and eighth grade students to participate safely at an appropriate level of competition based upon physical and emotional readiness and athletic ability rather than age and grade alone. This allows for the most exceptional athletes in seventh and eighth grade who have satisfied all requirements to be considered for high school level teams. If qualified and selected after tryouts, the student may participate on the appropriate higher-level team.

The decision of whether a student is qualified and if the student makes the team based upon his or her tryout performance shall be made only after careful deliberation and shall not be used to promote athletes for the sole purpose of filling positions on varsity and junior varsity teams.

The Board approved the use of the Athletic Placement Process according to New York State Public High School Athletic Association regulations and the conditions outlined below.

A student becomes a qualified student under the Athletic Placement Process if he or she meets the following criteria:

1. Parent/Guardian Permission and Meeting
2. Administrative Approval
3. Medical Clearance
4. Sport Skill Evaluation
5. Physical Fitness Testing

If a student does not meet one of the criteria above, the student is not qualified pursuant to the Athletic Placement Process to try out for a team at the high school.

A seventh or eighth grade student may try out for a Junior Varsity or Varsity team if he or she is qualified pursuant to the Athletic Placement Process and meets the conditions for individual and team sports outlined below:

SUBJECT: ATHLETIC PLACEMENT PROCESS [continued]

a) Individual Sports

1. When no Junior Varsity team exists, the qualified students under the Athletic Placement Process may try out for the Varsity level.

2. When a Junior Varsity team exists, the qualified students under the Athletic Placement Process may try out for the Junior Varsity level. If a qualified student under the Athletic Placement Procedure meets the requirements set forth in "(b)(2)(a-c)" below, then he or she may try out for the Varsity level.

b) Team Sports

1. Seventh and eighth grade students qualified under the Athletic Placement Process may only try out for the Junior Varsity level. An exception may be made for select eighth grade students who meet the criteria outlined in "2" below.

2. Eighth grade students who meet the requirements set forth in (a)-(c) below and qualify under the Athletic Placement Process will be permitted to try out for a Varsity level team:

   (a) Student athlete participated at the Junior Varsity level as a seventh-grade student;

   (b) Student athlete statistically performed at a high level on the Junior Varsity team;

   (c) Student athlete receives a positive recommendation from the Junior Varsity coach

The Board directs that the Superintendent implement appropriate procedures for the Athletic Placement Process and that the Athletic Department maintain a file of those students deemed eligible as a result of such procedures.

Revised: 2/21/91; 1221/00; 2/21/08; 3/17/16; 6/20/19

SUBJECT: INTRAMURAL ATHLETICS

Boys and girls on the secondary level must be given the opportunity to participate in an intramural program presented after school in each of the three seasons. In the Fall and the Spring, intramurals should meet on a minimum of sixteen (16) occasions; during the Winter season, intramurals should meet on a minimum of twenty-four (24) occasions.

Adopted: 1987
Revised: 2/15/07

SUBJECT: FUND RAISING BY STUDENTS

Fund raising projects in which pupils sell merchandise, provide services, or in other ways solicit money for school activities may be sponsored by school organizations with the express approval of the building principal. Any such plan shall have a clearly defined purpose and, in general, shall contribute to the educational experience of pupils and shall not conflict with instructional programs. Fund raising activities away from school property shall be held to a minimum.

Door to door sales projects undertaken by any organization using the Wallkill Central School District name shall require previous approval of the Building Administrator. Profits shall be used to enhance school programs by providing money for expenditures not normally funded by the District.

All participation shall be voluntary.

Adopted: 1987
Revised: 12/21/06

SUBJECT: GIFTS TO TEACHERS

The giving of gifts to teachers by pupils is discouraged. Parents are urged, in its place, to write letters of appreciation about the teacher to the Board of Education or to the teacher expressing this appreciation.

In no case may school personnel accept gifts costing in excess of twenty-five dollars ($25.00).

SUBJECT: CONTESTS FOR STUDENTS

Distribution of educational material, essay contests, and poster contests must be approved in advance by the building principals if the sponsoring organization wishes to involve pupils in the project on school time. Samples of informational material should accompany the request. Upon the judgment of the principal, the request may be forwarded to the Superintendent and the Board of Education for approval.

SUBJECT: STUDENT AWARDS AND SCHOLARSHIPS

The School District shall obtain and grant to its students awards and scholarships. The Board of Education, having been entrusted by law, will hold in trust gifts, grants, bequests and legacies given or bequeathed to the Wallkill Central School District and shall apply the same and/or their interest and proceeds according to the instruction of the donors and according to the procedures established by the administration.

SUBJECT: SUPERVISION OF STUDENTS

Pupils working on any activity must be supervised by the teacher or staff member in charge of the activity. This applies to all activities and the permission to hold practices or meetings must not be granted unless a teacher or staff member is in charge.

a) Coaches and physical education supervisors in the School District will be fully responsible for the supervision of all pupils in either their class or their after school activities. The coaches will maintain supervision over the dressing rooms during the dressing periods.

b) Teachers and/or assigned school personnel in the elementary grades will be responsible for the playground supervision of all the children under their jurisdiction during the recess periods and before the regular afternoon sessions. The principal will distribute the responsibility so that the playground situation will be properly controlled.

c) Pupils are not to be sent on any type of errand off of school grounds during the school day.

Adopted: 1987
Revised: 12/21/06

SUBJECT: STUDENT ATHLETIC INJURIES

No student should be allowed to practice or play in an athletic contest if he/she is suffering from an injury. The diagnosis of and prescription of treatment for injuries is strictly a medical matter and should under no circumstances be considered a province of the coach. A coach's responsibility is to see that injured players are given prompt and competent medical attention, and that all details of a doctor's instructions concerning the student's functioning as a team member are carried out. No student will be allowed to practice or compete if there is a question whether he/she is in adequate physical condition.

SUBJECT: PUBLICATIONS

The School District shall sponsor and provide advisors for publications in the high school. The District can exercise editorial control over the style and content of student expression in school-sponsored publications that students, parents and members of the public might reasonably perceive to bear the imprimatur of the school. However, the District's actions will be reasonably related to legitimate pedagogical concerns and will not amount to viewpoint discrimination.

All official school publications should be done in good taste reflecting positive and praiseworthy aspects of the school. They should contain nothing that will be harmful, cause embarrassment or intrude upon the rights of others, the school, the community or be potentially disruptive to the educational process.

The Yearbook shall be part of the public relations efforts of the high school, and the high school principal shall have the final responsibility regarding the staffing and contents of the yearbook.

Adopted: 1987; Revised: 12/21/06, 11/19/18

SUBJECT: CENSORSHIP OF NON-SCHOOL PUBLICATIONS

It is the purpose of this policy to promote the best interest and ensure the well being of every student in the School District by preventing substantial disruption and/or material interference with school activities and with the general operation of the schools by forbidding distribution of literature which contains libelous, obscene, profane statements, racial or sexual epithets, as well as statements which advocate breaking of state and federal laws as well as school regulations.

All non-school publications distributed on school property must be submitted for prior administrative review and approval. The Board of Education does not assume any responsibility for any statements published therein. The Board directs the Superintendent, or his/her designee, in keeping with the requirements of the law, to prepare administrative regulations which establish guidelines for students seeking approval for the distribution of non-school publications.

Adopted: 2/15/96
Revised: 2/15/07

SUBJECT: SCHOOL INSTRUMENTS

Instrumental music equipment will be purchased with funds appropriated directly to the Music Department. Priorities will be established by the Music Coordinator and Building Administrators, and all requests for equipment will be made directly to the District Music Coordinator. Instruments would be District owned and not bound to any single building. Priority for use would be established on a case-by-case basis. Final judgment would rest with the building principals.

Both the student using the instrument and the parent/legal guardian of the student using the instrument would be asked to sign a contract outlining responsibilities and obligations involved in the use of these instruments.

SUBJECT: IMMUNIZATION OF STUDENTS

The Board of Education recognizes its responsibility to ensure that the children under its charge are immunized according to the minimum immunization requirements for school attendance as set by the Public Health Law. The Board, therefore, requires that a physician's certificate or some other acceptable evidence of immunization be submitted for all children entering and presently attending school.

Health Office personnel in each building must examine immunization records of all new entrants. The Board directs the administration not to permit any child lacking evidence of immunization to remain in school for more than fourteen (14) days, or thirty (30) days for an out-of-state transferee who can show good faith effort to obtain the necessary evidence or certification

Whenever a child has been refused admission to or continued attendance at a District school for lack of acceptable evidence of immunization, immunity, or exemption, the principal of the school will:

a) Notify the person in parental relation to the child of his or her responsibility to have the child immunized and of the public resources available for doing so; and

b) Provide, with the cooperation of the local health authority, for a time and place at which the required immunization or immunizations may be administered.

The only exception to this policy when the requirement may be waived by the Board is when a physician certifies that administering a vaccine to a particular child may be detrimental to the child's health. Such medical exemptions must be reissued annually.

A student denied entrance or attendance due to failure of meeting health immunization standards may appeal to the Commissioner of Education.

Public Health Law Section 2164
Education Law Section 914

Revised: 5/19/94; 9/18/97; 7/20/06; Revised 11/21/19; 6/18/20

SUBJECT: STUDENT PHYSICALS

Health Examination

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

a) A District school at any grade level;

b) Pre-kindergarten or kindergarten; and

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

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

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

Health Certificate

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

a) A District school at any grade level;

b) Pre-Kindergarten or kindergarten; and

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

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

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

SUBJECT: STUDENT PHYSICALS [continued]

Dental Health Certificate

The District will request a dental health certificate from each student within 30 calendar days after his or her entrance into:

a) A District school at any grade level; and

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

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

Students in Temporary Housing

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

Education Law Section 912
Commissioner's Regulations Section 136

Adopted: 1987; Revised: 7/20/06, 7/11/18

SUBJECT: PRESCRIPTIVE MEDICATION

Under certain unusual circumstances, when it is necessary for a student to take medication during school hours, the school nurse may administer the medication if the parent or guardian submits a written request accompanied by a written request from a physician indicating the frequency and dosage of prescribed medication. The parent or guardian must assume responsibility to have the medication delivered directly to the health office in a properly labeled original container.

Procedures for taking medications off school grounds or after school hours while participating in a school-sponsored activity will be in accordance with State Education Department Guidelines.

New York State Bureau of Health Service

The Use Of Inhalers In Schools

The School District permits students who have been diagnosed by a physician as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the school health office must receive the written permission of the prescribing physician, and parental consent, based on such physician's determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student.

A record of such physician/parental permission shall be maintained in the school office.

Health office personnel will maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student's management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.

Students who self-administer medication without proper authorization, under any circumstances, will be referred for counseling by school nursing personnel. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration may also be involved in determining the proper resolution of such student behavior.

Education Law Section 916

Revised: 1/20/00

SUBJECT: ATHLETIC PROGRAM - SAFETY

The District will take reasonable steps to see that physical risks to students participating in the interscholastic athletic program shall be kept at a minimum by:

a) Requiring medical examinations of participants;

b) Obtaining well-qualified officials to handle all varsity, junior varsity and modified games;

c) Replacing equipment as necessary.

Adopted: 1987
Revised: 12/21/06

SUBJECT: ACQUIRED IMMUNE DEFICIENCY SYNDROME AND/OR POSITIVE BLOOD TESTS TO THE HUMAN IMMUNODEFICIENCY VIRUS (HIV)

The Board of Education contends that a student shall not be denied the right to attend school or continue his/her education solely because he/she has been diagnosed or identified as having acquired immune deficiency syndrome and/or positive blood tests for the antibodies to the Human Immunodeficiency Virus (HIV). The Board further contends that under current law, the disclosure of confidential AIDS and/or HIV-related information shall be strictly limited.

Administrative regulations and procedures shall be developed and implemented by the administration based on recommendations from the New York State Education Department, and from consultation with appropriate professional and medical staff in the District.

The Superintendent or his/her designee shall also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

Confidentiality: Public Health Law, Article 27-F

Revised: 9/19/91; 11/19/18

SUBJECT: CONCUSSION MANAGEMENT

The Board of Education of the Wallkill Central School District recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and recreational activity and can have serious consequences if not managed carefully. The District is committed to implement strategies to reduce the risk of head injuries in the school setting and during District sponsored events. Therefore, the District adopts the following policy to support the proper evaluation and management of head injuries.

Training:

School staff members supervising student athletes in a district sponsored environment shall be trained biannually in accordance with Education Law Section 305(42), and 8 NYCRR Sections 135.4 and 136.5. Staff members subject to this training are coaches, certified athletic trainers, district medical director, nurses, physical education teachers and the director of athletics.

Initial Concussion Management:

Any District employee that is supervising a student that has sustained or is suspected of sustaining a concussion shall remove the student from the activity immediately. The injured student should be observed until evaluated by an appropriate health care professional on site if possible (school medical director, nurse, athletic trainer). The person responsible for supervising the injured student or the health care provider who assessed the injured student will make every effort to contact the student's legal parent or guardian to notify them of the injury as soon as possible. The symptomatic student should be picked up by the parent or guardian. Release of the student to another adult and or a school bus will only be granted at the request of the legal parent / guardian.

Some symptoms may require immediate medical treatment. An emergency action plan should be activated if the student is experiencing a deterioration of symptoms; loss of consciousness; direct neck pain associated with the injury; or any other symptom that may require immediate medical treatment.

If a student sustains a concussion at a time other than when engaged in a school-sponsored activity, the District expects the parent/legal guardian to report the condition to the school nurse, school medical director and/or athletic trainer so that the District can support the appropriate management of the condition. The student should see a healthcare provider for diagnosis.

SUBJECT: CONCUSSION MANAGEMENT [continued]

The District may allow credentialed staff to use validated neurocognitive computerized testing as well as current standardized concussion assessment tools to obtain baseline and post-concussion performance data. These tools are not a replacement for medical evaluation to diagnose or to treat concussions.

Post Injury Concussion Management:

The student who was suspected of sustaining a concussion shall not participate in further programs of athletic competition or school sponsored physical activity until the student-athlete: is examined by a physician (MD or DO); receives written medical clearance from a physician; and progresses through the steps outlined by the NYSED Return to Play Protocol. The student-athletes' written medical clearance shall be reviewed and approved by the school's medical director. The school medical director will have final determination on all clearances related to concussive injury.

Academic accommodations /return to learn plans, if applicable, will be approached on an individual basis through the 504 committee. The District will prioritize a full return to the classroom prior to a return in athletic activity.

The Superintendent or designee, in consultation with appropriate district staff, including the school medical director, will develop regulations and protocols to guide the return to activity.

This policy shall be reviewed every three years or any time that the State Education Department updates their Concussion Management Guidance documents.

Approved: 6/14/12; Revised 10/19/22; 6/18/25

SUBJECT: OPIOID OVERDOSE PREVENTION

The Board of Education recognizes that many factors, including the use and misuse of prescription painkillers, can lead to the dependence on and addiction to opiates, and that such dependence and addiction can lead to overdose and death among the general public, including district students and staff. The Board wishes to minimize these deaths by the use of opioid overdose prevention measures. The signs and symptoms of opioid overdose (e.g., shallow breathing, unconsciousness, unresponsive to stimulation, pinpoint pupils, blue skin on lips and under nails) shall be displayed in school buildings with instructions to contact emergency responders. The district will provide training to all staff and students where developmentally appropriate, on the signs and symptoms of an opioid overdose.

The Board directs the school physician/medical director to issue a non-patient specific order to school nurses to administer intranasal naloxone (also known as Narcan, among other names). The non-patient specific order shall include a written protocol containing the elements required by the regulations of the Commissioner of Education. The Board permits school nurses to administer naloxone to any person at school or a school event displaying symptoms of an opioid overdose. The district shall purchase and provide the naloxone kits to be stored in the nurse's office. Naloxone shall be accessible during school hours and during on-site school-sponsored activities when school nurses are present.

Storage and Inventory

The school physician/medical director is responsible for having approved protocols in place for re-ordering Naloxone in the event it is administered and to ensure that an adequate supply is continuously available in the buildings for use. Similarly, the administration of Naloxone to any student will be documented in his/her cumulative health record and for staff members, in their personnel file.

The District will store its supply of Naloxone in a secure, but accessible, and temperate location consistent with its emergency response plan, in the school nurse's office. The school nurse will inventory the supply of Naloxone on a weekly basis and record this information on a log which will be developed and/or maintained by the school nurse or other designated personnel/administrator. This record of information will include the date, time, and signature of the designated personnel performing the inventory.

Ref: Education Law §§922 (volunteer naloxone responder); 6527 (emergency treatment of anaphylaxis and opioid overdose); 3023 (liability coverage); 6909 (administration of naloxone by nurses); Public Heath Law §3309 (volunteer naloxone responder)
8 NYCRR §§ 64.7 (administration of naloxone); Part 136 (school health services program, including naloxone); 10 NYCRR §80.138 (volunteer naloxone responder)
Guidance for Implementing Opioid Overdose Prevention Measures in Schools, New York State Education Department, 8/11/15, Opioid Overdose Prevention: Guidelines for Policies and Procedures, New York State Department of Health, March 2014,
www.schoolhealthservicesny.com/files/filesystem/guidance_on_opioid_overdose_prevention_in_the_schools_final.pdf
www.health.ny.gov/diseases/aids/general/opioid_overdose_prevention/docs/policies_and_procedures.pdf

Adopted: 11/17/16

SUBJECT: ACCIDENTS

Procedures shall be established and maintained by the Superintendent for the handling and recording of student injuries that occur on school property and during school activities.

SUBJECT: INSURANCE

The Board of Education approves for all students to be covered by group insurance.

Such student accident insurance policies are to be a co-insurance with family coverage(s) as primary.

Education Law Sections 1604 and 1709(8-a, b)

SUBJECT: TRANSPORTING AN ILL OR INJURED STUDENT

In the event of illness of a student, an ambulance will be called if warranted, and the student will be transported to the appropriate medical facility.

Adopted: 1987
Revised: 12/21/06

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT

The School District subscribes to all of the provisions of Title 6 - Child Protective Services of the Social Services Law Sections 411-428. Our purpose is to provide protective services to abused and neglected/maltreated children as described by the law, and to make all school personnel within the District aware of our legal responsibilities under this law.

Regulations shall be developed, maintained and disseminated by administration regarding the:

a) Mandatory reporting of suspected child abuse or neglect/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 of a child or health; 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 shall be established and implemented to enable such 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.

School Officials Required to Report

The definition of a "school official" who is mandated to report cases of child abuse or neglect/maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1) includes, but is not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators, contracted school bus drivers and contracted bus supervisors, other school personnel required to hold a teaching or administrative license or certificate, or full or part-time compensated school employees required to hold a temporary coaching license or professional coaching certificate.

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT [continued]

All mandated reporters shall make the report themselves and then immediately notify the Building Principal or his/her designee. The Building Principal or his/her designee shall be responsible for all subsequent administration necessitated by the report.

Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of all the allegations in the report.

Prohibition of Retaliatory Personnel Action

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

Pursuant to Labor Law Section 740(1) (e), "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 Revised May 2007 New York State Office of Children and Family Services "Report of Suspected Child Abuse or Maltreatment" Form LDSS-2221A may be accessed at: http://www.ocfs.state.ny.us/main/cps/

Education Law Section 3209-A
Family Court Act Section 1012
Labor Law Section 740(1) (e)
School Services Law Sections 411-428
8 NYCRR Part 83, 100.2(nn)

Adopted 7/25/89; Revised 3/13/08; 3/16/17; 5/22/19; 6/18/25

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING

The Board of Education recognizes that children have the right to an educational setting that does not threaten their physical and emotional health and development. Child abuse by school personnel and school volunteers violates this right and therefore is strictly prohibited.

Allegations of child abuse by school personnel and school volunteers shall be reported in accordance with the requirements of Article 23-B of the Education Law.

Required Reports

Any person holding any of the following positions shall be required to promptly report written and oral allegations of child abuse in an educational setting:

a) School Board Member;
b) Teacher;
c) School nurse;
d) School guidance counselor;
e) School psychologist;
f) School social worker;
g) School Administrator; and
h) School Resource Officers
i) Contracted school bus drivers and contracted bus supervisors
j) Teacher Aides
k) Other school personnel required to hold a teaching or administrative license or certificate.

For purposes of this policy, persons holding these positions shall be referred to as "required reporters."

Other District employees may, of course, report allegations of child abuse allegedly committed by District staff and volunteers are encouraged to do so.

Definitions

For purposes of this policy, "educational setting" means the buildings and grounds of the District, the vehicles provided by the District to transport students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off School District grounds, all co-curricular and extra-curricular activity sites, and any other location where District contact between an employee or volunteer and a child has allegedly occurred.

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING [continued]

"Child" means a person under the age of 21 enrolled in a New York State school district other than New York City.

"Child abuse" generally refers to any intentional or reckless act by an employee or a volunteer against a child which injures or kills a child or creates a risk of injury or death, or constitutes child sexual abuse, or involves the actual or attempted dissemination of indecent materials to minors. If a required reporter or any other District employee has a question as to whether alleged conduct constitutes "child abuse," he shall promptly raise the question to the Principal of the building where the abuse is alleged to have occurred, if necessary, to determine whether the allegations constitute child abuse.

Reporting Requirements

Required reporters and any other District employee deciding to report an allegation of child abuse by District staff or volunteers shall complete a written report as soon as practical after receiving the allegation.

The required reporter shall personally file the report with the Principal of the school in which the child abuse allegedly occurred.

If the alleged abuse did not occur in a school building, the report shall be filed with the Principal of the school attended by the alleged victim.

If the alleged abuser is an employee or volunteer of another district, the report shall be sent to the Superintendent for the district where the alleged child victim attends school and to the Superintendent of the district where the abuse allegedly occurred (if different). The report shall be prepared on a standard form supplied by the district. Each Building Principal shall keep a supply of the forms available in his/her office.

Upon receiving a written report, the Principal shall determine whether there is reasonable suspicion to believe that an act of child abuse has occurred.

If the person making the allegation of abuse is someone other than the child or the child's parent/guardian, the Principal shall contact the person making the report to learn the source and basis for the allegation.

If the Principal determines there is reasonable suspicion, he/she shall promptly notify the parent of the alleged child victim (assuming that the parent is not the person who originally reported the alleged abuse). The notice shall be given by telephone (if possible) and in writing, sent via overnight mail to the parent.

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING [continued]

The notice shall inform the parent of his/her rights and responsibilities related to the allegations of abuse.

The Principal shall also promptly provide a copy of the written report to the Superintendent and send a copy to the appropriate law enforcement authorities. In no event shall the Principal delay in sending the report to law enforcement because of an inability to contact the Superintendent.

The Superintendent shall send to the Commissioner of Education any written report forwarded to the local law enforcement authorities where the employee or volunteer alleged to have committed an act of child abuse holds a certificate of license issued by the department.

Confidentiality

All reports and other written materials submitted pursuant to this policy and Article 23-B of the Education Law shall be confidential and may not be redisclosed except to law enforcement authorities involved in investigating the alleged abuse or except as expressly authorized by law or pursuant to a court-ordered subpoena. The Principal and Superintendent shall exercise reasonable care to prevent unauthorized disclosure.

Record Retention

Any report of child abuse by an employee or volunteer that does not result in a criminal conviction shall be expunged from the records kept by the District with respect to the subject of the report after five (5) years from the date the report was made.

Training

The Superintendent shall be responsible for establishing and implementing on an ongoing basis a training program for all required reports on the procedures required under article 23-B. The program shall include a minimum of all the elements specified in Commissioner's regulations.

Adopted: 7/25/89; Revised: 3/13/08; 6/18/25

SUBJECT: NOTIFICATION OF SEX OFFENDERS

The Board of Education acknowledges the efforts of local law enforcement to notify the district when a person with a history of sex offenses against a child is being paroled or released into the community, in accordance with the provisions of the Sex Offender Registration Act, commonly known as Megan's Law. The purpose of this notification is consistent with Megan's Law and is intended to protect members of the community, particularly children, by notifying them of the presence of individuals in their midst who may present a danger. Consistent with its duty to protect students under its care, the district shall cooperate with local law enforcement agencies in this endeavor.

The Superintendent of Schools or designee shall ensure the dissemination of such information provided by local law enforcement officials pursuant to Megan's Law to all faculty and staff who may need to know such information.

Community residents desiring such information shall be referred to the police department and the state registry website.

Adopted: 2/16/95; Revised 5/22/19

SUBJECT: NON-DISCRIMINATION (STUDENTS)

Preamble

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide for all District students an environment that is free of discrimination based on a student's race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression, or nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category. Discrimination is unlawful and stands in direct opposition to District policy.

The District's policy is to oppose and prohibit, without qualification, discrimination against a student based on his/her membership in a protected category in the educational programs or activities which it operates.

The District will investigate all complaints, either formal or informal, verbal or written, of discrimination based on race, color creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression, or nonconformity to gender stereotypes), weight, predisposing genetic characteristics, marital status, military status, domestic violence victim status or any other legally protected category and will take appropriate action against a student, teacher, administrator or other District personnel who is found, after a thorough investigation, to have violated this policy.

Definitions

"Discrimination" is defined as:

a) Denial of access to a school program on the basis of the student's actual or perceived race, color, creed, ethnicity, national origin, religion, religious practice, disability, sexual orientation, age, sex (including sexual harassment), gender (identity, expression, or nonconformity to gender stereotypes), weight predisposing genetic characteristics, marital status, military status, and domestic violence victim status or any other legally protected category.

b) A student is subjected to harassing conduct (e.g., physical, verbal, graphic or written) based upon a student's actual or perceived membership in a protected category when such conduct:

   1. Has the purpose or effect of substantially or unreasonably interfering with the ability of the student to participate in or benefit from the services, activities or privileges provided by the District;

SUBJECT: NON-DISCRIMINATION (STUDENTS) [continued]

2. Has the purpose or effect of creating a hostile or offensive academic environment; or

3. Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance.

Examples of such conduct which may constitute harassment based on a student's membership in a protected category may include, but are not limited to:

a) Graffiti;

b) Name calling, jokes;

c) Threatening or intimidating conduct directed at another;

d) Notes or cartoons;

e) Slurs, negative stereotypes and hostile acts;

f) Written or graphic material containing comments or stereotypes which is posted or circulated and is aimed at degrading individuals or members of protected classes;

g) Physical act(s) of aggression or assault upon another;

h) Other kinds of aggressive conduct such as theft or damage to property.

"District personnel" includes Board members, school employees, or other persons subject to the supervision or control of the District.

Reporting Procedures

Any student who believes that he/she has been subjected to discrimination based on his/her membership in a protected category shall report all incidents of such conduct in accordance with District regulation 7623-R.

Notice

A copy of this policy shall be made available to all District personnel and students and shall be posted in appropriate places and made available, upon request, to interested parties.

Title VI of the Civil Rights Act of 1964,
Title IX of the Education Amendments of 1972
42 United States Code (USC) Section 2000-d et seq.
34 Code of Federal Regulations (CFR) Part 100
New York State Executive Law § 290 et seq.

Adopted: 6/20/02; Revised: 7/20/06; 10/26/10; 6/14/12; 10/16/14

SUBJECT: DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, cyberbullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of bullying, discrimination and/or harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of bullying, discrimination and/or harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of bullying, discrimination and/or harassment, outside of school sponsored events, which foreseeably creates a risk of substantial disruption within the school environment, where it is foreseeable that conduct, threats or intimidation or abuse might reach school property, may be subject to discipline.

Dignity Act Coordinator

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinator(s) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint the Dignity Act Coordinator(s) and share the name(s) and contact information with all school personnel, students, and parents/persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information by:

a) Listing such information in the Code of Conduct and updates posted on the Internet website, if available;

b) Posting such information in highly visible areas of school buildings;

c) Making such information available at the district and school-level administrative offices and;

d) Either: including such information in the plain language summary of the Code of Conduct in the student handbook provided to all persons in parental relation to students before the beginning of each school year; or

e) Providing such information to parents and persons of parental relation in at least one district or school mailing or other method of distribution including, but not limited to, sending such information home with each student and, if such information changes, in at least one subsequent district or school mailing or other such method of distribution as soon as practicable thereafter.

SUBJECT: DIGNITY FOR ALL STUDENTS ACT [continued]

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position.

Training and Awareness

Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on school property or at a school function. Training will include, but is not limited to, ways to promote a supportive school environment that is free from bullying, discrimination and/or harassment, emphasize positive relationships, and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to bullying, discrimination and/or harassment, as well as ensuring the safety of the victims.

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to bullying, discrimination and/or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

Rules against bullying, discrimination and/or harassment will be included in the Code of Conduct, publicized District-wide and disseminated to all staff and parents. An age-appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Bullying, Discrimination and/or Harassment

The District will investigate all complaints of bullying, discrimination and/or harassment, either formal or informal, and take prompt corrective measures, as necessary. Complaints will be investigated in accordance with applicable policies and regulations. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the Code of Conduct, and all appropriate federal or state laws.

The District will annually report material incidents of bullying, discrimination and/or harassment which occurred during the school year to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner.

SUBJECT: DIGNITY FOR ALL STUDENTS ACT [continued]

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

Any person who has reasonable cause to suspect that a student has been subjected to bullying, discrimination and/or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of bullying, discrimination and/or harassment.

Education Law Sections 10-18 and 801-a
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(jj), 100.2(kk), and 100.2(1)(2)

NOTE: Refer also to Policies:

#7400 Code of Conduct for the Maintenance of Order on School Property
#7400.1 Wallkill Senior High School Code of Conduct
#7400.2 John G. Borden Middle School Code of Conduct
#7400.3 Elementary School Code of Conduct
#7626 Sex Discrimination – Title IX of the Education Amendments of 1972

Approved: 10/18/12; Revised: 7/3/13; 10/19/22

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972

Overview

This policy addresses complaints of sex discrimination, including sexual harassment, made under Title IX of the Education Amendments Act of 1972 and its implementing regulations (Title IX). It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a district that receives federal financial assistance. As required by Title IX, the District does not discriminate on the basis of sex in its education programs and activities or when making employment decisions.

The District will promptly respond to reports of sex discrimination, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections to complainants and respondents, and impose sanctions and implement remedies when warranted.

Inquiries about this policy or the application of Title IX may be directed to the District's Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

Scope of Policy

This policy is limited to addressing complaints of sex discrimination, including sexual harassment, that fall within the scope of Title IX which, among other things, has a specific definition of sexual harassment and applies only to sex discrimination occurring against a person in the United States. This policy applies to any individual participating in or attempting to participate in the District's education programs or activities including students and employees.

If the allegations forming the basis of a formal complaint of sexual harassment, if proven, would constitute prohibited conduct under Title IX, then the grievance process outlined in this policy would be applied to the investigation and adjudication of all the allegations.

If a formal complaint is not filed or if allegations are outside the scope of Title IX, the actions may still be addressed under another related District policy, procedure, collective bargaining agreement, or other document such as the District's Code of Conduct.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

What Constitutes Sex Discrimination Including Sexual Harassment

Title IX prohibits various types of sex discrimination including, but not limited to: sexual harassment; the failure to provide equal athletic opportunity; sex-based discrimination in a District's science, technology, engineering, and math (STEM) courses and programs; and discrimination based on pregnancy.

Under Title IX, sexual harassment includes conduct on the basis of sex that satisfies one or more of the following:

a) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;

b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

c) Sexual assault, dating violence, domestic violence, or stalking as defined under federal law.

Title IX Coordinator

The District has designated and authorized administrators to serve as Title IX Coordinators. Their contact information will be prominently displayed on the District's website, as well as in student handbooks and other District publications. A Title IX Coordinator can always be reached at the following email address: TitleIXCoordinator@wallkillcsd.k12.ny.us. Individuals may also contact the District Office at 845-895-7100 to obtain the Title IX Coordinator's contact information.

The Title IX Coordinator(s), who must be referred to as such, will coordinate the District's efforts to comply with its responsibilities under Title IX. However, the responsibilities of the Title IX Coordinator(s) may be delegated to other personnel.

Where appropriate, the Title IX Coordinator(s) may seek the assistance of other appropriately trained individuals to appropriately address any formal complaint of sex discrimination, including sexual harassment.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

Reporting Allegations of Sex Discrimination

Any person may report sex discrimination, including sexual harassment, regardless of whether they are the alleged victim or not. Reports may be made in person, by using the contact information for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. This report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

Reports of sex discrimination may also be made to any other District employee including a supervisor, building principal, or the District's civil rights compliance officers. All reports of sex discrimination, including sexual harassment, will be forwarded to the District's Title IX Coordinator. Reports may also be forwarded to other District employees depending on the allegations.

All District employees who witness or receive an oral or written report of sex discrimination must immediately inform the Title IX Coordinator. Failure to immediately inform the Title IX Coordinator may subject the employee to discipline up to and including termination.

Making a report of sexual harassment is not the same as filing a formal complaint of sexual harassment. A formal complaint is a document either filed by a complainant or a parent or legal guardian who has a right to act on behalf of the complainant or signed by the Title IX Coordinator which alleges sexual harassment against a respondent and requests that the District investigate the allegations. While the District must respond to all reports it receives of sexual harassment, the Title IX grievance process is only initiated with the filing of a formal complaint.

If the Title IX Coordinator(s) is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to the Superintendent who will ensure that another person with the appropriate training and qualifications is appointed to act as the Title IX Coordinator.

Grievance Process for Complaints of Sex Discrimination Other than Sexual Harassment

The District will provide for the prompt and equitable resolution of reports of sex discrimination other than sexual harassment. In responding to these reports, the Title IX Coordinator will utilize, as applicable, the grievance process set forth in Policy #1800—Non-Discrimination (Employees), Policy #7623—Non-Discrimination (Students), and any other applicable District policy, procedure, collective bargaining agreement, or other document such as the District's Code of Conduct.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

Grievance Process for Formal Complaints of Sexual Harassment

The District will respond to allegations of sexual harassment in a manner that is not deliberately indifferent whenever it has actual knowledge of sexual harassment in an education program or activity of the District. For purposes of reports and formal complaints of sexual harassment under Title IX, education program or activity includes locations, events, or circumstances over which the District exercised substantial control over both the respondent(s) and the context in which the sexual harassment occurred.

The District will follow a grievance process that complies with law and regulation before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

The District will conduct the grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is anticipated that, in most cases, the grievance process will be conducted within a reasonably prompt manner and follow the time frames established in this policy.

Definitions

a) "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

b) "Days" means calendar days.

c) "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

General Requirements for the Investigative and Grievance Process

During the investigation of a formal complaint and throughout the grievance process, the District will ensure that:

a) Complainants and respondents are treated equitably. This includes applying any provisions, rules, or practices incorporated into the District's grievance process, other than those required by law or regulation, equally to both parties.

b) All relevant evidence is objectively evaluated, including both inculpatory and exculpatory evidence. Inculpatory evidence implicates or tends to implicate an individual in wrongdoing. Exculpatory evidence frees or tends to free an individual from blame or accusation.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

c) The Title IX Coordinator, investigator, decision-maker involved in the grievance process, or any person designated by the District to facilitate any informal resolution process or serve as the appeals decision maker does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

d) Respondents are presumed not to be responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

e) The grievance process, including any appeals or informal resolutions, is concluded within a reasonably prompt time frame and that the process is only temporarily delayed or extended for good cause. Good cause includes, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Whenever the time frame is temporarily delayed or extended, written notice will be provided to all complainants and respondents of the delay or extension and the reasons for the action.

f) The range of possible disciplinary sanctions and remedies that may be implemented by the District following any determination regarding responsibility are described to any known party.

g) The same standard of evidence, preponderance of the evidence, is used to determine responsibility in all formal complaints.

h) The procedures and permissible bases for an appeal are known to all complainants and respondents.

i) The range of supportive measures available are known to all complainants and respondents.

j) There is no requirement, allowance of, reliance on, or otherwise use of questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

k) The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on the parties.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

l) The Title IX Coordinator, the investigator, any decision-maker, or any other person participating on behalf the District does not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so for the grievance process. If the party is not an eligible student, as defined in FERPA as a student who has reached 18 years of age or is attending a post-secondary institution, the District will obtain the voluntary, written consent of a parent.

m) The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

n) Credibility determinations are not to be based on a person's status as a complainant, respondent, or witness.

o) The ability of either party to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

p) The parties are provided with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, and not limit the choice or presence of advisor for any complainant or respondent in any meeting or grievance proceeding. Advisors may be present to provide support for the complainant or respondent, but may not participate in the process, which includes not answering questions, asking questions or making statements.

q) Written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, is provided to any party whose participation is invited or expected with sufficient time for the party to prepare to participate.

r) The parties are provided with equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the District does not intend to rely on in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

s) Any document sent to a minor or legally incompetent person is also sent to the party's parent or legal guardian.

t) Any document sent to a party is also sent to the party's advisor, if known.

After a Report of Sexual Harassment Has Been Made

After receiving a report of sexual harassment, the Title IX Coordinator will:

a) Promptly contact the potential complainant to discuss and offer supportive measures. Inform the complainant both of the range of supportive measures available and that these measures are available regardless of whether a formal complaint is filed. Consider the complainant's wishes with respect to supportive measures;

b) Review the Title IX Grievance Procedure with the potential complainant; and

d) Explain to the potential complainant the process for filing a formal complaint.

The Title IX Coordinator may also contact the respondent to discuss and/or impose supportive measures.

Requests for confidentiality or use of anonymous reporting may limit how the District is able to respond to a report of sexual harassment.

Emergency Removal and Administrative Leave

At any point after receiving a report or formal complaint of sexual harassment, the District may immediately remove a respondent from the District's education program or activity on an emergency basis, provided that the District:

a) Undertakes an individualized safety and risk analysis;

b) Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and

c) Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal and affords them any legally required procedural due process.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

The District should coordinate their Title IX compliance efforts with special education staff when initiating an emergency removal of a student with a disability from an education program or activity as the removal could constitute a change of placement under the IDEA or Section 504.

The District may place a non-student employee respondent on administrative leave with or without pay during the pendency of the grievance process in accordance with law and regulation and any applicable District policy, procedure, collective bargaining agreement, or other document such as the District's Code of Conduct.

Filing a Formal Complaint

A complainant may file a formal complaint with the Title IX Coordinator in person or by mail, email, or other method made available by the District. The complainant must be participating in or attempting to participate in the education program or activity of the District at the time of filing the complaint. The filing of a formal complaint initiates the grievance process.

A formal complaint must be signed by the complainant, the complainant's parent or legal guardian as appropriate, or the Title IX Coordinator. Where a parent or legal guardian signs the complaint, the parent or legal guardian does not become the complainant; rather the parent or legal guardian acts on behalf of the complainant. The Title IX Coordinator may sign the formal complaint, but his or her signature does not make him or her a complainant or a party to the complaint. If the formal complaint is signed by the Title IX Coordinator, the Title IX Coordinator is still obligated to comply with the grievance process outlined in this policy.

The complainant, or the complainant's parent or legal guardian, must physically or digitally sign the formal complaint, or otherwise indicate that the complainant is the person filing the formal complaint. When a formal complaint is filed, the Title IX Coordinator must send a written notice of allegations to all parties which includes the identities of all known parties.

The District will not discriminate on the basis of sex in its treatment of a complainant or a respondent in responding to a formal complaint of sexual harassment.

The formal complaint form may be obtained from the District's Title IX Coordinator or found on the District's website.

Consolidation of Formal Complaints

The District may consolidate formal complaints of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

Written Notice of Allegations

Upon receipt of a formal complaint, the District will send all known parties written notice of:

a) The District's grievance process, including any informal resolution process; and

b) The allegations of sexual harassment which will:

1. Provide sufficient details known at the time and sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;

2. State that the respondent is presumed not to be responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

3. Inform the parties that they may have an advisor of their choice;

4. Inform the parties that they may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint; and

5. Include notice of any provision in any applicable District policy, procedure, collective bargaining agreement, or other document such as the District's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about any complainant or respondent that were not included in the initial notice, the District will provide another notice of the additional allegations to the parties whose identities are known.

Investigation of a Formal Complaint

The Title IX Coordinator will oversee the District's investigation of all formal complaints. During the investigation of a formal complaint, one of District's Title IX Coordinators, who shall not be the same Title IX Coordinator who receives the formal complaint and oversees supportive measures for the complainant, or another appropriately trained District employee or designated individual, may serve as the District's investigator.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

It is anticipated that most investigations will be completed within sixty days after receiving a formal complaint.

During the investigation of a formal complaint, the investigator will, as appropriate:

a) Collect, review, and preserve all evidence including, but not limited to, any relevant documents, videos, electronic communications, and phone records.

b) Interview all relevant persons including, but not limited to, any complainants, respondents, and witnesses. Interviews of complainants and respondents will be conducted separately.

c) Create written documentation of the investigation (such as a letter, memo, or email), which contains the following:

1. A list of all documents reviewed, along with a detailed summary of relevant documents;

2. A list of names of those interviewed, along with a detailed summary of their statements;

3. A timeline of events; and

4. A summary of prior relevant incidents, reported or unreported.

d) Keep any written documentation and associated documents in a secure and confidential location.

Prior to completion of the investigative report, the District will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have ten days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the end of the investigation, an investigative report will be created that fairly summarizes all relevant evidence. The report will not determine responsibility.

At least ten days prior to a determination regarding responsibility, the investigative report will be sent to each party and the party's advisor, if any, in an electronic format or a hard copy, for their review and written response.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

Dismissal of a Formal Complaint

The District must investigate the allegations in a formal complaint. The District must dismiss a formal complaint under Title IX if the conduct alleged:

a) Would not constitute sexual harassment even if proven;

b) Did not occur in the District's education program or activity; or

c) Did not occur against a person in the United States or the District did not have control over the respondent.

Further, the District may dismiss a formal complaint or any of its allegations under Title IX, if at any time during the investigation or hearing:

a) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any of its allegations;

b) The respondent is no longer enrolled or employed by the District; or

c) Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or any of its allegations.

Upon a dismissal of a formal complaint, the District must promptly send written notice of the dismissal and reason(s) for the dismissal simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude action under another related District policy, procedure, collective bargaining agreement, or other document such as the District's Code of Conduct.

Informal Resolutions

Before reaching a determination regarding responsibility, but only after a formal complaint is filed, the District may offer and facilitate the use of an informal resolution process, such as mediation, that does not involve a full investigation and adjudication of the formal complaint.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

The District will not require that parties participate in an informal resolution process. The District will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. Further, the District will not require the waiver of the right to an investigation and adjudication of formal complaints of sexual harassment as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right.

If the District offers and facilitates the use of an informal resolution process, it will:

a) Provide written notice to all known parties which details:

1. The allegations in the formal complaint;

2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint;

3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and

b) Obtain the parties' voluntary, written consent to the informal resolution process.

Determination Regarding Responsibility

The District will designate an individual decision-maker to issue a written determination regarding responsibility. A decision-maker can either be a District employee or, where appropriate, a third-party. They cannot be the same individual as either the Title IX Coordinator or the investigator(s).

Before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to participate in a question and answer written format. Questions may also be asked of relevant witnesses. A date will be selected for a simultaneous question and answer format.

a) Within three days of the date of the question and answer day, written questions that a party wants asked of any party or witness shall be provided to the decision maker;

b) The decision maker will determine what questions are relevant;

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

c) On the date of the question and answer the decision maker will ask the questions in writing of the other party/witness and a written answer shall be provided to both parties;

d) Limited, follow-up questions may be made, if relevant.

Questions and evidence about a complainant's sexual predisposition or prior sexual behavior will not be considered, unless the questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

The decision-maker will issue a written determination regarding responsibility to the Title IX Coordinator, the Superintendent (if the Superintendent is not the decision-maker), and all parties simultaneously within fourteen days after all follow-up questions have been responded to.

To reach this determination, the decision-maker(s) will use the preponderance of the evidence standard which is the standard of evidence that will be applied in all formal complaints of sexual harassment.

The written notice of the determination regarding responsibility will include all legally required elements.

Finality of Determination Regarding Responsibility

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination regarding responsibility for sexual harassment has been made against the respondent, remedies may be provided to a complainant and disciplinary sanctions may be imposed on a respondent. Remedies will be designed to restore or preserve equal access to the District's education program or activity. Remedies and disciplinary sanctions will be implemented in accordance with applicable laws and regulations, as well as any District policy, procedure, collective bargaining agreement, or other document such as the District's Code of Conduct.

The Title IX Coordinator is responsible for the effective implementation of any remedies and/or disciplinary sanctions. The Title IX Coordinator will work with other individuals as necessary to effectively implement remedies and/or disciplinary sanctions.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

Appeals

Either party may file an appeal from a determination regarding responsibility or from the District's dismissal of a formal complaint or any of its allegations. Appeals must be submitted in writing to the Title IX Coordinator within ten days of the written notice of the determination regarding responsibility or dismissal of the formal complaint or any of its allegations.

An appeal may only be based upon one or more of the following bases:

a) Procedural irregularity that affected the outcome of the matter;

b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

c) The Title IX Coordinator, investigator, or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The bases on which a party is seeking an appeal should be specifically stated in the party's written appeal.

Upon receipt of an appeal, the District will:

a) Notify the other party in writing that an appeal has been filed and implement appeal procedures equally for both parties;

b) Ensure that any decision-maker for the appeal:

1. Is not the same person as any decision-maker that reached the initial determination regarding responsibility or dismissal, investigator, or Title IX Coordinator;

2. Does not have any conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;

c) Give all parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. Parties will have to submit these written statements within seven days after the parties have been notified of the appeal;

d) Issue a written decision describing the result of the appeal and the rationale for the result; and

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

e) Provide the written decision simultaneously to the Title IX Coordinator, the Superintendent, and all parties within ten days after receiving the parties written statements in support of, or challenging, the outcome.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits retaliation against any individual for the purpose of interfering with his or her Title IX rights or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing under Title IX.

Charging an individual with Code of Conduct or other applicable violations that do not involve sex discrimination, including sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. Charging an individual with a Code of Conduct or other applicable violation for making a materially false statement in bad faith during a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

Except where disclosure may be permitted or required by law or regulation, the District will keep confidential the identity of any:

a) Individual who has made a report or complaint of sex discrimination;

b) Individual who has made a report or filed a formal complaint of sexual harassment;

c) Complainant;

d) Individual who has been reported to be the perpetrator of sex discrimination;

e) Respondent; and

f) Witnesses.

Training

The District will ensure that all Title IX Coordinators, investigators, decision-makers, appeals decision-makers, or persons who facilitate an information resolution process are appropriately trained.

SUBJECT: SEX DISCRIMINATION - TITLE IX of the Education Amendments of 1972 [continued]

All District employees will be trained on actual knowledge and the mandatory reporting obligations and any other responsibilities that they may have relative to Title IX.

Materials used to train Title IX Coordinators, investigators, decision-makers, appeals decision-makers, and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment. Training materials will be made publicly available on the District's website.

Notification

The District will notify students, parents or legal guardians of students/registering students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District of this policy.

Further, the District will prominently publish this policy and the contact information for the Title IX Coordinator(s) on its website and in other publications, including in each handbook or catalog that it makes available to the individuals and entities referenced above.

20 USC § 1092(f)(6)(A)(v)
20 USC § 1681, et. seq.
34 USC § 12291(a)(8, 10, and 30)
34 CFR Part 106
Education Law § 13
8 NYCRR § 100.2(kk)

NOTE: Refer also to Policies
#1800—Non-Discrimination (Employees)
#1800R—Non-Discrimination Grievance Procedure (Employees)
#6190—Sexual Harassment: Employees—Workplace
#7623—Non-Discrimination (Students)
#7623R—Student Non-Discrimination Grievance Procedure (includes Forms and Notice and Summary of Sexual Harassment Procedure.
#7625—Dignity for All Students
District Code of Conduct

Adopted: 12/15/21; Revised 10/19/22

SUBJECT: EDUCATIONAL SERVICES FOR STUDENTS WHO BECOME PREGNANT

According to New York State Education Law, a student who becomes six 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 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 years of age. The Education Law further provides that resident students over five (5) and under twenty-one (21) are entitled to attend school in the district in which they reside. The law further requires that a school district provide for this instruction and also to provide for home instruction for those students of legal age who are unable to profit from instruction in school.

In view of the above, the Wallkill Central Board of Education directs the Superintendent of Schools to provide instruction as required by the New York State Education law for students who become pregnant. The Superintendent, or his designee, is directed to consult with the school physician and the student's personal physician in determining the form of instruction.

The form of instruction may be any of the following or a combination of the following:

a) Remain in school with provisions for special instruction, scheduling, and counseling where needed.

b) Receive home instruction.

Education Law Sections 1604(20); 3202-1; 3205-1; 4401-1 and 4402-2

Revised: 5/19/94

SUBJECT: HOME INSTRUCTION

Resident children attending public or non-public schools who qualify for home instruction shall be provided with such instruction in accordance with New York State Education Law and Commissioner's Regulations.

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

Education Law Sections 1604 (20); 4401, 3202 and 3205

Adopted 1987; Revised 5/22/19

SUBJECT: HEALTH RECORDS

The District shall maintain accurate and current health records for every student. Such records shall be kept in an easily accessible location.

Student health records shall be kept confidential in accordance with the Family Education Rights and Privacy Act (FERPA) and any other applicable Federal and State laws or regulations. Accordingly, student health records shall only be disclosed to individuals with a legitimate educational interest in such records.

Student health records shall be maintained in accordance with the SED Records Retention and Disposition Schedule ED-l (8 NYCRR Section 185.12 -Appendix I, "Health").

Adopted: 1987
Revised: 2/15/07

SUBJECT: CURRICULUM DEVELOPMENT

Basic curriculum guides for each content area in Kindergarten (K) through Grade Twelve (12) will be developed and submitted to the Board of Education for its approval. Content area committees appointed by the Assistant Superintendent for Education Services will review curriculum and make recommended changes as needed. Recommended changes in curriculum must be presented to the Board at a work session held at least two weeks prior to a meeting at which the change is approved. At that work session, representative teachers from the grade level or department will be present to answer questions.

Adopted: 1987
Revised: 2/15/07

SUBJECT: CURRICULUM EVALUATION

The Board shall direct a continuing evaluation of the curriculum as part of a program of instructional improvement.

All aspects of the curriculum shall be subject to review and critically analyzed in an attempt to improve instruction, learning and student outcomes.

The administrative staff shall evaluate the curriculum in a systematic manner, involving school personnel and others as appropriate.

The administrative staff, through the Superintendent, shall make periodic recommendations for action by the Board. The Board of Education, through the Superintendent, may invite teachers or others from time to time to discuss the curriculum.

Education Law Section 1709

Adopted: 1987
Revised: 2/15/07

SUBJECT: COURSES OF STUDY

It is the responsibility of the Board of Education through the Superintendent of Schools to organize and include in the curriculum, Kindergarten (K) through Grade twelve (12), those courses of study that are mandated by the New York State Education Law.

Education Law Sections 1707 and 3204

Adopted: 1987
Revised: 2/15/07

SUBJECT: SAFETY PROGRAMS

Every possible precaution will be taken to protect the safety of all students, employees, visitors and others present on District property or at school-sponsored events.

The practice of safety will also be considered an integral part of the instructional program through fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety.

Each principal will be responsible for the supervision of a safety program for his/her school.

General areas of emphasis in the safety program will include, but not be limited to, in-service training, plant inspection, fire prevention, accident record keeping, driver and vehicle safety programs, emergency procedures and multi-hazard drills, and traffic safety problems relevant to students, employees and the community.

Adopted: 1987
Revised: 2/15/07

SUBJECT: PREVENTION INSTRUCTION

AIDS Instruction In Health Education

The Board of Education shall provide a health education program that will include appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention shall be provided in an age-appropriate manner and shall be consistent with community values and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

A representative community advisory group consisting of appropriate school personnel, School Board members, parents, religious representatives, and other community members shall be established in order to make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

Parents/legal guardians shall have the right to exclude their children from those portions of a school's health education program that address AIDS prevention instruction. A form must be completed and filed with the District declaring that the parent/legal guardian will be responsible for seeing that the student receives prevention instruction outside of the classroom.

Substance Abuse-Prevention Instruction

The Board of Education recognizes the need to educate students on the hazards of alcohol, tobacco and/or drug abuse. A prevention program will be developed to inform students of:

a) Causes for substance abuse;

b) Physical and psychological damage associated with substance abuse;

c) Avoidance of alcohol, tobacco and drugs.

d) Dangers of driving while under the influence of alcohol or drugs.

Substance Abuse: Education Law Section 804
Commissioner's Regulations Section 135.3(a)
AIDS Instruction: Commissioner's Regulations Section 135.3(b)(c)

Revised: 5/19/94

SUBJECT: ENVIRONMENTAL CONSERVATION INSTRUCTION

The Wallkill Board of Education supports and encourages the development of a district wide, articulated curriculum of environmental conservation integrated into other program disciplines.

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS

The administration of each school building should instruct and train students, through drills, in the event of a sudden emergency.

The District will practice emergency response procedures under its District-wide school plan and building-level emergency response plan(s), where possible in cooperation with local law enforcement, emergency preparedness plan officials, and other first responders as follows:

a) Evacuation Drills

The District will conduct at least eight evacuation drills with students each school year. Six of the eight drills will be conducted between September 1 and December 31 of the school year. Four of the eight drills will be through the use of the fire escapes on buildings where fire escapes are provided or through the use of identified secondary means of egress. Evacuation drills will be conducted at different times of the school day. Students will be instructed in the procedure to be followed if a fire occurs during a lunch period or assembly, provided, however, that this additional instruction may be waived where a drill is held during a regular school lunch period or assembly.

At least two additional drills will be held during summer school in buildings where summer school is conducted. One of the two drills will be held during the first week of summer school.

In the case of after-school programs, events, or performances which are conducted within a school building and which include persons who do not regularly attend classes in the school building, the principal or other person in charge of the building will require the teacher or person in charge of such after-school program, event, or performance to notify persons in attendance at the beginning of the program, event, or performance, of the procedures to be followed in the event of an emergency so that they may be able to respond in a timely, orderly manner.

b) Lockdown Drills

The District will conduct at least four lockdown drills with students each school year. Two of the four drills will be conducted between September 1 and December 31 of the school year. Lockdown drills will be conducted at different times of the school day. Students will be instructed in the procedure to be followed if an emergency occurs during a lunch period or assembly, provided, however, that this additional instruction may be waived where a drill is held during a regular school lunch period or assembly.

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS [continued]

c) Emergency Dismissal Drills

The District will conduct at least one emergency dismissal drill to test emergency response procedures that require early dismissal at a time not to occur more than 15 minutes earlier than the normal dismissal time.

Emergency dismissal drills will test the usefulness of the communications and transportation system during emergencies.

Notification

The District will notify parents or persons in parental relation within one week preceding any drill, excluding emergency dismissal drills. For emergency dismissal drills, the District will notify parents or persons in parental relation at least one week prior.

Education Law Section 807

Revised: 5/19/94; 11/20/24

SUBJECT: BUS EMERGENCY DRILLS

The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first week of the fall term, the second between November 1 and December 31, and the third between March 1 and April 30.

Each drill shall include instruction in the following:

a) Safe boarding and exiting procedures;

b) The location, use and operation of the emergency door, fire extinguishers, ax, first-aid equipment, and windows as a means of escape in case of fire or accident;

c) Orderly conduct as bus passengers;

d) Use of seatbelts including proper fastening, release, and placement (optional student use).

Education Law Section 3623

Adopted: 3/18/04
Revised: 4/25/07

SUBJECT: STUDENT SAFETY

Instruction in courses in technology, science, home and careers, art, physical education, and health, shall include and emphasize safety and accident prevention.

Safety instruction shall precede the use of materials and equipment by students in applicable units of work in the courses listed above, and instructors shall teach and enforce all safety set up for the particular courses. These shall include the wearing of protective eye devices in appropriate activities.

Education Law Sections 409 and 409(a)
Commissioner's Regulation Part 136

SUBJECT: SHELTERING OF PHYSICALLY CHALLENGED STUDENTS PRIOR TO THE EVACUATION FROM SCHOOL BUILDINGS

It is the School District's responsibility to provide a plan for the sheltering prior to the evacuation of those students who are so physically challenged that they might be in danger in times of emergency. Students who fall in this category include, but are not limited to, those who are wheelchair bound and others who might have physical disabilities, temporary or otherwise, that seriously impede their movement.

The following steps will be taken in each of the buildings to assure the safety of these students.

a) In all buildings, two volunteers and an alternate will be assigned whose specific responsibility will be to attend the incapacitated student. Those so assigned will receive instruction as to safe handling of the incapacitated student and will practice the procedure at least three times during the school year (in addition to all regularly scheduled fire drills).

b) Buildings principals will establish the assignments, and ensure that training, practices, and other details are provided for the individuals who will take part in the sheltering and evacuation plan.

Adopted: 1/19/95
Revised: 4/25/07

SUBJECT: AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

The purpose of this policy is to identify procedures for individual qualifications, training, storage, use, documentation, maintenance and quality improvement requirements as they apply to the Automated External Defibrillator (AED). The use of the AED is to help reduce the number of deaths associated with sudden cardiac arrest.

Individual Qualifications

Only individuals who meet the training requirements of this document shall be authorized to use the AED.

Training

All users of the AED must meet ALL of the following requirements:

a) Have a current CPR card. Training shall be by the American Heart Association (AHA), American Safety and Health Institute (ASHI) or American Red Cross.

b) Have a valid card showing the successful completion of an AED course for public access defibrillation by the AHA, ASHI or American Red Cross.

c) Take part in a refresher update every year on the specific AED that is used by the Wallkill Central School District. The yearly update for CPR certification renewal shall include the integration of CPR, AED and documentation.

d) Blood Borne Pathogen Training will be required annually.

It shall be the responsibility of the Health Care Coordinator to maintain records of training that may be reviewed at any time by the emergency health care provider (EHCP) of this service. [If the training protocol for AED usage is modified as per the NYS protocols, this policy will be amended accordingly].

Use of AED

The AED equipment will be provided when there is a need to perform CPR. This AED will offer added protection to anyone over the age of one (1) to increase their chances of survival in the event of a cardiac arrest. The 911/Emergency Medical Service (EMS) will be called immediately when the victim is found to be unresponsive. The AED shall only be applied to a victim after it is established that the victim is breathless and pulseless. New York State defibrillation protocol shall be followed whenever the AED is used.

SUBJECT: AUTOMATED EXTERNAL DEFIBRILLATOR (AED) [continued]

Storage

The AED shall be kept in a closed cabinet on a wall located for easy access by trained personnel in a designated area. Only individuals trained under the requirements of this policy shall use the AED in an emergency.

Documentation

Anytime the AED is applied to a victim, whether a shock is delivered or not, it is necessary to complete the approved documentation form in its entirety. One copy shall be given to the Wallkill Central School District Health Care Coordinator/Designate, one copy shall be given to the ambulance service that care is turned over to and one copy shall be kept on file for minimum of three (3) years after the incident for adults. If the victim is a student under the age of eighteen (18), the records shall be kept on file until the student is twenty-one (21) years old plus an additional seven (7) years.

Maintenance

All manufacturer's recommended maintenance shall be performed and documented. Records of maintenance shall be maintained by the Health Care Coordinator.

Quality Improvement

Anytime that the AED is applied to a victim, whether shock is delivered or not, all members involved must take part in a Quality Improvement (QI) review. The review will be attended by committee members which are made up of the Health Care Coordinator, administrator or designate, and individuals involved in performing CPR with an AED. The Emergency Health Care Provider/School Physician is informed of the QI Review with the option to attend. The QI Committee will notify Hudson Valley EMS Regional Office of the QI outcome.

Adopted: 2/20/02
Revised: 4/25/07

SUBJECT: VOCATIONAL EDUCATION

The Board of Education reaffirms its recognition of the need for Occupational Education and, therefore, the Board reaffirms its policy of strengthening the local high school Occupation Program through utilization of any available federal and state funds for that purpose and of supporting the BOCES Program.

Equal Opportunity

The Board of Educational prohibits discrimination on the basis of sex, race, color, national origin, disability, or sexual orientation in any occupational program or activity of this District. The Board further directs that administration shall be responsible for maintaining compliance with Standards Governing Civil Rights in Vocational Education Programs.

The Occupational Program and/or activities shall be readily accessible to students with disabilities.

Public Notification

Prior to the beginning of each school year of academic semester, the District shall issue an appropriate public announcement which advises students, parents, employees, and the general public that occupational educational opportunities will be offered without regard to sex, race, color, national origin, disability, or sexual orientation. Included in such announcement will be the name, address, and telephone number of the person designated to coordinate Title IX/Section 504/ADA/Title VI activities.

Grievance Procedure

Grievance procedures for resolving complaints regarding discrimination based on sex, race, color, national origin, disability, or sexual orientation shall be disseminated to adequately inform students, parents, and employees of the existence of these procedures.

Education Law Article 93
Commissioner's Regulations Sections 100.2(b) and 141 et seq.

Revised: 5/19/94; 4/25/07

SUBJECT: GUIDANCE PROGRAM

A District plan for the K-12 guidance program shall be filed by the Director of Guidance in the District office and made available for public review. This plan shall be subject to annual review and revised as necessary in the following areas:

a) Identification of guidance program objectives (objectives should be student oriented);

b) Activities to accomplish the objectives;

c) Identification of staff members and other resources to accomplish the objectives;

d) Provisions for the annual assessment of program results.

Commissioner's Regulations Section 100.2(j)

SUBJECT: GUIDANCE PROGRAM (K-6)

A coordinated guidance program in grades K-6 shall be developed and implemented to:

a) Prepare students to effectively participate in their current and future educational programs;

b) Help those students exhibiting any attendance, academic, behavioral or adjustment problems;

c) Educate students concerning avoidance of child sexual abuse; and

d) Encourage parental involvement.

Commissioner's Regulations Section 100.2(j)

SUBJECT: GUIDANCE PROGRAM (7-12)

In grades 7-12, the guidance program shall include the following activities or services:

a) An annual review of each student's educational progress and career plans, with such reviews to be conducted with each student individually or with small groups by personnel certified or licensed as school counselors;

b) Instruction at each grade level to help students learn about various careers and about career planning skills conducted by personnel certified or licensed as school counselors, or by classroom teachers in cooperation with school counselors;

c) Other advisory and individual or group counseling assistance to enable students to benefit from the curriculum, to help students develop and implement postsecondary education and career plans, to help students who exhibit any attendance, academic, behavioral, or adjustment problems and to encourage parental involvement, provided that advisory assistance shall be provided by teachers or counselors, or by certified teaching assistants under the supervision of counselors or teachers, and that such individual or group counseling assistance shall be provided by certified or licensed school counselors, or by certified or licensed school psychologists, or certified or licensed school social workers in cooperation with school counselors; and

d) The services of personnel certified or licensed as school counselors.

Commissioner's Regulations Section 100.2(j)(l)

Revised: 2/21/91

SUBJECT: INSTRUCTIONAL PROGRAMS: DRIVER EDUCATION, GIFTED AND/OR TALENTED STUDENTS AND PHYSICAL EDUCATION CLASS

Driver Education

A driver education course may be offered under the conditions set forth by the New York State Education Department.

Gifted and/or Talented Students

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

Physical Education Class

All pupils, except those with medical excuses, shall participate in physical education in accordance with the Commissioner's Regulations. Any pupil whose condition precludes participation in a regular program, shall be provided with an equivalent program approved by the Commissioner of Education.

Education Law Section 3204
Commissioner's Regulations Section 135.4

Revised: 2/25/89

SUBJECT: TAG ACTION TEAM STATEMENT

The Board of Education is committed to a philosophy which will ensure that all children have the opportunity to realize their educational potential. Therefore the Board supports the following statement as developed by the District-wide Strategic Planning Committee's TAG Action Team:

The TAG/Enrichment Program of Wallkill Schools shall provide service for those students who have been identified as gifted and those who would benefit from an enrichment program.

We support the New York State definition of giftedness as set forth in Chapter 740 of the laws of 1982, as follows: gifted pupils are "pupils who show evidence of high performance capability and exceptional potential in areas such as general intellectual ability, special academic aptitude, and outstanding ability in visual and performing arts. Such definition shall include those pupils who require educational programs or services beyond those normally provided by the regular school program in order to realize their full potential".

We recognize that there is a significant part of the Wallkill school population that exhibits exceptional ability and talents who would benefit from additional educational stimulation and input in order to have them achieve maximum ability and benefit to society at large.

We have also recognized the need of students for enrichment, based on specialized interests, performance, and motivation in specific areas such as leadership, public speaking, social policy, the arts, and creative writing.

In order to meet these requirements, a variety of programs must be implemented; such would include (but not be limited to) enrichment curriculum in the classroom, activities separate from the existing classroom (field trips and special interest activities or clubs), and enhancement of the fine arts. In addition, identified TAG students require accelerated study and expanded educational programs such as competitive academics teams, special interest instructional clusters, elective studies, and Advanced Placement courses.

Finally, the TAG/Enrichment Program of the Wallkill Schools shall be responsive to the changing needs of both students and programs by striving to maintain a flexible, fluid, ongoing process for identification and program development.

Adopted: 2/15/96

SUBJECT: CONTROVERSIAL ISSUES

Controversial issues may be studied as part of the curriculum and teachers shall present these issues in their classrooms in an impartial and objective manner.

Teachers wishing to call upon outside speakers in the presentation of controversial issues are required to obtain the approval of the principal who shall keep in mind the need for presenting opposing views as well, and who shall inform the Superintendent prior to the presentation.

It is recognized that parents and citizens of the community have a right to protest to the school administration when convinced that unfair and prejudiced presentations are being made by the teacher. In considering such protests, the Superintendent of Schools shall provide for a hearing so that both parties may fairly express their views. If requested, the Superintendent's decision may be appealed to the Board of Education.

SUBJECT: CURRICULUM AREAS IN CONFLICT WITH RELIGIOUS BELIEFS

A pupil may be excused from study of specific materials if these materials are in conflict with the religion of his/her parents or guardian. Alternatives may be provided which are of instructional value.

Education Law Section 3204

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT

The District will collaborate with parents and other family members to help students participating in Title I programs reach their full academic potential and to improve the District's overall academic quality. As part of its collaboration, the District will conduct outreach; plan and implement programs, activities, and procedures for parent and family member engagement; and consult meaningfully with parents and family members.

District-Wide Parent and Family Engagement

To facilitate parent and family participation, the District will:

a) Involve parents and family members in jointly developing this policy, its Title I Plan, and its support and improvement plans. If the parents or family members indicate that the Title I plan is not satisfactory, the District will submit their comments to the State Education Department along with the plan;

b) Improve student academic achievement and school performance through coordination, providing technical assistance, and giving support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family engagement activities, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;

c) Coordinate and integrate parent and family engagement strategies with other relevant federal, state, and local programs;

- Too Good for Drugs Program
- Coordinate with local support agencies to provide resources for families
- Evening parent engagement workshops

d) Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of its Title I schools. The evaluation will include identifying:

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT [continued]

1. Barriers to greater participation by parents and family members in Title I activities, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;

2. The needs of parents and family members to assist with their child's learning, including engaging with school personnel and teachers; and

3. Strategies to support successful school and family interactions.

    - PTA meetings
    - Open Houses
    - Parent/Teacher Conferences
    - Parent engagement workshops
    - District committees

e) Use the evaluation's findings to design evidence-based strategies for more effective parent and family member engagement, and to revise the policy, if needed;

f) Involve parents in Title I activities and representative group of parents or family members served by the District to adequately represent the students' needs, to develop, revise, and review the parent and family engagement policy; and

    - PTA meetings
    - Open Houses
    - Parent/Teacher Conferences
    - Parent engagement workshops
    - District committees

g) Involve parents and family members in decisions regarding how it spends funds reserved for parent and family engagement activities.

    - PTA meetings
    - Open Houses
    - Parent/Teacher Conferences
    - Parent engagement workshops
    - District committees

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT [continued]

School-Level Parent and Family Member Engagement

The Board directs each school receiving Title I funds to develop a building-level parent and family member engagement plan with that school's parents and family members. In addition to the content included above, each school building-level plan will:

a) Describe how to convene an annual meeting, at a convenient time, to inform parents and family members of their school's participation in Title I programs, to explain Title I requirements, and to identify the right of the parents and family members to be involved. All parents and family members of these children will be invited and encouraged to attend the meeting;

b) Offer flexibility in scheduling meetings, and may provide transportation, child care, or home visits related to parent and family member engagement, using Title I funds;

c) Involve parents and family members in an organized, ongoing, and timely way in planning, reviewing, and improving Title I programs, including this policy;

d) Provide parents and family members with timely information about programs, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, the achievement levels of the challenging state academic standards, and, if requested by parents or family members, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to their child's education. The District will-respond to any suggestions as soon as practicably possible; and

e) Develop a compact jointly with parents and family members that outlines how they, school staff, and students will share responsibility for improved student academic achievement. The compact will also detail the means by which the school and parents and family members will build and develop a partnership to help all children achieve the state's standards.

f) Have a compact that:

1. Describes the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment to enable these students to meet the challenging state academic standards;

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT [continued]

2. Describes the ways in which each parent or family member will be responsible for supporting the child's learning, volunteering in the child's classroom, and participating, as appropriate, in decisions relating to the child's education and positive use of extracurricular time; and

3. Addresses the importance of communication between teachers and parents or family members on an ongoing basis through, at a minimum:

   (a) Parent or family member-teacher conferences in elementary schools, at least annually, during which the compact will be discussed as it relates to the individual child's achievement;

   (b) Frequent reports to parents or family members on the child's progress;

   (c) Reasonable access to staff, opportunities to volunteer and participate in the child's class, and observing their classroom activities.

   (d) Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

If the parents or family members believe that the building-level parent and family engagement plan is not satisfactory, the school will submit their comments when it makes the plan available to the District.

To ensure effective involvement of parents or family members and to support a partnership among the school involved, parents or family members, and the community, to improve student academic achievement, the District and each school will:

a) Provide assistance to parents or family members of children served by the District or school to understand topics such as the challenging state academic standards, state and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of the children;

b) Provide materials and training to help parents or family members to work with the children to improve their achievement, such as literacy training and using technology (including education about the harms of copyright piracy) to foster parent and family member engagement;

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT [continued]

c) Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents or family members, in the value and utility of parent or family member contribution, and in how to reach out to, communicate with, and work with parents or family members as equal partners; implement and coordinate parent or family member programs; and build ties between parents or family members and the school;

d) Coordinate and integrate, to the extent feasible and appropriate, parent and family member engagement programs and activities with federal, state, and local programs, including public preschool programs that encourage and support parents and family members in more fully participating in the education of the children;

e) Ensure that information related to school and parent and family member programs, meetings, and other activities is sent to the parents or family members of participating children in a format and, to the extent practicable, in a language the parents or family members can understand;

f) Provide other reasonable support for parent and family member engagement activities as parents or family members may request.

In addition, the District and each school may:

a) Involve parents or family members in developing training for teachers, principals, and other educators to improve the effectiveness of this training;

b) Provide necessary literacy training from funds received under this part if the District has exhausted all other reasonably available sources of funding for the training;

c) Pay reasonable and necessary expenses associated with local parent and family member engagement activities, including transportation and child care costs, to enable parents and family members to participate in school-related meetings and training sessions;

d) Train parents or family members to enhance the involvement of other parents or family members;

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT [continued]

e) Arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents or family members who are unable to attend these conferences at school, to maximize parent and family engagement and participation;

f) Adopt and implement model approaches to improving parent and family engagement;

g) Establish a District-wide parent and family member advisory council to provide advice on all matters related to parent and family member engagement in supported programs; and

h) Develop appropriate roles for community-based organizations and businesses in parent and family member engagement activities.

In carrying out the parent and family member engagement requirements, the District and its schools, to the extent practicable, will provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports in a format and, to the extent practicable, in a language they understand.

Procedures for Filing Complaints/Appeals

The District will disseminate free of charge to parents and family members of children in Title I programs, and to appropriate private school officials or representatives, adequate information regarding the District's written complaint procedures for resolving Title I issues.

The District will ensure equivalence among its schools of the same grade span and levels of instruction with regard to teachers, administrators, and auxiliary personnel, as well as equivalence in providing curriculum materials and instructional supplies in Title I programs.

Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the Every Student Succeeds Act of 2015
20 USC §§ 6318 and 6321
34 CFR Parts 74-86, 97-99, and 200

Revised: 11/21/96; 10/19/22

SUBJECT: EVALUATION OF THE INSTRUCTIONAL PROGRAM

Evaluation may be concerned with the extent to which: (1) each student achieves in accordance with his/her ability; (2) each staff member performs at full potential; (3) the total learning environment, including institutional processes, physical facilities, and the educational program, remains consistent with the needs of students and the larger society and contributes to the accomplishment of the goals of the school.

The Board of Education expects staff members to maintain a continual program of evaluation at every level to determine the extent of progress toward the schools' objectives. The Board of Education will periodically request the Superintendent to present factual information which it considers necessary to evaluate the effectiveness of the school system.

SUBJECT: INSTRUCTIONAL USE OF COMPUTERS

The Board of Education is aware of its responsibility to provide a quality education to its students so that they may become contributing members of our society.

The Board of Education recognizes the ever growing role which computer technology plays as a tool to enhance the educational process. Computer technology prepares students with life-long skills thus providing them with the ability to compete in an ever changing, complex world.

The Board of Education also recognizes the important role that all faculty, staff, and administration play in the instructional use of technology. The Board of Education commits itself to the integration of Technology K-12 for the enhancement of academic performance and the development of life-long skills in all curriculum areas throughout the District.

The District's Educational Technology Plan, which guides the District's Technology Program is updated every three years and is kept on file at the District Office for review.

Revised: 7/27/93; 4/25/07

SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data. There are legitimate concerns that central files of information and other data be maintained at the highest level of security. The safeguarding of the data from inappropriate use is essential to the success of the District's operation.

Therefore, it shall be the policy of the District to release computerized data only to authorized personnel or to others as directed by the Superintendent or his/her designee, the Access Officer.

Furthermore, such information shall be treated as confidential data by all School District employees. It shall be a violation of the District's policy to release computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of such computerized data may be subject to disciplinary action.

Adopted: 1987
Revised: 5/16/07

SUBJECT: MISUSE/ABUSE OF SOFTWARE AND/OR ELECTRONIC COMMUNICATIONS SYSTEMS

Any employee in the School District who is aware of any misuse or abuse of any software or electronic communication system owned or rented by the District shall notify his/her immediate supervisor or building principal.

Any student in the District who is aware of any misuse or abuse of any software or electronic communication system shall notify his/her teacher or building principal.

Administrators who are aware of any misuse/abuse of any software or electronic communication shall notify the Superintendent or his/her designee and appropriate disciplinary action may occur based on the circumstances and in accordance with all applicable laws, bargaining agreements, District policies, and regulations including the School's Student Disciplinary Code.

This policy will be disseminated to all District staff and students.

Adopted: 3/16/95
Revised: 5/16/07

SUBJECT: ACCEPTABLE INTERNET USE

The Wallkill Central School District is committed to optimizing student learning. It considers student access to the Internet to be a powerful and valuable educational and research tool, and encourages the use of computers and computer-related technology at the Wallkill Central School District solely for the educational benefits it expects its students to enjoy from such use. The use of the Internet account must be in support of education and research and be consistent with the educational objectives. Use of any other organization's network of computing resources must comply with the rules for that network.

Definitions

a) The MHRIC (Mid-Hudson Regional Information Center) is the Access Provider, and in such capacity shall provide Internet access to authorized Account Holder/Users as set forth herein.

b) Account Holders/Users: Account Holders/Users are students and/or staff of the Wallkill Central School District who are authorized to use all or part of the Internet services as set forth herein. An "Account Holder" is a person who is issued an access account. Other persons granted use of the Internet and its parts will be known as "Users". These "Users" must also abide by the Acceptable Use Policy put forth by Wallkill Central School District.

c) Internet Service: The following is a list and descriptions of some internet services which may be provided to users:

1. World Wide Web – The World Wide Web is a vast network of information that provides links to other information embedded within a document. The World Wide Web allows users to pursue an individual path through the information being presented. It incorporated texts, graphics, sound and video and creates a hypermedia environment.

2. Electronic Communication (E-Mail) – Electronic Communication is a general term for the ways in which a computer is used to communicate to/with other computer users. Account Holder/Users should not expect privacy for any use of E-mail, or any other use of the computer network. Whenever an Account Holder/User sends electronic mail, his/her names and User I.D. are included in each mail message. Account Holders/Users are responsible for all electronic mail originating from their User I.D.s.

SUBJECT: ACCEPTABLE INTERNET USE [continued]

3. LISTSERVS – A listserv is a means to broadcast an e-mail message to many users for the purpose of maintaining a discussion list. LISTSERV messages are translated via e-mail, correspondence is public, as are origination E-mail addresses, and such communications are not private. The same restrictions concerning inappropriate communication listed in the Electronic Communication section above applies to LISTSERVS as well.

4. File Transfer Protocol or FTP – File Transfer Protocol is a means of moving files between computers on the Internet. No copyrighted information may be downloaded without the permission of the author. Public domain materials (which are not protected by copyright) may be downloaded but the Account Holder/Users assumes all responsibility regarding the determination of whether the materials are in the Public Domain. The Account Holder/User is responsible for any damages to the network or standalone computers from the downloaded files that many contain viruses.

5. Telnet – Telnet allows users to connect to other computers on the Internet, provided the user knows the machine's Internet address and appropriate password. All provisions of this document apply while using remote computers via Telnet.

6. Gopher – Gopher is a means of navigating the Internet via a menu-driven interface to the computer. Gopher is a very convenient way to retrieve files and information from sources all around the world. For most purposes, it may be considered an easier form of FTP and can be used to initiate Telnet sessions. All provisions of this document apply while assessing Gopher.

7. USENET Newsgroups – Usenet Newsgroups are discussions groups about a topic that is reflected in their titles, such as k12.ed.math or rec.music.beatles. Many of the newsgroups have worldwide distribution, and their followers post messages, called "articles" to which all can be read and respond. All provisions of this document apply while accessing or posting to Newsgroups.

d) Inappropriate Uses of the System: The Internet Services provided or accessed over the System may not be used for inappropriate or unlawful activities. A non-exhaustive, illustrative list of prohibited uses and activities are listed below. The District will be responsible for determining whether a particular use or activity is inappropriate; however, the Access Provider reserves the right to suspend or revoke the account of any user who it believes is engaging in an inappropriate use or activity.

SUBJECT: ACCEPTABLE INTERNET USE [continued]

1. Inappropriate language – obscene, lewd, profane or vulgar language.

2. Harassing and unwanted contacts – this includes the use of e-mail to harass another person on the basis of sex, race, color, national origin, age or disability; threats to the health, welfare or safety of another person; or to disseminate false or defamatory material about another person.

3. Language that causes, or is reasonably expected to cause, a material or substantial disruption in school operations.

4. Dangerous information – information that, if acted upon, could reasonably be expected to cause damage to person or property; or present a danger of disruption in school operations.

5. Communication, which is used to plan or to further a criminal activity.

6. Violations of privacy and/or public safety – revealing personally identifiable information about oneself or others.

7. Abuse of resources – chain letters, spamming - i.e., the mass mailing of e-mail for solicitation purposes.

8. Copyright infringement or plagiarism.

9. Downloading, transmitting, posting, printing or storing of obscene or pornographic material.

10. Any other activity, which would violate state or federal law, or a school policy, rule or regulation.

11. Obscene or pornographic material, or material that is harmful to minors: The definition of obscene or pornographic material, or material that is harmful to minors shall be consistent with applicable law and judicial interpretations.

Acceptable Use and Conduct

a) Access to the Internet on Wallkill Central School District's computer network and the use of the computers is provided solely for educational purposes and research. Use of the Internet is a privilege, not a right. Inappropriate use (as defined above) may result in suspension or revocation of that privilege.

SUBJECT: ACCEPTABLE INTERNET USE [continued]

b) Each person in whose name an access account is issued (an "Account Holder") shall be responsible at all times for its proper use. All Account Holders will be issued a login name and password. Passwords may be changed periodically.

c) Other persons granted use of the Internet and its parts will be known as "Users". These "Users" must also abide by the Acceptable Use Policy put forth by Wallkill Central School District.

d) All account holders/users shall not install or remove any software on Wallkill Central School District computers.

Prohibited Activity and Uses

The following is a list of prohibited activity concerning the use of the Internet by Account Holders/Users. Violation of any of these prohibitions may result in discipline or the other appropriate penalty, including suspension or revocation of an Account Holder's/User's access to the Internet:

a) Using the Internet for commercial activity, including advertising.

b) Infringement on any copyrights or other intellectual property rights, including copying, installing, receiving, transmitting, or making available any copyrighted software on the District computer network without the permission of the owner.

c) Using any Internet Service to receive, transmit or make available to others communications or materials that:

1. are obscene, pornographic or harmful to minors;
2. may harass a person on the basis of sex, race, color, national origin, age or disability;
3. threaten a person;
4. are defamatory or libelous towards a person.

d) Using another Account Holder/User's account or password without authorization from a school official.

e) Attempting to read, delete copy, or modify the electronic mail (e-mail) of other Account Holders/Users and deliberately tampering with the ability of other Account Holder/Users to send and/or receive e-mail.

SUBJECT: ACCEPTABLE INTERNET USE [continued]

f) Forging or attempting to forge e-mail messages.

g) Engaging in vandalism. Vandalism is defined as any malicious attempt to harm or destroy Wallkill Central School District equipment or materials, data of another Account Holder/User or any of the entities or other networks that are connected to the Internet. This includes, but is not limited to, creating and/or placing a computer virus on the Wallkill Central School District Services network.

h) Revealing the personal address, telephone number of other personally identifiable information of a student under the age of 18 without authorization of the student's parent and a school official.

i) Using any Internet Service in a manner that violates state or federal law, or any School District policy, rule or regulation.

j) Using any Internet Service to express lewd, vulgar or profane language that causes, or is reasonably expected to cause, a material or substantial disruption to school operation or interference with the rights of others.

No Privacy Guarantee

Account Holders/Users who use the District's computer networks for any Internet Service have no reasonable expectation of privacy for any Internet Service that the District provides over its computer network. The District reserves the right to conduct periodic audits, inspections and monitoring of any of the materials that are stored on any of its computers and related equipment, including e-mail, file directories and session logs, to preserve and protect its property. The District also reserves the right to inspect and monitor any account.

a) All Account Holders/Users using Wallkill Central School District computer equipment and network are required to comply with the rules set forth in this policy. Failure to comply with the policy may result in disciplinary action as well as suspension and/or revocation of access privileges.

b) Illegal activities are strictly prohibited. Any information pertaining to or suggestive of any illegal activity may be reported to the proper authorities. Transmission of any material in violation of any federal, state and/or local law or regulation is prohibited.

SUBJECT: ACCEPTABLE INTERNET USE [continued]

Responsibilities

a) While the Internet provides a wealth of knowledge, there is also a large amount if inaccurate misinformation on the Internet. Neither Wallkill Central School District nor the Access Provider makes any warranties of any kind, either express or implied, for the contents of the information being accessed over the District's system. Further, neither the Wallkill Central School District nor the Access Provider assume responsibility for the quality, availability, accuracy, nature, or reliability of the material accessible over the District's system. Account Holders/Users use information at their own risk.

b) Neither Wallkill Central School District nor the Access Provider will be responsible for any damages suffered by any Account Holder/User resulting from the use of the Internet. Nor will Wallkill Central School District or the Access Provider be responsible for unauthorized financial obligations resulting from the use of the Internet.

c) Wallkill Central School District or the Access Provider may use technical or manual means to regulate access and information on the Internet, but these methods do not provide a foolproof means of enforcing the Wallkill Central School District's Acceptable Use Policy. Each Account Holder/User will be responsible for abiding the guidelines set forth herein.

d) Nothing herein shall be construed to infringe upon or impair any constitutional rights of the Account Holders/User.

Adopted: 2/20/02
Revised: 7/2/08

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking Web sites and in chat rooms, and regarding cyberbullying awareness and response. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board of Education's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web *may* include, but shall not be limited to, the following guidelines:

a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. As determined by the Assistant Superintendent for Educational Services, the use of e-mail, chat rooms, as well as social networking Web sites, may be blocked as deemed necessary to ensure the safety of such students;

b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;

c) In compliance with this Internet Safety Policy as well as the District's Acceptable Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and

d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY [continued]

The determination of what is "inappropriate" for minors shall be determined by the District and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District's educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The School District shall provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all School District computers with Internet access.

Internet Safety Instruction

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the Internet. The Commissioner shall provide technical assistance to assist in the development of curriculum for such course of study which shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

Under the Protecting Children in the 21st Century Act, students will also be educated on appropriate interactions with other individuals on social networking Web sites and in chat rooms, as well as cyberbullying awareness and response.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events.

The District is not responsible for inappropriate content or material accessed via a student's own personal technology or electronic device or via an unfiltered Internet connection received through a student's own personal technology or electronic device.

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY [continued]

Consent for Student Use

The District's Acceptable Use Policy will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

Student use of the District's computer system (DCS) is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the school buildings.

Notification/Authorization

The District has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Safety/Internet Content Filtering Policy prior to Board adoption. Additional public notice and a hearing or meeting is not necessary when amendments are made to the Internet Safety Policy in the future.

The District's Internet Safety/Internet Content Filtering Policy must be made available to the FCC upon request. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of this policy as well as any other District policies relating to the use of technology.

The Internet Safety/Internet Content Filtering Policy is required to be retained by the school for at least five (5) years after the funding year in which the policy was relied upon to obtain E-rate funding.

47 United States Code (USC) Sections 254(h) and 254(l)
47 Code of Federal Regulations (CFR) Part 54
Education Law Section 814
NOTE: Refer also to Policy #8274 - Acceptable Computer and Internet Use Policy

Adopted: 10/18/01; Revised 1/19/12

SUBJECT: LIMITED ENGLISH PROFICIENCY INSTRUCTION

The Board of Education believes that students who, by reason of foreign birth or ancestry, have limited English proficiency, will be more effective learners of both the language and the curriculum if they receive instruction in both their native language and English. The District will therefore make every effort to ensure that limited English proficient (LEP)/English Language Learner (ELL) students are provided with an appropriate free-standing program of instruction composed of an English as a Second Language component.

Pursuant to this policy and the regulations of the Commissioner of Education, the Superintendent is directed to develop appropriate administrative regulations to ensure that LEP/ELL students are:

a) Diagnostically screened for limited English proficiency, in accordance with Part 117 of the Commissioner's Regulations. Those students who according to their scores are identified as LEP/ELL will be annually evaluated. Included in the evaluation shall be each student's performance in content areas to measure academic progress; and an assessment of English Proficiency.

b) Assured of access to appropriate instructional and support services, including guidance programs; and

c) Assured of having equal opportunities to participate in all school programs and extracurricular activities as LEP/ELL students.

d) Assured that LEP/ELL students who are suspected of having an educational disability will be referred to the Committee on Special Education and an appropriate bilingual, multidisciplinary assessment be conducted.

The Superintendent shall be responsible for ensuring that the Commissioner is provided with all information required under the Commissioner's Regulations and that the District provide appropriate school-related information to the parents of LEP/ELL students in English, or when necessary in the language they understand. In addition, the Superintendent shall ensure that all teachers employed for any bilingual and/or ESL program are properly certified in accordance with the Commissioner's Regulations.

Education Law Section 3204(2) (2A)
Commissioner's Regulations Sections 80.9, 100.2(g), 117 and 154

Adopted: 6/19/91
Revised: 5/19/94; 5/16/07

SUBJECT: SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS

The Wallkill Central School Board of Education affirms the Library Bill of Rights of the American Library Association and agrees that the responsibility of the school library is:

a) To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the pupils served.

b) To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.

c) To provide a background of information which will enable pupils to make intelligent judgments in their daily life.

d) To provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking.

e) To provide materials representative of the many religious, ethnic, and cultural group, and their contribution to our American heritage.

f) To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

In interpreting these principles, the following will apply:

a) Broad and varied collections will be developed systemically by the Library/Media Specialist and the Audiovisual Specialist, based on recommendations of the professional staff and suggestions of students and parents. Final approval will be made by the Building Principal.

b) Qualitative standards of selection involving factual accuracy, authoritativeness, artistic quality and appeal will be applied by the Library/Media Specialist and Audiovisual Specialist before purchases are made.

c) Materials will not be excluded because of the race, nationality, political opinions or religious views of the author.

d) Materials will be continuously re-evaluated in relation to changing curriculum and instructional needs. Worn out, outdated materials will be discarded.

Revised: 5/16/07

SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS

Any criticism of instructional materials that are in the schools should be submitted in writing to the Superintendent. The Board of Education will be informed. A committee, including the Library/Media Specialist and the Building Principal, will be designated by the Superintendent to investigate and judge the challenged material according to the principles and qualitative standards in Policy #8310 -- Selection of Library and Audiovisual Materials.

Adopted: 1987
Revised: 5/16/07

SUBJECT: TEXTBOOKS

The term "textbook" shall refer to a book which is supplied to a pupil for a fixed period of time for his/her personal use and is basic to the study of a subject.

The Board of Education shall make provision for funds to be budgeted for the purchase of textbooks and related instructional materials.

Upon the recommendation of the Superintendent of Schools, the Board of Education shall designate the textbooks to be used.

Pupils will be required to pay for lost books or for excessive damage to books.

Education Law Section 701

SUBJECT: TEXTBOOKS FOR RESIDENT STUDENTS ATTENDING PRIVATE SCHOOLS

Resident students attending private schools will be supplied non-sectarian textbooks equal in cost to the value of textbook expenditures for students in the public schools of the Wallkill Central School District.

Education Law Section 701

SUBJECT: OPENING EXERCISES

Pledge of Allegiance

The Board directs the administration to include the Pledge of Allegiance as part of the opening exercises in all the schools. Under certain circumstances, such as religious conviction, pupils may be excused from this requirement as a protection of their Constitutional rights.

Education Law Section 802

Invocations and Benedictions

So as to avoid the promotion or inhibition of any religion, the District shall not allow clergy to direct invocations or benedictions at any public school exercises, including graduation ceremonies.

Adopted: 10/15/92

SUBJECT: INDEPENDENT STUDY

Independent study, for credit, will be available to meet special individual needs of students in grades nine (9) through twelve (12). Credit shall be granted only for courses in the approved curriculum.

Regulations to implement this policy shall be developed under the direction of the high school principal.

SUBJECT: STUDENT HOMEWORK

Homework is recognized as an extension of the classroom instruction. It promotes student involvement in his/her own education and provides students with an opportunity to develop good study habits.

Assigned homework will provide practice in the mastery of skills and opportunities to remediate learning problems. It shall provide for individual learning differences and encourage self-initiative. It will also reinforce classroom learning experiences.

General Guidelines for K-12 teachers when assigning homework:

- Homework procedures will be posted and discussed with students at the beginning of each course.
- Feedback on completed homework assignments will be expected to be given to students within five school days.
- Teachers are encouraged to use the district web-site and alternative methods to post their homework assignments.
- Whenever possible teachers are encouraged to provide all assignments to students in a manner that is evident of long term planning such as: provide all assignments for the week and/or unit of study at one time to allow for flexible time management opportunities for students and parents.
- When a student is behind in homework assignments the parent shall be notified by the teacher.
- Homework shall not create a financial burden for families.
- Teachers should make efforts to be aware of homework, projects, and testing schedules across the curriculum to ensure that students are not overwhelmed at any one time.
- For grading and weighting of homework assignments refer to District Policy # 7301 and #7302.
- A reference to this policy will be placed in the faculty handbook, the student handbook, and will be posted in the classroom.
- Homework should be purposeful and should not consist of large amounts of repetitive work.

SUBJECT: STUDENT HOMEWORK [continued]

Elementary Guidelines (K-6):

- Homework at the elementary level shall not be assigned over the weekend, holidays or extended school breaks; however, independent reading is encouraged.
- Homework assignments should consist of reading and a limited number of independent exercises to reinforce previously taught material in math, science and social studies.
- Long term assignments should be limited in number and duration. Project based assignments should be primarily undertaken and completed in the classroom. Some portions may be assigned as homework; however, these tasks should not require group participation, significant assistance from parents or costly materials. These assignments shall include clear check points to monitor progress toward completion.

Secondary Guidelines:

- If weekend, holiday or extended breaks homework is deemed necessary, the amount should not exceed a regular day's assignment. Students should be encouraged to use weekends for review of material, voluntary work, projects, or completion of make-up assignments.
- Long term assignments should have clear check points and feedback given to students at such time.

SUBJECT: FIELD TRIPS

The Board recognizes that field trips are an educationally sound and important ingredient in the instructional program of the schools.

For purposes of this policy, a field trip shall be defined as any journey by a group of pupils away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a first-hand educational experience not available in the classroom.

Field trips are a part of the curriculum of the schools and attendance on field trips is governed by the same rules as attendance at regular classroom activities.

All field trips at the High School level shall occur prior to May 15 of each school year and prior to June 1 of each school year at the Middle School level. Any exceptions to this must have approval by the Building Principal and Superintendent of Schools/Designee.

The Superintendent shall prepare procedures for the operation of a field trip activity. Field trip support shall be determined annually by the Board during its budget deliberations. Regardless of the fiscal support for field trips, the rules of the School District for approval and conduct of such trips shall apply.

The District shall obtain parental permission for pupils going on school-sponsored trips.

Adopted: 1987
Revised: 5/16/07; 7/2/08

SUBJECT: TRANSPORTATION TO SCHOOL SPONSORED EVENTS

If the District provides transportation for students participating in inter-scholastic competition and students attending District sponsored educational field trips, students will not be authorized to use any other means of transportation when participating in these events, unless the principal or his/her designee authorizes such alternate transportation. The principal or his/her designee shall require written application prior to approval. A coach or advisor may release a student to the parent for transportation upon the receipt of a written request from the parent.

SUBJECT: OVERNIGHT FIELD TRIPS (NON-ATHLETIC)

The overnight field trip must be approved by the building principal as educational in nature and must meet the following criteria and procedures:

a) The trip shall be no longer than five (5) school days (fewer, if practical) and must have Board of Education approval.

b) Chaperones must be approved by the building principal. There must be a reasonable number of chaperones to ensure proper supervision. Whenever possible, all chaperones will be District employees. In no event, shall more than half the chaperones be non-District employed individuals.

c) Chaperones shall directly supervise all students and account for them at all times during the trip.

d) All School District policies and regulations are in force while students are on the trip.

e) Students are responsible for all school work missed. Participating students will be provided with work by their teachers prior to and after their return to be completed. Upon their return, students will also be allowed to make up missed exams.

f) Parental approval must be secured for all students participating in the trip.

g) For all overnight field trips, there must be a parent/guardian and student informational meeting conducted by the person in charge of the trip. This meeting must be held at least one week prior to the trip.

h) No student shall be penalized by an athletic coach/club advisor for attending a District approved field trip.

Adopted: 5/20/98; Revised 5/17/23

SUBJECT: SCHOOL CALENDAR

The school calendar will be presented for Board adoption no later than May of the preceding year.

SUBJECT: ANIMALS IN SCHOOL

Pets of any kind will not be allowed on school property unless considered to be part of the teaching process and have the building administrator's approval.

This prohibition shall not be interpreted to apply to the use of drug-detecting canines, as defined in Policy 7421 ("Drug Detecting Canines"). Further, animals trained to assist individuals with disabilities are permitted on District property and at District events when being used for that purpose, in accordance with the law.

Cross Reference Policies:

Policy 7421 - Drug Detecting Canines

Adopted: 3/18/93; Revised 6/15/17; 11/18/20

SUBJECT: ANIMALS IN THE SCHOOL (INSTRUCTIONAL PURPOSES)

Dissection of Animals

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project approved by the student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or legal guardian. An alternate activity clearly related to and of comparable rigor will be assigned in lieu of laboratory dissection. Some examples of alternate activities include the use of computer simulations or research. Students who perform alternative projects shall not be penalized.

The District will give reasonable notice to all students enrolled in a course that includes the dissection of an animal and students' parent(s)/legal guardian(s) about their rights to seek an alternate project to dissection. Such notice shall be made available upon request at the school and distributed to parents and students enrolled in a course that includes dissection at least once at the beginning of the school year.

Adopted: 6/16/11; Revised 11/18/20

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89

The Board of Education shall make available a free appropriate public education to all students with disabilities who reside within its district and are eligible for special education and related services under the Individuals with Disabilities Education Act and Article 89 of New York's Education Law, and their implementing regulations. Special education and related services will be provided to resident eligible students with disabilities in conformity with their individualized education program (IEP) and in the least restrictive environment appropriate to meet their individual educational needs. Special education services or programs will be designed to enable a student with disabilities to be involved in and progress in the general education curriculum, to the extent appropriate to his/her needs.

The Board also shall make available special education and related services to eligible students with disabilities parentally-placed in a nonpublic school located within the district, regardless of whether they are residents of the district. However, this obligation does not extend to resident students with disabilities who are placed by their parents in a nonpublic school within district boundaries because of a disagreement between the parents and the school district over the provision of a free appropriate public education. Nonpublic school students with disabilities who are not district residents but who reside within New York State will be provided programs and services in accordance with their individualized education services program (IESP). Nonpublic school students with disabilities who reside out-of-state will be provided services in accordance with their services plan (SP). (Refer to policy 4321.10, Programs and Services for Parentally-Placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89 for more guidance on this topic).

In addition, to the maximum extent appropriate to their individual needs, eligible students with disabilities residing within the district and attending the district's public schools will be entitled to participate in school district academic, co-curricular and extra-curricular activities available to all other students enrolled in the district's public schools. Such co-curricular and extracurricular activities may include athletics, transportation, recreational activities, school-sponsored special interest groups or clubs, and referrals to agencies that provide assistance to individuals with disabilities and the employment of students (including both employment by the school district and assistance in making outside employment available).

In providing a free appropriate public education to students with disabilities eligible under the IDEA and Article 89, the Board will afford the students and their parents the procedural safeguard rights they are entitled to under applicable law and regulations. The Board also will provide them with notice of such rights as required by law and regulation, using the form prescribed by the Commissioner of Education.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

For purposes of this policy and others related to the provision of services to eligible students with disabilities, and consistent with applicable law and regulation, the word parent means a birth or adoptive parent, a legally appointed guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child; a person in parental relationship to the child as defined in section 3212 of the Education Law; an individual designated as a person in parental relation pursuant to title 15-A of the General Obligations Law, including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent, stepparent, or other relative with whom the child resides; or a surrogate parent who has been appointed in accordance with commissioner's regulations.

Eligible students with disabilities will be entitled to special education and related services until the end of the school year in which they turn 21 or until they receive a local high school or Regents diploma.

Students with disabilities may not be required to take medication as a condition for receiving a free appropriate public education.

To ensure the provision of a free appropriate public education to all eligible students with disabilities:

1. The Board will adopt and maintain a district special education services plan in conformance with Commissioner's Regulations (8 NYCRR §200.2(c)). The plan will be available for public inspection and review by the Commissioner of Education.

2. School district staff will take steps to locate, identify, evaluate, and maintain information about all children with disabilities within the district, including homeless children and children who are wards of the state, and children attending nonpublic school within the district (including religious schools), who are in need of special education.

3. The district will establish a plan and practice for implementing school-wide approaches and interventions in order to remediate a student's performance prior to referral for special education services. The district will provide general education support services, instructional modifications, and/or alternative program options to address a student's performance before referring the student to the Committee on Special Education (CSE). The [name of district team that is responsible for RTI, i.e. Child Study Team will develop, implement and evaluate pre-referral intervention strategies (4321.2, School-wide Pre-referral Approaches and Interventions).

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

4. School district staff will initiate a request for evaluation of a student who has not made adequate progress after an appropriate period of time when provided instruction under a response to intervention program. In making the request the staff person will describe in writing intervention services, programs and methodologies used to remediate the student's performance prior to referral. In addition, the extent of parental contact will be described as well.

5. The Board will appoint a committee on special education (CSE), and, as appropriate, CSE subcommittees, to assure the timely identification, evaluation and placement of eligible students with disabilities.

6. The Board will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.

7. The Superintendent or his/her designee shall establish a plan for the recruitment, hiring and retention of staff appropriately and adequately prepared to meet the needs of students with disabilities including, but not limited to, highly qualified special education teachers.

8. The Superintendent or his/her designee shall establish a comprehensive professional development plan designed to ensure that personnel necessary to carry out IDEA and Article 89 possess the skills and knowledge required to meet the needs of students with disabilities.

9. The Superintendent or his/her designee will establish a process for ensuring that district staff understand the right of students with disabilities to access and participate in the same academic, co-curricular and extra-curricular programs and activities as all other students enrolled in the district's public schools, to the maximum extent appropriate to their individual needs.

Locate and Identify Students with Disabilities

The district will conduct an annual census to locate and identify all students with disabilities who reside in the district and establish a register of such students who are entitled to attend the public schools of the district during the next school year, including students with disabilities who are homeless or wards of the State. The census shall be conducted, and the registry maintained, in accordance with the requirements established in Commissioner's regulations.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

The Superintendent or his/her designee will determine what other activities might be appropriate to help locate and identify students with disabilities. These may include, but are not limited to, the mailing of letters to all district residents regarding the availability of special education programs and services and their right to access such services, and/or the publication of a similar notice in school newsletters and other publications.

(Refer to policy 4321.10, Programs and Services for Parentally-Placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89, for more information regarding how to locate and identify nonpublic school students with disabilities).

Evaluation of Students with Disabilities

To initially determine a student's eligibility for a free appropriate public education under the IDEA and Article 89, the district will conduct a full evaluation of the student in accordance within legally prescribed time lines. As set forth in Commissioner's regulations, the initial evaluation will include, at least, a physical examination, an individual psychological evaluation unless the school psychologist determines it unnecessary, a social history, an observation of the student in the student's learning environment to document the student's academic performance and behavior in the areas of difficulty, and other appropriate assessments or evaluations (including a functional behavioral assessment for a student whose behavior impedes his or he learning or that of others) to ascertain the physical, mental, behavioral and emotional factors that contribute to the suspected disabilities.

Once a student has been determined eligible to receive a free appropriate public education, the district will reevaluate the student with a disability whenever the student's parent requests a reevaluation, and when the district determines the educational and related service needs (including improved academic achievement and functional performance) of the child warrant a reevaluation. However, a reevaluation must take place at least once every three years, unless the student's parent and the district agree it is unnecessary.

Parental Consent for Student Evaluations

Before conducting any type of evaluation, district staff will take steps to obtain written informed consent from a student's parent, as required by applicable law and regulations. They also will keep a detailed record of those attempts and their results, including phone calls and correspondence, visits to the parent's home and any responses received.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

1. If a parent refuses to give consent for an initial evaluation, or fails to respond to such a request, the parent will be given an opportunity to attend an informal conference and ask questions about the proposed evaluation. Unless the referral for evaluation is withdrawn, if the parent continues to withhold consent, the Board will commence due process proceedings to conduct an initial evaluation without parental consent within the time lines established in Commissioner's regulations.

2. For students enrolled in the District, or placed in an Out-of-District program by the Committee on Special Education or Committee on Preschool Special Education, if after reasonable documented attempts to reach a parent, the parent fails to respond to a request for consent to conduct a reevaluation, District staff will proceed with the reevaluation of the student without parental consent. However, if a parent informs the District that they are refusing to give consent to conduct a reevaluation of the student, the Board may, but is not required to, commence an impartial due process hearing to override the parent's refusal to provide consent.

3. If district staff is unable to obtain consent for the initial evaluation or reevaluation of a home schooled or a parentally-placed nonpublic school student, the Board will not commence due process proceedings to conduct the evaluation without parental consent, and will consider the student as not eligible for special education.

Conduct of Evaluations

In conducting evaluations of students with disabilities, the district will use a variety of assessment tools and strategies, including parent-provided information, to gather relevant functional, developmental, and academic information for determining a student's eligibility for special education and related services, and the content of the student's individualized education program or individualized education services program or services plan in the case of nonpublic school students with disabilities (including information related to enabling the student to be involved in and progress in the general education curriculum).

The district also will assess a student in all areas of suspected disability, and the assessment and other evaluation used will not be discriminatory on a racial or cultural basis. In addition, students will be assessed in the language and form most likely to yield accurate information on what the student actually knows and can do academically, developmentally, and functionally, unless it is not feasible to do so.

In the case of students suspected of having a specific learning disability, the district will follow the procedures established in commissioner's regulations.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

The district will notify a student's parent of any determination that no additional data is needed and the reasons for such a determination. It will also inform the parent of his or her right to request an assessment, notwithstanding that determination.

Eligibility Determination

The CSE or CSE subcommittee will determine whether a student is eligible for special education and related services under the IDEA and Article 89, as well as the student's educational needs.

The CSE or CSE subcommittee may not determine that a student is eligible for special education and related services if the determining factor is lack of appropriate instruction in the essential components of reading, including phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies; or lack of appropriate instruction in math; or limited English proficiency.

Committee on Special Education

The members of the CSE and CSE subcommittees will include those individuals identified in applicable law and regulations, and their attendance at CSE and CSE subcommittee meetings will be required except as otherwise provided in law and regulations.

The parent of a student with disabilities is one of the mandated CSE and CSE subcommittee members and as such has a right to participate in CSE and CSE subcommittee meetings concerning the identification, evaluation, educational placement, and the provision of a free appropriate public education to their child. District staff will take steps to ensure the parent's participation, in accordance with the following:

1. CSE and CSE subcommittee meetings will be scheduled at a time and place that is mutually agreeable to the parent and the district.

2. The parent will be given at least five days notice of the time and place of a CSE or CSE subcommittee meeting, except as otherwise provided in law and regulation, along with notice of the purpose of the meeting, those who will attend (including name and title), and the parent's right to be accompanied to the meeting by person(s) the parent considers to have knowledge and special expertise about their child.

3. The parent and the district may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

4. District staff will take any action necessary to ensure that the parent understands the proceedings at CSE meetings, including arranging for an interpreter for deaf parents or parents whose native language is other than English.

The CSE or CSE subcommittee may meet without a student's parent only if district staff has been unable to obtain either parent's participation and has a record of its attempts to arrange a mutually agreed upon time and place. Similarly, the CSE or CSE subcommittee may make a decision without the involvement of the student's parent only if district staff has been unable to obtain parental participation, even through the use of alternative means of participation, and has a record of its attempts to ensure parental involvement.

Provision of Services

The Board will arrange for appropriate special education and related services recommended by the CSE or CSE subcommittee within 60 school days of the district's receipt of parental consent to evaluate a student not previously identified as a student with a disability, or within 60 school days of referral for review of a student with a disability, except as otherwise provided in law and regulations.

All staff responsible for the implementation of a student's individualized education program, or an individualized education services program or services plan in the case of parentally-placed nonpublic school students with disabilities, will be provided information regarding those responsibilities (Refer to policy 4321.5 for more information on this topic).

Parental Consent for the Provision of Services

The Board acknowledges that parental consent for initial evaluation does not constitute consent for placement for the provision of special education and related services. Therefore, district staff will take steps to obtain written informed consent for the initial provision of special education and related services to an eligible student. The Board will be precluded by applicable law and regulations from commencing due process proceedings to override the parent's refusal to provide such consent or override the parent's failure to respond to such a request.

Transition Service and Diploma/Credential Options

In accordance with law and regulation, the Board will ensure the provision of transition services, which are a coordinated set of activities for students with disabilities that facilitates movement from school to post-school activities, which may include but are not limited to post-secondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living, or community participation. At age 15, or younger if appropriate, the student's IEP will include a statement of transition service needs and will include undertaking activities in the following areas:

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

- Instruction
- Related services
- Community experiences
- The development of employment and other post-school adult living objectives; and
- When appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

In developing the plan for transition services, students and parents will be made aware of the range of diploma and credential options available and the requirements associated with each option.

Emergency Interventions

The Board of Education believes in the use of positive and supportive strategies to meet the needs of all students in all classrooms. In those instances, however, when harm to a person appears imminent, the Board recognizes that emergency interventions may be necessary when all other intervention strategies have been exhausted.

The use of emergency protective holds or timeout will be in conformance with State law, Rules of the Board of Regents, and the Commissioner's Regulations. Staff will adhere to governing statutes and regulations in the administration of these measures.

A. Protective Holds:

Staff will not use protective holds as a substitute for systematic intervention to modify inappropriate behavior. A protective hold should never increase (or create more) risk than the behavior it is trying to contain. A protective hold will never be used as a form of discipline or punishment, retaliation, or as a substitute for positive, proactive intervention strategies that are designed to change, replace, modify or eliminate a targeted behavior. Staff who may be called upon to place a student in protective holds will be trained in safe, effective ways to do so in a manner consistent with the Rules of the Board of Regents and the Commissioner's Regulations. The District's emergency interventions never include the use of mechanical or prone restraints.

During emergencies, immediate intervention by staff involving the use of reasonable physical intervention may be necessary to prevent imminent danger of serious physical harm to the student or others.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

B. Timeouts:

A timeout room is a behavior management technique that involves the monitored separation of a student in a non-locked setting, including a room or other physical space, and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their educational program. Timeouts are not in general use within the District. A timeout may only be used in a situation that poses an immediate concern for the physical safety of a student or others, or as a behavioral strategy for a student with a disability in conjunction with a behavioral intervention plan. Once the student has safely de-escalated, regained self-control and is prepared to meet expectations, the student will be returned to their educational program. A timeout may be used only when: (a) other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others; (b) there is no known medical contraindications to its use on the student; and (c) school staff using such intervention have been trained in its safe and appropriate application.

In the event the District decides to implement a timeout as a behavioral strategy for a student with a disability, it will only be used in conjunction with a behavioral intervention plan that is designed to teach and reinforce alternative appropriate behaviors, as part of the student's IEP. The setting will provide a supervised area in order for the student to be safely de-escalated and regain self-control. If implemented, timeouts will be used in a manner consistent with State law, the Rules of the Board of Regents and the Commissioner's Regulations.

The District will inform the student's parent(s) or guardian(s) prior to the initiation of a behavioral intervention plan that will incorporate the use of a timeout. The District will further give the parent(s) or guardian(s) the opportunity to see the room or physical space that will be used and provide the parent(s) or guardian(s) with a copy of the District's policy on the use of timeouts.

A timeout will take place in a setting, including a room or physical space, that provides a means for continuous visual and auditory monitoring of the student. District staff will continuously monitor the student in a timeout. Staff must be able to see and hear the student at all times.

The setting used for timeouts will be of adequate width, length, and height to allow the student to move about and recline comfortably. Wall and floor coverings should be designed to prevent injury to the student. There will be adequate lighting and ventilation. The temperature of the setting will be within the normal comfort range and consistent with the rest of the building. The setting will be clean and free of objects and fixtures that could be potentially dangerous to a student. All local fire and safety codes will be observed.

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

The setting must be unlocked at all times. If there is a door, it must be able to be opened from the inside. Under no circumstances may a locked room or space be used for the purposes of a timeout.

C. Debriefing:

After every incident in which a timeout and/or protective hold is used on a student a school administrator or designee must meet with the school staff who participated to discuss the following:

- Circumstances leading to the use of a timeout and/or protective hold;
- The positive, proactive intervention strategies that were utilized prior to the use of timeout and/or protective hold;
- Planning for the prevention and reduction of the future need for timeout and/or protective hold with the student including, if applicable, whether a referral should be made for special education programs and/or other support services or, for a student with a disability, whether a referral for review of the student's individualized education program and/or behavioral intervention plan is needed.

A school staff member will debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behaviors, if any, that precipitated the use of timeout and/or protective hold.

D. Documentation and Notification:

The District shall document the use of emergency interventions for each student. This shall include the following:

- The student's name and date of birth;
- Date and time of incident;
- The setting and location of the incident;
- The staff members or other persons involved;
- A description of the incident and the intervention used, including the duration and type of restraint if used;
- A statement as to whether the student has an IEP, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for the student by the school;
- List of all positive, proactive intervention strategies utilized prior to the use of a protective hold and for students with disabilities, whether those strategies were consistent with the student's behavior intervention plan, if applicable;

SUBJECT: PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89 [continued]

- Details of any injuries sustained by either the student or others, including staff, as a result of the incident;
- Date and method of notification to the parent or person in parental relation and whether a meeting with them was held, and
- Date of the debriefing.

Documentation of emergency interventions shall be reviewed by school supervisory personnel and, as necessary, the school nurse or other medical personnel. The student's parent(s)/guardian(s) shall be notified verbally of each incident of emergency intervention as soon as possible but not later than the end of the same calendar day. In the event the student's parent(s)/guardian(s) cannot be reached verbally, they will be electronically notified of the incident. Additionally, within three school days, the student's parent(s)/guardian(s) shall be provided the written documentation described above.

This documentation is also provided to the Building Principal, Office of Special Services, and the Superintendent of Schools who will collect and monitor data and patterns of use of timeouts and protective holds.

For students with disabilities, when the student's parent(s)/guardian(s) cannot be contacted after reasonable attempts are made, the principal shall record and report such attempts to the Committee on Special Education.

E. Staff Training:

The District shall provide staff training on the policies and procedures related to those staff members who may be called upon to implement timeout interventions or the use of protective holds. The District will also annually train all staff on the District's policies and procedures related to the use of timeout and protective hold; evidence-based positive, proactive strategies; crisis intervention and prevention procedures and de-escalation techniques.

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.
34 CFR Part 300
Education Law Article 89, §§4401 et seq.
8 NYCRR Part 200

Revised: 11/16/89; 5/19/94; 5/18/22; 12/21/22; 2/15/23; 10/18/23

SUBJECT: PROVISION OF SPECIAL EDUCATION SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT

The Board of Education recognizes its responsibility to ensure that students with disabilities eligible for special education programs and services under the IDEA and Article 89 of New York's Education Law receive those services in the least restrictive environment appropriate to meet their individual educational needs.

Therefore, the district will not place students with disabilities in special classes or separate schools, or otherwise remove them from the regular educational environment unless the nature or severity of their disability is such that their education cannot be achieved satisfactorily in regular classes, even with the use of supplementary aids and services. In addition, the district will provide special services or programs to enable students with disabilities to be involved in and progress in the general curriculum, to the extent appropriate to their needs.

To fulfill its responsibility to educate students with disabilities in the least restrictive environment, the district will implement the provisions of section 200.6 of commissioner's regulations.

Furthermore, and pursuant to those provisions, students with disabilities placed together for purposes of receiving special education will be grouped by similarity of individual needs including their range of academic achievement, functional performance and learning characteristics; social and physical development, and management needs.

The Superintendent or his/her designee will establish a process for ensuring that the CSE or CSE subcommittee Chairperson, as appropriate, obtains an up-to-date copy of those provisions at the beginning of each school year, and copies of any amendments that become effective during the school year.

The Board also recognizes that the least restrictive environment requirements established by applicable law and regulations also extend to nonacademic settings. Therefore, the district will provide students with disabilities the opportunity to participate with non-disabled students in school-sponsored co-curricular and extra-curricular activities, to the maximum extent appropriate to each individual student's needs. The district also will provide students with disabilities with supplementary aids and services the CSE or CSE subcommittee, as applicable, determines to be appropriate and necessary for the students to participate in such activities.

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.
8 NYCRR §§200.2(b)(4); 200.6

Revised: 11/16/89; 5/19/94; 5/18/22

SUBJECT: CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS, INDIVIDUALIZED EDUCATION SERVICES PROGRAMS AND SERVICE PLANS

The Board of Education recognizes the importance of ensuring the confidentiality of personally identifiable data pertaining to a student with a disability. Personally identifiable data will not be disclosed by any school district employee or member of a CSE/CPSE to any person (other than the parent of such student), organization or agency unless the parent or guardian of the child provides written consent; there is a valid court order for such information; or disclosure is permitted by law.

Personally identifiable data is defined in the policy on Student Records.

The Board of Education, while acknowledging the confidentiality requirement, believes that in order for each student with disabilities to receive the full benefit of his/her Individualized Education Program (IEP), Individualized Education Services Program (IESP) or Service Plan (SP), individuals responsible for implementing the program or plan must, prior to the implementation, fully understand the scope of their responsibility and the specific accommodations, modifications and supports to be provided.

To this end, this policy establishes procedures to ensure that any person having both direct contact with a student with an IEP, IESP or SP and a responsibility to provide a service, accommodation or program modification for the student in accordance with that student's IEP, IESP or SP shall be informed of his/her responsibilities under the IEP, and shall receive or have access to a copy of the student's IEP, IESP or SP as specified below.

I. IEP, IESP or SP Copies

At a CSE, CSE Subcommittee or CPSE meeting for each student, a determination will be made as to which general education teachers, special education teachers, related service providers and other service providers have responsibility to implement the recommendations on the student's IEP, IESP or SP. "Other service provider" means a representative of another public school district, charter school, BOCES program, child care institution school, Special Act school district, State-supported school, approved private in-state or out-of-state school and an approved preschool provider where the student receives or will receive IEP, IESP or SP services.

SUBJECT: CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS, INDIVIDUALIZED EDUCATION SERVICES PROGRAMS AND SERVICE PLANS [continued]

The CSE, CSE Subcommittee and CPSE Chairpersons shall ensure that a paper or electronic copy of each student's IEP, IESP or SP is provided to each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for implementation of the program or plan. These individuals responsible for implementing an IEP, IESP or SP shall, in turn, ensure that all paraprofessionals (teacher aides and teacher assistants) and other providers responsible for assisting in implementation are given the opportunity to review their copy of the IEP, IESP or SP prior to program implementation as well as have ongoing access to such copy.

II. Notification of Responsibilities

In addition to disseminating copies of a student's IEP, IESP or SP, CSE, CSE Subcommittee and CPSE Chairpersons must designate one or more professional employees of the district with knowledge of the student's disability and program to inform each regular education teacher, special education teacher, related service provider, other service provider, paraprofessional, and other provider and support staff person of his or her responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP, IESP or SP. In selecting the professional staff person(s), the chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional, as appropriate.

III. Confidentiality

All copies of a student's IEP, IESP or SP provided or made accessible under this policy must remain confidential, and shall not be redisclosed to any other person, except in accordance with the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). To ensure such confidentiality, the CSE and CPSE Chairpersons shall include with each IEP, IESP or SP copy provided or made accessible under this policy, a copy of the Board's policy on student records (Policy 5500). All IEP, IESP or SP copies must remain in a secure location on school grounds at all times. If IEP copies are transmitted and/or provided electronically, security systems (e.g., password protect a file or folder) must be implemented to prevent unauthorized internal and external access to the student's IEP, IESP or SP.

SUBJECT: CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS, INDIVIDUALIZED EDUCATION SERVICES PROGRAMS AND SERVICE PLANS [continued]

IV. Documentation

The designated professional employee(s) defined in section II above shall obtain the signature of each person covered by this policy, indicating that he or she:

1. has received either a copy of the student's IEP, IESP or SP or the opportunity to review the IEP, IESP or SP prior to its implementation, as required under state law and regulation;

2. has been informed of their responsibilities for implementation;

3. has knowledge of where the IEP, IESP or SP is to be maintained; and

4. has an understanding of the confidentiality requirements.

At the end of the school year or whenever the IEP has been revised, the CSE and CPSE Chairperson shall collect all IEP copies provided under this policy and destroy them.

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.
Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g; 34 CFR Part 99
Education Law §4402(7)
8 NYCRR §§200.2(b)(11); 200.4(e)(3); 200.16(e)(6)
New York State Education Department, Office of Special Education, Guidance Document, Providing copies of the IEPs for Students with Disabilities, 5/13/03, www.p12.nysed.gov/specialed/publications/policy/chap408final.htm

Revised: 5/19/94; 5/18/22

SUBJECT: DISTRICTWIDE AND STATEWIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES

The Board of Education recognizes the importance of offering access and appropriate testing accommodations to eligible students so that they can participate in assessment programs on an equal basis with their nondisabled peers. Two elements that contribute to an effective assessment program are proper use of use of accommodations and use of universal design principles in developing and administering tests.

Testing Accommodations

Testing accommodations provide an opportunity for students with disabilities to:

- Participate in the instructional and assessment program;
- Demonstrate their strengths, knowledge and skills without being restricted by their disability; and
- Provide an accurate measure of the standards being assessed so that appropriate instruction and services can be provided.

Testing accommodations are changes made in the administration of the test in order to remove obstacles to the test-taking process that are presented by the disability without changing the constructs being tested. Examples of testing accommodations are: flexibility in scheduling/timing; flexibility in the setting for the administration of the test; changes in the method of presentation and changes in the method of response. Testing accommodations are neither intended nor permitted to: alter the construct being measured or invalidate the results, provide an unfair advantage for students with disabilities over students taking the test under standard conditions or substitute for knowledge or abilities that the student has not attained.

The Committee on Special Education, the Subcommittee on Special Education or the Committee on Preschool Special Education is responsible for recommending the appropriate test accommodations and including those recommendations on the student's Individualized Education Program (IEP), Individualized Education Services Program (IESP) or Service Plan (SP). If it is determined that a student should participate in alternative assessments instead of the standard statewide or districtwide tests, the CSE must indicate the reasons for doing so on the IEP, IESP or SP. The 504 committee will include the appropriate test accommodations as part of the 504 plan.

The recommendations will be reviewed annually by the CSE, CSE subcommittee, CPSE or 504 team. The Board acknowledges the importance of integrating the assessment program with the instructional program and, to that end, encourages effective communication among district staff so that implementation is consistent and fair. The goal is to provide effective assessments that allow students to benefit from their educational program.

SUBJECT: DISTRICTWIDE AND STATEWIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES [continued]

In some situations, a building principal may authorize the use of testing accommodations in accordance with this policy. Those instances are limited to cases where a regular education student incurs a disability, such as, but not limited to, a broken arm, without sufficient time for the CSE, CPSE and/or Section 504 Committee to make a recommendation prior to a test. They do not include cases where the student is already being evaluated to determine his or her eligibility for status as a student with a disability. In exercising this authority, the building principal will rely on his or her professional judgment. He or she also may confer with CSE, CPSE and/or Section 504 Committee members.

Universal Design Principles in Districtwide Assessments

The Board of Education recognizes the benefits of using the principles of universal design to further the goal of ensuring equal access to districtwide assessments and to ensure the most accurate measure of the performance of all students. The Board directs the Superintendent or his/her designee, in consultation with appropriate school staff, to examine how universal design principles can be incorporated into the district's assessment program, and to facilitate its use to the extent feasible. Any steps taken in this regard will be consistent with this policy and applicable State Education Department policy and/or guidance on the use of universal design principles.

At a minimum, the Superintendent or his/her designee will explore how district assessments can be:

1. Made more usable by students with diverse abilities.
2. Designed to better accommodate a wide range of individual preferences and abilities.
3. Made more understandable.
4. Made to communicate necessary information to students more effectively.
5. Designed to minimize adverse consequences of accidental or unintended actions.
6. Used more efficiently and comfortably and with a minimum of student fatigue.

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1401(35); 1412(a)(16)(E); 34 CFR §§ 300.44
Assistive Technology Act, 29 USC 3002(19)
8 NYCRR §§ 200.1(jjj); 200.2(b)(13,14); 200.4(d)(2)(vi)

Adopted: 2/25/88; Revised: 5/19/94; 5/18/22

Instruction

SUBJECT: DISCIPLINE OF STUDENTS WITH DISABILITIES

Should a student with a disability infringe upon the established rules of the schools, disciplinary action shall be in accordance with procedures set forth in the District's School Conduct and Discipline Code and in conjunction with the administration of the Committee on Special Education.

Commissioner's Regulations Part 100

Adopted: 10/20/94

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Education recognizes the right of parents or guardians of a student who has or is thought to have a disability to receive an independent evaluation at public expense if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE).

The independent examination shall be conducted by a qualified examiner who is not employed by the school district responsible for the child's education. Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained. These publicly-funded independent evaluations shall be limited to the same geographic and fiscal limitations as used by the district when it initiates an evaluation.

The District has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If the hearing officer determines that the District's evaluation was appropriate, a parent or guardian is not entitled to reimbursement at public expense.

The Board directs the Superintendent of Schools to develop regulations establishing maximum allowable fees for specific tests, the geographic area in which such evaluations may take place, and minimum qualifications of the professionals who administer and interpret various tests.

Ref: 20 USC §1415(d)(2)(A)
34 CFR §300.502
8 NYCRR §§200.1(z); 200.5(a); 200.5(b); 200.5(c); 200.5(g)

Adopted: 2/16/22

SUBJECT: PUBLIC REPORT ON REVISIONS TO DISTRICT POLICIES, PRACTICES AND PROCEDURES UPON A FINDING OF SIGNIFICANT DISPROPORTIONALITY

The Board of Education recognizes that, despite the District's best efforts, there may be times when there might be a disproportionate representation of racial and ethnic groups in its special education programs and services, and/or with respect to the suspension of students with disabilities. To minimize the risk of such an occurrence, the Board has endeavored to adopt policies, practices and procedures for the district that are consistent with the IDEA and Article 89 of New York's Education Law, and their implementing regulations.

Nonetheless, upon learning of a significant disproportionality either in the suspension, identification, classification and/or placement of the district's students with disabilities, the Board will immediately review the District's policies, practices and procedures to determine whether they are fully compliant with the requirements of the IDEA and Article 89, or require revisions. If changes are needed, the Board will take immediate steps to adopt and implement any and all necessary revisions.

The Board will inform the public of any revisions to the District's policies, practices and procedures undertaken as a result of a finding of significant disproportionality. The Superintendent will notify school personnel responsible for implementing the revisions.

Ref: Individuals with Disabilities Education Act, §§ 1412(a)(24); 1418(d);
34 CFR §§ 300.173; 300.646
8 NYCRR §§ 200.2(b)(15).

Adopted: 2/16/22

SUBJECT: PRESCHOOL SPECIAL EDUCATION

The Board of Education recognizes the value of early intervention to address the needs of preschool children with disabilities. The Board further recognizes its responsibility to ensure that all resident preschool children with disabilities have the opportunity to participate in preschool programs, approved by the Commissioner of Education, from which they may benefit educationally. The Board authorizes the Superintendent of Schools or his/her designee to establish administrative practices and procedures which shall include:

1. locating, identifying, evaluating, referring and placing all preschool children (generally ages three and four) with disabilities. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);

2. ensuring that the parent(s)/guardian(s) of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;

3. developing an individualized education program (IEP) for each preschool age child with a disability;

4. appointing appropriately qualified personnel to the CPSE and ensuring that preschool education providers with whom the district contracts have appropriately trained and qualified personnel.

5. maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjacent counties in which the district is located;

6. preparing and keeping on file summary reports of student data including the number of preschool students with disabilities served, as well students referred but not served and the reasons why they are not served; and

7. reporting to the State Education Department the data on preschool children with disabilities as required, on a form prescribed by the Commissioner.

The duties described above will be carried out within the timeframes established by statute and regulation.

SUBJECT: PRESCHOOL SPECIAL EDUCATION [continued]

The Board of Education hereby establishes the CPSE as required under the Education Law. Its responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. The CPSE shall review, at least annually, the status of each preschool child with a disability. It is ultimately the responsibility of the Board to arrange for the appropriate approved preschool program and services for the district's children. Should the Board disagree with the CPSE's recommendations, it shall send the recommendation back to the CPSE so that they may schedule a timely meeting to review the Board's concerns and to revise the IEP, as deemed appropriate.

In the event that a parent/guardian files a due process complaint, a meeting must be convened between the parent/guardian and representatives of the district to try and resolve the complaint within 15 days of receiving the notice, and before the initiation of an impartial hearing. Parents/guardians and the district will jointly determine who should be present at this meeting.

If an agreement cannot be reached, parent/guardians shall be offered mediation to resolve complaints regarding the education of preschool children with disabilities at the same time notice of the availability of an impartial hearing is provided.

The CPSE shall make an annual report on the status of each preschool child with a disability and report on the adequacy of preschool special education programs and services to the Board.

The Board directs the Superintendent or his/her designee to develop and maintain a plan which incorporates information concerning the provision of services for preschool children with disabilities, pursuant to the Regulations of the Commissioner of Education.

Ref: Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.
34 CFR §§300.12; 300.503
Education Law §4410
8 NYCRR Part 200, 200.2, 200.5, 200.16

Revised: 5/19/94; 10/18/07; 11/15/07; 5/18/22

SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The District will provide students with disabilities appropriate opportunities to earn a diploma or other exiting commencement credential in accordance with Commissioner's regulations. During the student's annual review, the District will evaluate graduation opportunities and identify the means to achieve them. As part of this process, the District:

a) Will coordinate activities with guidance personnel and BOCES staff to ensure that students meet credit and sequence requirements and to consider them for vocational opportunities.

b) May modify instructional techniques and materials. Any modifications will be included on a student's Individual Education Plan (IEP) so that they can be implemented consistently throughout the student's program.

c) Will review special education instructional programs to ensure equivalency with the same courses taught in the general education program.

d) Will coordinate communication between special and general education staff so that all staff members understand required skills and competencies, and to establish equivalency of instruction in special education classes.

Graduation and transition plans will take into account the various pathways available to these students. For students with IEPs, the District will plan transition services for post-secondary life as early as possible, but no later than the school year in which the student turns age 15. The transition activities will be focused on improving both the student's academic and functional achievement. The plan will explore post-secondary opportunities and employment options and, if applicable, connection with adult service agencies that may provide the student with services after exiting school.

The District may award these diplomas or credentials, or both:

a) Local diploma: available to students with an IEP or a Section 504 accommodation plan that specifies a local diploma. Students must comply with credit requirements. The available assessments to earn a local diploma include:

1. Low-pass safety net option: students must achieve a score of 55 or higher on five required Regents exams.

2. Low-pass safety net and appeal: available to students who score 52-54 on a Regents exam, successfully appeal that score, and meet all appeal conditions.

3. Regents Competency Test (RCT) safety net option: a student who enters grade 9 before September 2011 must pass a corresponding RCT if he or she does not attain a score of 55 or higher on the Regents examination.

SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES [continued]

4. Compensatory safety net option: except for scores on ELA and math exams, students may use one Regents exam score of 65 or above to compensate for a Regents exam score of 45-54. Students must score at least 55 (or successfully appeal a score of 52-54) on both the ELA and a math exam.

5. Superintendent's determination: students who are unable to demonstrate their proficiency on standard state assessments because of one or more disabilities may be able to graduate upon the Superintendent's review and written certification of their eligibility. The Superintendent will make a determination after receiving written request from an eligible student's parent or guardian.

b) Career Development and Occupational Studies commencement credential (CDOS): any student who is not assessed using the New York State Alternate Assessment (NYSAA) may earn the CDOS commencement credential as a supplement to a Regents or local diploma or as his or her only exiting credential if the student attended school for at least 12 years, excluding kindergarten. The student must meet criteria specified by the State Education Department (SED) confirming that he or she has attained the standards-based knowledge, skills, and abilities necessary for entry-level employment.

c) Skills and Achievement commencement credential: students with severe disabilities who are assessed using the NYSAA may earn the SA commencement credential. They must attend school for at least 12 years, excluding kindergarten. The District must document the student's skills, strengths, and levels of independence in academic, career development, and foundation skills needed for post-secondary life.

Education Law §§ 3202 and 4402
8 NYCRR §§ 100.1, 100.2, 100.5, 100.6, 200.4, and 200.5

SUBJECT: ENTRANCE AGE TO PRESCHOOL PROGRAMS FOR CHILDREN WITH DISABILITIES

A child is eligible to receive preschool services if the following criteria are met:

a) A child who is three years of age on or before December 1 is eligible for services beginning September 1st of the calendar year in which the child becomes three.

b) A child who becomes three years of age on or before April 1st of a particular year is eligible for services beginning January 2nd, unless the child is already receiving services under Section 236 of the Family Court Act.

c) A child remains eligible for preschool programs and services through the month of August of the year in which the child first becomes eligible to attend school if the child is severely disabled, meets the requirements for 12-month programming and 12-month programming is recommended on the child's Individualized Education Program (IEP).

d) A child must be classified as having an educational disability in accordance with the eleven disability conditions specified in Part 200 of the Regulations of the Commissioner of Education.

Adopted: 10/25/90
Revised: 5/19/94

SUBJECT: PARENT INVOLVEMENT

The Wallkill Central School District recognizes the importance of the role of parents in the academic pursuits and achievement of their children and subscribes to the requirements set forth in state and federal regulations for the purposeful involvement of parents in their child(ren)'s educations. To these ends, the District's mission is to enhance the educational programs of its student population through an active, productive parent-school partnership. Its goal is to increase the constructive, on-going involvement of parents in the educations of their children.

The following procedures and guidelines are intended to facilitate the institution of opportunities for parents and teachers with administrators to participate in making shared-decisions about educational issues in a school-based forum.

Each building will establish and maintain a committee, representatives of teachers, parents, administrators, support personnel and community resources as appropriate to the specific task or educational program. Membership composition, while delineated, will be compliant to assure that specific requirements of individual programs are met. Records and materials maintained with student's pupil personnel will be subject to the requirements of the Family Educational Rights and Privacy Act. Due process for parents and children will be governed by existing state regulations. Information, to the extent practicable, will be provided to parents in a language and form that parents can understand.

Each Title I designated school will:

a) Convene an annual meeting at a convenient time to which all parents of participating children shall be invited and encouraged to attend. Parents shall be advised and informed of their school's participation in Title I and their rights to be involved within the Title I Program.

b) Offer a flexible number of meetings in the morning and/or evening and may provide, subject to adequate funding availability, transportation, child care, or home visits, as such services relate to parent involvement.

c) Involve parents in the joint planning of school programs.

d) Provide parents with timely information concerning both Title I and other school or agency programs such as Head Start, Academic Intervention Services, etc.

SUBJECT: PARENT INVOLVEMENT [continued]

e) Provide parents with school profiles and their individual child's assessment results, including an interpretation of these results.

f) Give parents a description and explanation of the curriculum in use at the school, the forms of assessments used to measure student progress, and the proficiency levels students are expected to meet.

g) Arrange opportunities for regular meetings to share suggestions, provide training, communicate experiences with other parents, and participate as appropriate in decisions relating to the education of their children if parents so desire.

h) Provide parents with timely responses to parental suggestions.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001
20 United States Code (USC) Section 6301 et seq.
34 Code of Federal Regulations (CFR) Part 75

Adopted: 3/18/93
Revised: 12/18/03; 11/16/06

SUBJECT: SURROGATE PARENTS

In the event that no parent for a child with a disability can be identified or after reasonable efforts, the whereabouts of the parent cannot be determined, or the child with a disability is a ward of the state, the Board shall assign an individual to act as a surrogate for the parents. The person selected as a surrogate shall have no interest that conflicts with the interest of the child he/she represents, and shall have knowledge and skills that insure adequate representation of the child.

It is the duty of the School District to determine whether a child needs a surrogate parent and to assign a surrogate parent in the manner permitted under New York State law.

Education Law Section 4401

Revised: 5/19/94

SUBJECT: IMPARTIAL HEARING OFFICER

In the event of a hearing called as a result of the initial identification or change in identification, evaluation or educational placement of a child with a disability or the provision of a free, appropriate public education to the child, an Impartial Hearing Officer shall be appointed by the Board of Education and must be appointed in accordance with the rotational selection process pursuant to the Commissioner's Regulations.

The Impartial Hearing Officer must be certified by the Commissioner of Education as a hearing officer eligible to conduct hearings and may not be a person who is an employee, officer, or agent of this District or of the Board of Cooperative Educational Services of which such school district is a component, or an employee of the Education Department, who may have a personal or professional interest which would conflict with his/her objectivity in the hearing. District employees who may be called as witnesses at an impartial hearing shall not be involved in the selection of the hearing officer.

Public Law 101-476
Individuals With Disabilities Education Act
Education Law Section 4404(1)
Commissioner's Regulations Section 200.5(c)

Use of Guardians Ad Litem at Impartial Hearings

An impartial hearing officer, duly designated by the Board of Education, is authorized to appoint a guardian ad litem, unless a surrogate parent has previously been assigned, whenever the impartial hearing officer determines that the interests of the parent are opposed to or inconsistent with those of the child, or that for any reason the child's interests would best be protected by an appointment of a guardian ad litem.

The guardian ad litem must be familiar with the provisions of Part 200 of the Commissioner's Regulations and must be appointed from the list of surrogate parents or be a pro bono attorney appointed to represent the interests of the child in an impartial hearing. A guardian ad litem represents the student's interests for the duration of the hearing and has the right to fully participate in the hearing to the extent indicated in Commissioner's Regulations. However, the guardian ad litem may not initiate an appeal to the State Review Officer but may join an appeal initiated by the parent or the Board of Education.

The impartial hearing officer must ensure that the procedural due process rights of the child's parents are fully preserved and protected throughout the hearing whenever a guardian ad litem is appointed.

Commissioner's Regulations
Sections 200.1, 200.5(c) and 200.5(d)

Adopted: 3/18/93
Revised: 10/18/07; 11/15/07

SUBJECT: IMPARTIAL HEARING OFFICER SELECTION, APPOINTMENT AND REIMBURSEMENT

It shall be the policy of the Wallkill Central School District to select, appoint and reimburse impartial hearing officers in the following manner:

Selection and Appointment

a) Within two business days after the District receives a written request for an impartial hearing, the District Clerk shall initiate attempts to contact that hearing officer whose name next follows the last hearing officer appointed by the Board of Education on the rotational list established by the State Education Department. The District Clerk shall first attempt contact by telephone call. If unsuccessful at reaching the hearing officer, the District Clerk shall leave a message (if voice mail is available) or send a letter by overnight mail, informing the hearing officer that:

1. A hearing has been requested concerning a student (identify the student only by number) and the name of the school district;

2. The hearing officer's name is the next one on the rotational list; and

3. The hearing officer must contact the District Clerk (leave telephone number) no later than 24 hours from the date of the telephone message I left and/or the date of the correspondence.

b) If the hearing officer declines appointment, or fails to respond 24 hours after being telephoned or sent a letter by overnight mail, the District Clerk will, according to the procedures outlined above, offer the appointment to each successive hearing officer whose name appears on the rotational list until it is accepted.

c) No appointment may be accepted, unless the hearing officer shall be formally appointed by:

1. Resolution adopted by the Board of Education; or

2. A letter signed by any one member of the Board of Education.

d) Any member of the Board of Education is hereby delegated with the authority to immediately appoint impartial hearing officers who are selected in accordance with these procedures.

SUBJECT: IMPARTIAL HEARING OFFICER SELECTION, APPOINTMENT AND REIMBURSEMENT [continued]

Reimbursement

a) Reimbursement will be made at the per diem and hourly rates currently approved by the State Education Department pursuant to Section 4404(1) of the Education Law.

b) The District will not reimburse impartial hearing officers for administrative assistance, secretarial or other overhead expenses.

c) The District will, upon review and approval of properly submitted receipts, reimburse impartial hearing officers for automobile travel at the IRS approved rate and for tolls reasonably and necessarily incurred in the hearing.

d) In addition to hearing time itself, the Board will reimburse, at the hourly rate, for time actually expended by the impartial hearing officer for:

1. Scheduling the hearing;

2. Pre-hearing conference calls (if necessary);

3. Scheduling letters;

4. The Board will also reimburse hearing officers for time necessarily and actually expended in the preparation of the Decision.

e) A copy of this policy will be forwarded to the impartial hearing officer at the time of appointment.

Adopted: 2/20/02

Instruction

SUBJECT: STUDENT PROGRAM ACCESSIBILITY

The Board of Education affirms its compliance with those sections of the Rehabilitation Act of 1973 dealing with program accessibility.

Section 504 of the Rehabilitation Act prohibits discrimination against qualified individuals with disabilities in federally assisted programs or activities solely on the basis of disability. The District shall make its program and facilities including non-academic and extracurricular programs and activities accessible to all its students with disabilities. Parents/legal guardians of students with disabilities, including those students placed in out-of-district programs, shall receive timely notice of such District programs and activities.

The District official responsible for coordination of activities relating to compliance with Section 504 is the Superintendent of Schools. This official shall provide information, including complaint procedures, to any person who feels his/her rights under Section 504 have been violated by the District or its officials. The Superintendent of Schools or designee should also serve as a Hearing Officer for appeals of Section 504 decisions.

Rehabilitation Act of 1973

Revised: 5/19/94; 5/17/06; 10/18/07; 11/15/07

Instruction

SUBJECT: TEMPORARY PLACEMENT OF STUDENTS WITH DISABILITIES

The Board of Education authorizes the Chairperson for the Committee on Special Education to make an immediate, temporary placement of a previously classified disabled student in an appropriate educational program, contingent upon obtaining written parental approval to do so, to prevent such a student from being denied the benefit of the program while the Committee on Special Education is in the process of reviewing the referral documents and formulating their recommendation.

Upon completion of the review, a recommendation shall be submitted to the Board from the Committee on Special Education for each case whereby temporary placement will be made.

Adopted: 3/18/93

Instruction

SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

The Board of Education assures parents or persons in parental relationship who are hearing impaired the right to meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children's education. School initiated meetings or activities are defined to include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term "hearing impaired" shall include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in School District meetings or activities.

Parents or persons in parental relationship shall be notified of the availability of interpreter services to be provided at no charge, provided that a written request is made to the School District within 5 school days. Exceptions to the time frame request may be made for unanticipated circumstances as determined by the principal/designee. The District shall also notify appropriate school personnel as to the terms and implementation of this policy.

If interpreter services are requested, the District shall appoint an interpreter for the hearing impaired to interpret during the meeting or activity. The District will arrange for interpreters through a District-created list or through an interpreter referral service. The District shall also develop interagency agreements, as appropriate; to ensure that sign language interpreters are provided for eligible parents or persons in parental relationship when District students attend out-of-District schools or programs.

In the event that an interpreter is unavailable, the School District shall make other reasonable accommodations which are satisfactory to the parents or persons in parental relationship. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include, but are not limited to, the use of:

a) Written communications, transcripts, note takers, etc.; and

b) Technology, such as: a decoder or telecommunication device for the deaf, assistive listening devices, and closed or open captioning.

Education Law Section 3230
Commissioner's Regulations Section 100.2(aa)

Adopted: 8/26/93

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