Board of Education Meeting - March 11, 2026 Agenda

Wednesday, March 11, 2026 at 5:30 PM

Early Childhood School Boardroom 953 High Street, Victor, NY 14564

Board of Education

It is expected that, upon opening the meeting, a motion will be made to adjourn to executive session and that the regular meeting will begin at 7:15 PM

Page

1. Meeting Called to Order by President Lisa Kostecki

Motion to enter executive session to discuss the employment history of specific individuals

Motion to return to regular session.

A. Moment of Silence

B. Pledge to the Flag

C. Greetings to Visitors/Public Participation Reminder

D. Reading of Emergency Evacuation Procedure
(In case of an emergency, would everyone please follow the EXIT signs to the outside of the building. Please stay completely clear of the building to provide space for any emergency vehicles.)

2. Approval of Agenda

Motion to Approve Agenda

3. Superintendent's Updates

4. Presentations/Recognitions

None at this time

5. Public Participation

Although the board's work is open to the public, this is not a meeting with the public. At this time privilege of the floor is offered to those who have signed up to speak. The Chair will be happy to recognize those of you who wish to speak. When you approach the microphone, please identify yourself before presenting your thoughts. *(Individual comments will be limited to 3 minutes and the total time for this portion of the agenda will be limited to 30 minutes.)*

Please note, issues related to specific School District personnel or students must be brought to

the attention of the Superintendent of Schools privately as they are not discussable at this venue.

Thank you.

6. Acceptance of Consent Items (5 min.)

Motion to approve upon recommendation of the Superintendent the following consent items:

A. Minutes of the Regular Board Meeting on February 12, 2026 — 5
Board of Education Meeting - Feb 12 2026 - Minutes - Html

B. Treasurer's Report for the month ending January 2026 — 14
Treasurers Report Ending January 2026.pdf

C. Personnel Agenda — 30
Personnel Agenda 3.11.26.pdf

D. Recommendations of the Committee on Special Education from the meetings of December 17, 2025; January 7, 8, 13, 14, 16, 20, 21, 22, 23, 27, 28, 29, 30, 2026; February 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 18, 20, 23, 24, 25, 26, 2026; March 2, 3, 4, 2026 and from the Committee on Preschool Special Education from the meetings of February 24, 25, 2026, and March 3, 10, 2026.

E. Acceptance of Terms and Conditions between the Victor Central School District and Interim Assistant Superintendent for Pupil Services

F. Acceptance of Memorandum of Agreement between Victor Central School District and the Victor Teachers' Association in Regards to the Continuation of the Bus Driver Referral Program — 33
MOA VTA Driver Referral Incentive.pdf

G. Acceptance of Memorandum of Agreement between the Victor Central School District and the Civil Service Employee's Association in Regards to Rate of Pay for Bus Monitors, Monitor Substitutes, and Bus Driver Trainees Providing Student Van Transportation — 35
MOA VCS CSEA Van Driver Rate.pdf

H. Approve the State Environment Quality Review (SEQR) Resolution for 2026-2027 Capital Outlay Project

RESOLUTION REGARDING

STATE ENVIRONMENTAL QUALITY REVIEW

WHEREAS, the Board of Education of the Victor Central School District (the "Board") has considered the impacts to the environment of the proposed capital outlay project at Victor Junior/Senior High School Building. The project shall include but not be limited to:

Replacement of power amplifiers, wireless stage microphones, and original matrix processor, along with any related measures required in connection therewith.

WHEREAS, the Board has reviewed the scope of the project and has further received and considered the advice of its architects with respect to the potential for environmental impacts resulting from the proposed action; and

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR Part 617.5(c), now therefore;

BE IT RESOLVED, by the Board as follows:

1. The Proposed Action does not exceed thresholds established under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA).
2. The Board hereby determines the Proposed Action as a Type II action in accordance with the SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

I. Summary of the District Cybersecurity Incident Response Plan for the Victor Central School District as submitted 37

Cybersecurity Incident Response Plan February 2026.pdf

7.

A. Campus News

B. Management Plan Update: 6-8 Learning & Instruction Focusing on Science (Karen Finter, Carrie Goodell, & Brian Gee; 20 min.)

C. Budget Development Update: Personnel (Christine Griffin and Dave Passero; 30 min.)

Motion to Authorize the Bond Proposition and the Legal Notice for the May 19, 2026 Annual Vote and Election 43

VictorCSD Bus Bond Proposition.pdf

LegalNoticeAnnualVote2026 - Final.docx

D. Approve the following trip: 52

- Girls Volleyball to Halfmoon, NY from October 9, 2026 - October 10, 2026 to compete in Shenendehowa Volleyball Tournament

  Trip Request - G. Volleyball - 10.09.26.pdf

Motion to Approve Girls Volleyball to Halfmoon, NY from 10/9 - 10/10/2026

E. Approve Victor-Rennes Exchange Program for 2026-2027 School Year 55

Victor-Rennes Exchange 26-27 Trip Request.pdf

Motion to Approve the Victor-Rennes Exchange Program for the 2026-2027 School Year and Victor students to Rennes from 3/18/27-3/28/27

F. Adoption of Revised Policy Manual

Motion to Approve the Manual and Resolution for the Adoption of the Victor Central School District Policy Manual 58

WHEREAS, The Board of Education of the Victor School District is authorized by Education Law Section 2554 to adopt by-laws and policies as necessary for the effective and orderly operations of the schools; and

WHEREAS. The Board of Education has revised its policies and made certain revisions and changes thereto; and
BE IT RESOLVED that the Board of Education hereby adopts this Policy Manual for the District in its entirety; and
BE IT RESOLVED that the Foreword is hereby approved and ordered incorporated into the Policy Manual adopted by the Board and made a part thereof; and
BE IT RESOLVED that the policies contained in this Manual shall supersede all previous policies adopted by the Board of Education which are hereby revoked and rendered null and void; and
BE IT RESOLVED that the right to amend or revoke these current policies at any time is reserved to the Board of Education; and
BE IT RESOLVEDthat in the event any policy, part of a policy or section of the by-laws is judged to be inconsistent with law, inoperative by a court of competent jurisdiction, or is invalidated by a policy or contract duly adopted by this Board, the remaining by-laws, policies and parts of policies shall remain in full effect.

Final Victor CSD Policy Manual (2026).docx

8. Meeting Reports

A. Monroe County School Boards Association Committee Reports

B. Standing Committee Updates

9. Upcoming Events

A. Board Visit to Facilities and Transportation Departments, Wednesday, March 18 at 8:30 AM

B. Budget Workshop, Thursday, March 26, 2026 in the Early Childhood School Boardroom

C. Next Regular Board Meeting, Thursday, April 16, 2026

D. Special Board Meeting for Wayne-Finger Lakes BOCES Administrative Budget and Election of Board Members, Wednesday, April 22, 2026

10. Adjourn

Motion to Adjourn

Board of Education Meeting - February 12, 2026 Minutes

Thursday, February 12, 2026 at 5:30 PM

Early Childhood School Boardroom 953 High Street, Victor, NY 14564

Board Members Present: Lisa Kostecki, Elizabeth Mitchell, Bryan Adams, Tim DeLucia (arrived at 5:42 PM), Carol Prescott, Adam Snyder
Student Board Members Present: Aiden Calnon, Isabella Polanco
Board Members Absent: Christopher Parks

1. Meeting Called to Order by President Lisa Kostecki at 5:38 PM

A motion was made to enter executive session to discuss the employment history of specific individuals at 5:38 PM.

Moved by: Elizabeth Mitchell
Seconded by: Carol Prescott

Motion carried. 5 yes 0 no 0 abstentions.

T. DeLucia arrived at 5:42 PM

A motion was made to return to regular session at 6:51 PM.

Moved by: Bryan Adams
Seconded by: Adam Snyder

Motion carried. 6 yes 0 no 0 abstentions.

2. Approval of Agenda

A motion was made to approve the agenda

Moved by: Elizabeth Mitchell
Seconded by: Bryan Adams

Motion carried. 6 yes 0 no 0 abstentions.

3. Superintendent's Updates

Superintendent Dr. Tim Terranova provided an update regarding the district's ongoing commitment to student social-emotional well-being, specifically focusing on the strategic goal of fostering a sense of belonging and value. Using the Panorama data platform, the district confirmed that Victor currently ranks in the 90th percentile nationally for student

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belonging compared to similar demographics. To support students falling outside this percentile, school building teams are utilizing "relationship mapping" to identify and connect students with trusted adults and necessary mental health resources. While high participation rates in athletics and music programs (60% and 40%, respectively) correlate with stronger student connections, the district remains mindful of the potential stress and time-management challenges facing highly involved students. Finally, the Superintendent recognized the Board's continued legislative advocacy for fair state funding and commended the facilities, transportation, and traffic control staff for their essential service during extreme winter conditions recently.

4. Presentations/Recognitions

None at this time

5. Public Participation

Mr. Jonathan Prater, District parent, Vice Commander of the American Legion, and Veteran, formally requested the District adopt two specific New York State property tax exemptions for veterans.

Mr. Adam Thompson, community member and Veteran requested the District's adoption of New York State property tax exemptions for veterans.

6. Acceptance of Consent Items (5 min.)

Dr. Terranova congratulated and showed appreciation for five teachers retiring at the end of this school year. He then thanked the Associations and Mr. David Passero, Assistant Superintendent for Personnel for their collaboration setting the 2026-2027 School Year calendar.

Mrs. Kostecki thanked the Buffalo Bills Foundation and the Victor Flag Football Booster Club for their donations to the flag football program.

A motion was made to approve upon recommendation of the Superintendent the following consent items A-L:

Moved by: Tim DeLucia
Seconded by: Adam Snyder

Motion carried. 6 yes 0 no 0 abstentions.

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A. Minutes of the Regular Board Meeting on January 13, 2026 and Special Board Meeting on January 29, 2026

B. Treasurer's Report for the month ending December 2025

C. Personnel Agenda
2.12.26 Personnel Agenda.pdf

D. Recommendations of the Committee on Special Education from the meetings of December 11, 12, 15, 16, 17, 2025; January 6, 7, 8, 9, 12, 13, 14, 16, 20, 21, 22, 23, 26, 27, 28, 29, 30, 2026; and February 3, 2026 and from the Committee on Preschool Special Education from the meetings of January 7, 9, 13, 20, 27, 30, 2026 and February 3, 10, 2026.

E. Accept the following donations:
- $3,000 from the Buffalo Bills Foundation Grant to the Victor Central School District, to be applied towards funding the Flag Football Modified A team for the Spring 2026 Season
- 3,575 from the Victor Flag Football Booster Club to the Victor Central School District, to be applied towards the purchasing of 30 Parkas for the Varsity Flag Football Team

F. School Calendar for the 2026-2027 School Year as submitted
VCSD District Calendar 26-27.pdf

G. Athletic Hall of Fame By-Laws as submitted
Athletic Hall of Fame By-Laws.pdf

H. Visual and Performing Arts Hall of Fame By-Laws as submitted
Visual and Performing Arts Hall of Fame By-laws.pdf

I. Graduates of Distinction By-Laws as submitted
Grad of Distinction By-Laws.pdf

J. Capital Project Change Order Approval
BE IT RESOLVED , that the Board of Education of the Victor Central School District, upon the recommendation of the Superintendent of Schools, hereby approves the Change

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Order for Maracon Enterprises Inc. in the amount of $83,692; and

BE IT FURTHER RESOLVED , that this change order is for necessary asbestos abatement services at the Learning Center; and

BE IT FURTHER RESOLVED, that the Board of Education authorizes the Board President or the Superintendent of Schools to execute the necessary documents to finalize this change order.

K. Authorization for Superintendent to Approve Capital Project Change Orders up to $50,000

WHEREAS, the Victor Central School District (the "District") is frequently involved in Capital Improvement Projects (the Project) as approved by the voters of the District; and

WHEREAS, during the course of construction, it is anticipated that certain modifications to the work, known as Change Orders, may be required to address unforeseen conditions, design adjustments, or other necessary changes to ensure the Project proceeds efficiently and on schedule; and

WHEREAS, the Board of Education (the "Board") recognizes that delays in approving necessary minor changes can result in project stoppages, increased costs, or scheduling conflicts; and

WHEREAS, the Board desires to establish a streamlined process for the approval of Change Orders that allows for efficient project management while maintaining appropriate fiscal oversight and governance;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Victor Central School District hereby adopts the following regarding the approval of Change Orders for the Project:

1. Authorization of Superintendent: The Superintendent of Schools is hereby authorized to review and approve written Change Orders for the Project, provided that the total cost of any single Change Order does not exceed Fifty Thousand Dollars ($50,000.00).
2. Board Approval Required: Any Change Order exceeding

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the amount of Fifty Thousand Dollars ($50,000.00) must be presented to the Board of Education for review and formal approval prior to execution, except in cases of emergency where immediate action is required to protect the safety of students, staff, or property, in which case the Superintendent may authorize the work and immediately notify the Board.

3. Effective Date: This resolution shall take effect immediately and shall remain in effect until such time as it is rescinded.

L. Memorandum of Agreement Between the Victor Central School District and the Civil Service Employee's Association related to the financial compensation of a specific assignment

7.

A. Campus News
Administrators and student Board Members Aiden Calnon and Isabella Polanco updated the Board and community of events and news from around campus.

B. Capital Project Update (Christine Griffin, George Spinaris, Cameron Cunneyworth, Chris Mergler; 10 min.)
Representatives from SWBR and Campus Construction provided a comprehensive status update on the district's multi-phase Capital Project. Phase 1 is currently underway, with significant demolition occurring at the Operations Center and Learning Center, while campus-wide communication system upgrades have commenced at the Primary School. To mitigate logistical challenges in Phase 2, a new "Phase 1.5" was established to expand parking capacity at a highly economical, state-aidable cost. Phase 2 will prioritize state-mandated HVAC upgrades for large spaces and use a strategic bidding process to increase trade competition and reduce contractor markups.

C. Management Plan Update; Grades 3-5, Implementation of CKLA - Assessment Analysis (Karen Finter, Kira Carinci, and Jim Mauro; 20 min.)
Assistant Superintendent for Instruction Karen Finter, Director of Humanities Kira Carinci, and Intermediate School

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Principal Jim Mauro presented an update on the *Learning and Instruction* pillar, focusing specifically on refined ELA practices for grades 3 through 6. A key development this year is the implementation of a Schoolwide Assessment Team (SWAT) to standardize Oral Reading Fluency (ORF) testing, ensuring data consistency across classrooms and allowing teachers to create individualized "fluency profiles" for students. These profiles guide the WIN (What I Need) block, a designated time for targeted remediation, practice, or extension tailored to specific student needs. The district highlighted the successful integration of the CKLA curriculum, which emphasizes the reciprocal relationship between building background knowledge through reading and applying it through sophisticated writing tasks. Recent benchmark data confirms that Victor students remain in the "high growth/high achievement" quadrant, with upward movement in achievement levels across these grade bands.

Mrs. Prescott questioned whether the SWAT Assessment team was the same one that accessed all classrooms? Mrs. Carinci said that yes, this approach helps standardize consistency.

Mrs. Mitchell asked if the AimsWeb testing is timed? Mrs. Carinci responded that it is. Mrs. Mitchell then asked how Superkids curriculum is transitioning into CKLA curriculum? Mrs. Finter said that the district is looking at it currently, as the first cohort is finishing the transition.

D. Budget Development Update: (Christine Griffin; 20 min.)

Assistant Superintendent Christine Griffin reviewed the non-personnel budget updates for the Office of Instruction and Pupil Services, emphasizing a commitment to fiscal sustainability and transparency. The Offices of Instruction’s non-personnel budget is projected to decrease by 6%, primarily due to aligning textbook expenditures with the static state aid allocation per pupil. The Pupil Services non-personnel budget faces an increase ($579,212), driven largely by a shift of 18 students from BOCES to private special education placements and mandated contracted services. While non-personnel costs across all departments have risen by approximately 9.35%, these expenses represent only 7% of the total district budget. Looking ahead, the district is

monitoring factors such as a projected 15% increase in health insurance premiums and upcoming debt service.

Mrs. Mitchells asked Ms. Griffin to define what encompasses aideable "textbooks"? Ms. Griffin indicated instructional aide would include library, software, and hardware, along with standard textbooks. Mrs. Mitchell then asked if there is a formula used to calculate textbook aide? Ms. Griffin clarified that no, it is a set amount per pupil.

E. Trip Approvals

A motion was made to approve VIPE to Dayton, OH from 2/27-3/1/2026; VIPE to Dayton, OH from 4/15-4/19/26; DECA to Atlanta, GA from 4/25-4/29/2026; SEAS Club to Saranac Lake, NY from 5/29-5/31/2026; and Senior High students to Japan during Spring Break, 2027.

Mrs. Prescott asked for clarification as to what the cost to the district was indicated in the DECA trip paperwork? Senior High Principal Mr. Siesto was able to help clarify the ability for the school or local businesses to help fund the chaperone cost, as well as students who may have financial difficulty associated in participating in DECA competitions.

Moved by: Elizabeth Mitchell

Seconded by: Adam Snyder

Motion carried. 6 yes 0 no 0 abstentions.

8. Meeting Reports

A. Monroe County School Boards Association Committee Reports

Mrs. Kostecki communicated that the Legislative Committee met and planned for the Legislative Breakfast. *MCSBA Albany Day* this year is sending 5 members of the committee in the hopes to get more meeting opportunities.

Mrs. Mitchell reported that the District Operations Committee will hold a meeting after break on healthcare.

Mrs. Kostecki then reported about the great Legislative Breakfast event held the previous weekend. There were excellent student speakers; she also extended thanks to our

student board members for their attendance and engagement.

Mrs. Mitchell agreed that she was proud of Victor's student Board Members, and equally impressed with our elected officials who came. They were invested in the conversations and supportive of the school districts.

Mrs. Prescot said that when speaking with legislators at the breakfast, she appreciated their collaboration in bipartisan fashion for the school districts.

B. Standing Committee Updates
Mrs. Prescott said there was an IPAC Meeting which presented more inquiry opportunities including coding, robots, engineering challenges, stock market and book clubs, and keyboarding.

9. Upcoming Events

A. Budget Workshop, Thursday, February 26, 2026 at 5:30 PM - 6:20 PM in the Early Childhood School Boardroom

B. Next Regular Board Meeting, Wednesday, March 11, 2026 at 7:15 PM in the Early Childhood School Boardroom

C. Board Visit to Facilities and Transportation Departments, Wednesday, March 18, 2026 at 8:30 AM

D. Budget Workshop, Thursday, March 26, 2026 at 5:30 PM in the Early Childhood School Boardroom

10. Adjournment

A motion was made to adjourn the meeting at 8:57 PM.

Moved by: Bryan Adams
Seconded by: Elizabeth Mitchell

Motion carried. 6 yes 0 no 0 abstentions.

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District Clerk

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VICTOR CENTRAL
SCHOOL DISTRICT

Treasurer's Report

JANUARY 2026

Account Description	Bank	Beginning Balance	Monthly Receipts	Monthly Disbursements	Ending Balance
Cash Accounts					
General Fund Checking	Canandaigua National Bank	4,482,365.83	2,462,505.09	6,151,606.93	793,263.99
General Fund Money Market	Canandaigua National Bank	1,017,253.73	16,423.76	-	1,033,677.49
General Fund Tax Checking	Canandaigua National Bank	-	-	-	-
General Fund Tax Money Market	Five Star Bank	12.75	-	12.75	-
Multifund Insured Cash Sweep	Five Star Bank	18,381,201.95	51,886.12	3,205,603.66	15,227,484.41
School Lunch Fund Checking	Canandaigua National Bank	45,212.88	149,001.91	146,928.60	47,286.19
School Lunch Fund Money Market	Canandaigua National Bank	121,605.06	40,019.76	-	161,624.82
Special Aid Fund Checking/Sweep	Canandaigua National Bank	21,564.61	80,000.00	76,753.20	24,811.41
Capital Fund Checking-29M	Canandaigua National Bank	277,492.87	6.60	60,765.19	216,734.28
Trust & Agency Fund - Checking	Canandaigua National Bank	1,145,785.58	1,642,413.81	2,270,690.24	517,509.15
Trust & Agency Fund - Payroll Checking	Canandaigua National Bank	5,774.04	9,758.37	11,592.88	3,939.53
Trust & Agency Fund - Direct Deposit Checking	Five Star Bank	93.53	3,205,603.66	3,205,697.19	-
	Total Cash	**$ 25,498,362.83**	**$ 7,657,619.08**	**$ 15,129,650.64**	**$ 18,026,331.27**
Investments					
General Fund Certificate of Deposit	Canandaigua National Bank	-	-	-	-
General Fund	NYCLASS	27,660,936.84	84,602.90	-	27,745,539.74
Capital Fund	NYCLASS	26,414,252.85	80,789.85	-	26,495,042.70
Debt Service Fund	NYCLASS	3,100,528.23	9,483.20	-	3,110,011.43
	Total Investments	**$ 57,175,717.92**	**$ 174,875.95**	**$ -**	**$ 57,350,593.87**
	District Totals	**$ 82,674,080.75**	**$ 7,832,495.03**	**$ 15,129,650.64**	**$ 75,376,925.14**

I hereby certify that the above cash balances are in agreement with bank statements as reconciled

School District Treasurer

Victor Central School District

Budget Status Report As Of: 01/31/2026

Fiscal Year: 2026

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Current Appropriation	Year-to-Date Expenditures	Cycle Expenditures	Encumbrance Outstanding	Unencumbered Balance
1010 Board Of Education							
4 Contractual and Other		25,500.00	28,590.00	22,529.95	25.00	1,915.00	4,145.05
45 Materials & Supplies		5,000.00	5,077.98	745.89	115.00	2,932.09	1,400.00
49 BOCES Services		3,000.00	3,000.00	1,200.00	0.00	1,800.00	0.00
Subtotal of 1010 Board Of Education		**33,500.00**	**36,667.98**	**24,475.84**	**140.00**	**6,647.09**	**5,545.05**
1040 District Clerk							
16 Noninstructional Salaries		37,180.00	37,180.00	25,315.87	3,098.34	15,491.66	-3,627.53
Subtotal of 1040 District Clerk		**37,180.00**	**37,180.00**	**25,315.87**	**3,098.34**	**15,491.66**	**-3,627.53**
1060 District Meeting							
4 Contractual and Other		9,700.00	9,700.00	340.00	0.00	1,075.00	8,285.00
45 Materials & Supplies		7,500.00	8,148.88	0.00	0.00	8,763.88	-615.00
Subtotal of 1060 District Meeting		**17,200.00**	**17,848.88**	**340.00**	**0.00**	**9,838.88**	**7,670.00**
1240 Chief School Administrator							
15 Instructional Salaries		238,881.00	238,881.00	136,109.12	19,444.16	97,220.88	5,551.00
16 Noninstructional Salaries		37,180.00	37,180.00	21,688.24	3,098.32	15,491.72	0.04
4 Contractual and Other		15,700.00	15,700.00	13,612.70	83.44	25.00	2,062.30
45 Materials & Supplies		1,250.00	1,413.10	472.83	102.23	1,040.27	-100.00
Subtotal of 1240 Chief School Administrator		**293,011.00**	**293,174.10**	**171,882.89**	**22,728.15**	**113,777.87**	**7,513.34**
1310 Business Administration							
15 Instructional Salaries		162,221.00	162,221.00	91,947.38	13,135.34	65,676.62	4,597.00
16 Noninstructional Salaries		150,540.00	150,540.00	87,013.34	12,736.41	28,135.69	35,390.97
4 Contractual and Other		13,000.00	15,160.00	6,655.07	-183.55	5,874.00	2,630.93
45 Materials & Supplies		3,000.00	4,140.00	3,209.45	1,166.69	843.55	87.00
49 BOCES Services		132,185.00	126,763.61	62,596.09	12,833.49	64,167.52	0.00
Subtotal of 1310 Business Administration		**460,946.00**	**458,824.61**	**251,421.33**	**39,688.38**	**164,697.38**	**42,705.90**
1320 Auditing							
16 Noninstructional Salaries		6,500.00	6,500.00	1,946.88	0.00	2,704.00	1,849.12
4 Contractual and Other		47,250.00	67,250.00	24,734.97	3,310.40	42,288.75	226.28
Subtotal of 1320 Auditing		**53,750.00**	**73,750.00**	**26,681.85**	**3,310.40**	**44,992.75**	**2,075.40**
1325 Treasurer							
16 Noninstructional Salaries		93,600.00	93,600.00	60,180.00	6,630.00	33,150.00	270.00
4 Contractual and Other		3,250.00	2,590.00	840.00	840.00	0.00	1,750.00
45 Materials & Supplies		1,000.00	1,000.00	302.91	0.00	447.09	250.00
Subtotal of 1325 Treasurer		**97,850.00**	**97,190.00**	**61,322.91**	**7,470.00**	**33,597.09**	**2,270.00**
1330 Tax Collector							
16 Noninstructional Salaries		12,000.00	12,000.00	0.00	0.00	0.00	12,000.00
4 Contractual and Other		20,000.00	20,000.00	20,828.55	186.36	625.31	-1,453.86
45 Materials & Supplies		100.00	75.50	0.00	0.00	0.00	75.50
Subtotal of 1330 Tax Collector		**32,100.00**	**32,075.50**	**20,828.55**	**186.36**	**625.31**	**10,621.64**

Victor Central School District

Budget Status Report As Of: 01/31/2026

Fiscal Year: 2026

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Current Appropriation	Year-to-Date Expenditures	Cycle Expenditures	Encumbrance Outstanding	Unencumbered Balance
1345 Purchasing							
16 Noninstructional Salaries		47,840.00	47,840.00	24,834.95	3,663.99	0.00	23,005.05
4 Contractual and Other		15,080.00	13,580.00	0.00	0.00	0.00	13,580.00
45 Materials & Supplies		0.00	624.50	624.50	0.00	0.00	0.00
49 BOCES Services		8,876.00	8,936.00	4,460.29	895.03	4,475.71	0.00
Subtotal of 1345 Purchasing		**71,796.00**	**70,980.50**	**29,919.74**	**4,559.02**	**4,475.71**	**36,585.05**
1420 Legal							
4 Contractual and Other		90,000.00	96,000.00	28,971.13	453.00	63,915.00	3,113.87
49 BOCES Services		29,300.00	29,325.00	14,659.18	2,933.06	14,665.82	0.00
Subtotal of 1420 Legal		**119,300.00**	**125,325.00**	**43,630.31**	**3,386.06**	**78,580.82**	**3,113.87**
1430 Personnel							
15 Instructional Salaries		173,100.00	173,100.00	108,594.10	12,916.66	64,583.30	-77.40
16 Noninstructional Salaries		226,112.00	226,112.00	146,636.72	21,292.15	98,073.07	-18,597.79
4 Contractual and Other		101,000.00	83,511.08	41,495.04	13,720.76	21,173.85	20,842.19
45 Materials & Supplies		1,500.00	1,500.00	0.00	0.00	0.00	1,500.00
49 BOCES Services		5,000.00	20,286.00	10,433.89	3,145.18	9,852.11	0.00
Subtotal of 1430 Personnel		**506,712.00**	**504,509.08**	**307,159.75**	**51,074.75**	**193,682.33**	**3,667.00**
1460 Records Management Officer							
16 Noninstructional Salaries		0.00	0.00	7,477.80	1,019.70	39,836.28	-47,314.08
4 Contractual and Other		0.00	0.00	1,145.00	120.00	1,355.00	-2,500.00
Subtotal of 1460 Records Management Officer		**0.00**	**0.00**	**8,622.80**	**1,139.70**	**41,191.28**	**-49,814.08**
1480 Public Information and Services							
15 Instructional Salaries		61,873.00	61,873.00	47,956.68	6,440.12	28,283.72	-14,367.40
16 Noninstructional Salaries		82,120.00	82,120.00	47,320.00	6,760.00	33,800.00	1,000.00
4 Contractual and Other		38,100.00	38,100.00	23,518.15	7,335.00	366.20	14,215.65
45 Materials & Supplies		30,000.00	29,400.00	289.50	0.00	10.50	29,100.00
49 BOCES Services		72,000.00	77,000.00	36,000.00	7,200.00	41,000.00	0.00
Subtotal of 1480 Public Information and Services		**284,093.00**	**288,493.00**	**155,084.33**	**27,735.12**	**103,460.42**	**29,948.25**
1620 Operation of Plant							
16 Noninstructional Salaries		2,072,154.00	2,072,154.00	914,866.53	136,435.07	309,329.00	847,958.47
4 Contractual and Other		1,383,100.00	1,388,500.00	742,446.18	156,918.15	555,775.46	90,278.36
45 Materials & Supplies		225,000.00	225,000.00	120,163.78	8,260.75	39,072.30	65,763.92
49 BOCES Services		39,140.00	8,193.00	6,071.12	1,305.05	2,121.88	0.00
Subtotal of 1620 Operation of Plant		**3,719,394.00**	**3,693,847.00**	**1,783,547.61**	**302,919.02**	**906,298.64**	**1,004,000.75**
1621 Maintenance of Plant							
Noninstructional Salaries		627,964.00	627,964.00	444,134.08	67,848.77	413,988.11	-230,158.19
Equipment		216,763.00	216,763.00	35,534.00	7,545.00	128,667.37	52,561.63
Contractual and Other		777,050.00	855,194.91	487,616.47	51,269.07	235,350.30	132,228.14
Materials & Supplies		262,500.00	273,346.00	173,824.21	12,504.95	95,379.82	4,141.97
BOCES Services		100,000.00	100,000.00	0.00	0.00	100,000.00	0.00

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Budget Account	Description	Initial Appropriation	Current Appropriation	Year-to-Date Expenditures	Cycle Expenditures	Encumbrance Outstanding	Unencumbered Balance
Subtotal of 1621 Maintenance of Plant		**1,984,277.00**	**2,073,267.91**	**1,141,108.76**	**139,167.79**	**973,385.60**	**-41,226.45**
1622 Security of Plant							
16 Noninstructional Salaries		457,634.00	457,634.00	233,859.72	43,512.32	165,313.55	58,460.73
2 Equipment		60,000.00	60,000.00	0.00	0.00	0.00	60,000.00
4 Contractual and Other		126,000.00	126,000.00	15,226.79	14,363.23	114,925.21	-4,152.00
45 Materials & Supplies		5,000.00	5,000.00	119.20	0.00	500.00	4,380.80
Subtotal of 1622 Security of Plant		**648,634.00**	**648,634.00**	**249,205.71**	**57,875.55**	**280,738.76**	**118,689.53**
1670 Central Printing & Mailing							
4 Contractual and Other		75,000.00	73,500.00	26,672.56	2,013.26	34,092.70	12,734.74
45 Materials & Supplies		0.00	1,500.00	0.00	0.00	1,365.00	135.00
Subtotal of 1670 Central Printing & Mailing		**75,000.00**	**75,000.00**	**26,672.56**	**2,013.26**	**35,457.70**	**12,869.74**
1680 Central Data Processing							
49 BOCES Services		793,726.00	815,799.00	533,160.82	83,487.77	282,638.18	0.00
Subtotal of 1680 Central Data Processing		**793,726.00**	**815,799.00**	**533,160.82**	**83,487.77**	**282,638.18**	**0.00**
1910 Unallocated Insurance							
4 Contractual and Other		405,560.00	441,060.00	339,600.53	0.00	66,000.00	35,459.47
Subtotal of 1910 Unallocated Insurance		**405,560.00**	**441,060.00**	**339,600.53**	**0.00**	**66,000.00**	**35,459.47**
1920 School Association Dues							
4 Contractual and Other		12,000.00	12,000.00	515.00	0.00	0.00	11,485.00
Subtotal of 1920 School Association Dues		**12,000.00**	**12,000.00**	**515.00**	**0.00**	**0.00**	**11,485.00**
1964 Refund on Real Property Taxes							
4 Contractual and Other		53,000.00	53,000.00	0.00	0.00	0.00	53,000.00
Subtotal of 1964 Refund on Real Property Taxes		**53,000.00**	**53,000.00**	**0.00**	**0.00**	**0.00**	**53,000.00**
1981 BOCES Administrative Costs							
49 BOCES Services		848,057.00	853,057.00	426,489.88	85,297.98	426,567.12	0.00
Subtotal of 1981 BOCES Administrative Costs		**848,057.00**	**853,057.00**	**426,489.88**	**85,297.98**	**426,567.12**	**0.00**
2010 Curriculum Devel and Suprvsn							
15 Instructional Salaries		670,794.00	670,794.00	500,965.40	60,029.46	235,414.15	-65,585.55
16 Noninstructional Salaries		174,712.00	174,712.00	70,624.02	10,358.73	43,127.93	60,960.05
4 Contractual and Other		25,000.00	23,000.00	8,799.99	431.73	2,591.59	11,608.42
45 Materials & Supplies		65,900.00	91,600.00	55,065.02	1,877.07	10,802.48	25,732.50
Subtotal of 2010 Curriculum Devel and Suprvsn		**936,406.00**	**960,106.00**	**635,454.43**	**72,696.99**	**291,936.15**	**32,715.42**
2020 Supervision-Regular School							
15 Instructional Salaries		1,369,686.00	1,369,686.00	777,909.82	112,977.37	535,242.99	56,533.19
Noninstructional Salaries		491,288.00	491,288.00	260,265.24	39,169.65	129,016.84	102,005.92
Contractual and Other		14,560.00	13,113.00	120.00	0.00	0.00	12,993.00
Materials & Supplies		11,700.00	11,700.00	2,029.24	243.69	2,490.54	7,180.22
BOCES Services		6,000.00	6,163.00	3,060.99	620.33	3,102.01	0.00
otal of 2020 Supervision-Regular School		**1,893,234.00**	**1,891,950.00**	**1,043,385.29**	**153,011.04**	**669,852.38**	**178,712.33**

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Budget Account	Description	Initial Appropriation	Current Appropriation	Year-to-Date Expenditures	Cycle Expenditures	Encumbrance Outstanding	Unencumbered Balance
2060 Research, Planning & Evaluation							
4	Contractual and Other	2,800.00	2,800.00	0.00	0.00	0.00	2,800.00
45	Materials & Supplies	500.00	500.00	0.00	0.00	0.00	500.00
Subtotal of 2060 Research, Planning & Evaluation		**3,300.00**	**3,300.00**	**0.00**	**0.00**	**0.00**	**3,300.00**
2070 Inservice Training-Instruction							
15	Instructional Salaries	45,000.00	45,000.00	47,242.81	4,278.25	0.00	-2,242.81
4	Contractual and Other	10,000.00	59,398.10	58,774.37	0.00	623.73	0.00
45	Materials & Supplies	5,000.00	106.62	0.00	0.00	106.62	0.00
49	BOCES Services	199,602.00	123,340.00	54,995.11	12,302.10	68,344.89	0.00
Subtotal of 2070 Inservice Training-Instruction		**259,602.00**	**227,844.72**	**161,012.29**	**16,580.35**	**69,075.24**	**-2,242.81**
2110 Teaching-Regular School							
10	Teacher Salaries, Pre-K	128,588.00	127,538.00	12,329.80	2,465.96	12,329.79	102,878.41
12	Teacher Salaries, K-6	11,893,128.00	11,893,128.00	5,201,594.57	1,034,428.18	6,358,695.10	332,838.33
13	Teacher Salaries, 7-12	10,537,822.00	10,537,822.00	4,699,096.46	954,681.54	5,708,019.57	130,705.97
14	Substitute Tchr Salaries	915,372.00	915,372.00	328,944.35	53,060.48	31,640.60	554,787.05
15	Instructional Salaries	117,258.00	165,258.00	62,994.27	499.16	0.00	102,263.73
16	Noninstructional Salaries	1,546,288.00	1,546,288.00	753,125.01	145,860.09	637,107.19	156,055.80
2	Equipment	234,982.00	234,982.00	31,515.84	3,540.00	7,200.16	196,266.00
4	Contractual and Other	151,350.00	158,900.00	31,137.35	0.00	16,489.00	111,273.65
45	Materials & Supplies	455,377.00	486,716.67	236,616.80	18,618.51	122,756.34	127,343.53
471	Tuition Pd To NYS Pub Sch	60,000.00	60,000.00	0.00	0.00	0.00	60,000.00
473	Payment to Charter School	25,000.00	25,000.00	0.00	0.00	0.00	25,000.00
48	Textbooks	254,203.00	262,120.00	168,740.58	0.00	14,403.04	78,976.38
49	BOCES Services	285,710.00	257,638.00	134,386.45	26,371.17	123,251.55	0.00
Subtotal of 2110 Teaching-Regular School		**26,605,078.00**	**26,670,762.67**	**11,660,481.48**	**2,239,525.09**	**13,031,892.34**	**1,978,388.85**
2250 Prg For Sdnts w/Disabil-Med Elgble							
13	Teacher Salaries, 7-12	598,125.00	598,125.00	1,874.90	1,874.90	16,874.06	579,376.04
15	Instructional Salaries	5,376,321.00	5,326,321.00	2,707,020.18	549,969.19	3,233,612.73	-614,311.91
16	Noninstructional Salaries	2,727,627.00	2,677,627.00	951,610.19	188,098.03	927,772.43	798,244.38
4	Contractual and Other	333,343.00	384,121.00	180,731.79	20,506.57	231,543.59	-28,154.38
45	Materials & Supplies	83,135.00	80,135.00	58,584.35	1,345.26	12,944.60	8,606.05
471	Tuition Pd To NYS Pub Sch	20,000.00	20,000.00	0.00	0.00	25,000.00	-5,000.00
472	Tuition-All Other	1,061,000.00	1,121,000.00	472,770.53	108,020.50	627,654.05	20,575.42
473	Payment to Charter School	20,000.00	10,000.00	2,390.50	2,390.50	4,781.00	2,828.50
49	BOCES Services	3,054,000.00	2,824,000.00	1,375,103.31	283,268.21	1,448,896.69	0.00
Subtotal of 2250 Prg For Sdnts w/Disabil-Med Elgble		**13,273,551.00**	**13,041,329.00**	**5,750,085.75**	**1,155,473.16**	**6,529,079.15**	**762,164.10**
2280 Prg for English Language Learners							
15	Instructional Salaries	558,416.00	558,416.00	289,468.01	56,189.77	297,811.52	-28,863.53
4	Contractual and Other	0.00	896.00	137.50	137.50	423.50	335.00
45	Materials & Supplies	4,975.00	4,975.00	2,091.25	232.64	1,616.97	1,266.78

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Subtotal of 2259 Prg for English Language Learners		**563,391.00**	**564,287.00**	**291,696.76**	**56,559.91**	**299,851.99**	**-27,261.75**
2280 Occupational Education(Grades 9-12)							
49 BOCES Services		1,403,115.00	1,326,818.12	657,807.50	131,561.50	669,010.62	0.00
Subtotal of 2280 Occupational Education(Grades 9-12)		**1,403,115.00**	**1,326,818.12**	**657,807.50**	**131,561.50**	**669,010.62**	**0.00**
2330 Teaching-Special Schools							
49 BOCES Services		110,000.00	116,213.00	51,730.54	12,656.30	64,482.46	0.00
Subtotal of 2330 Teaching-Special Schools		**110,000.00**	**116,213.00**	**51,730.54**	**12,656.30**	**64,482.46**	**0.00**
2610 School Library & AV							
15 Instructional Salaries		315,752.00	315,752.00	129,835.20	25,866.54	169,952.50	15,964.30
16 Noninstructional Salaries		131,412.00	131,412.00	68,488.39	13,342.98	65,897.24	-2,973.63
4 Contractual and Other		3,980.00	3,400.00	0.00	0.00	50.00	3,350.00
45 Materials & Supplies		8,950.00	9,950.00	6,368.73	1,046.97	1,447.33	2,133.94
46 Sch. Library AV Loan Prog		66,000.00	65,580.00	19,889.50	7,032.77	20,826.87	24,863.63
49 BOCES Services		74,870.00	74,870.00	29,232.38	5,949.30	45,637.62	0.00
Subtotal of 2610 School Library & AV		**600,964.00**	**600,964.00**	**253,814.20**	**53,238.56**	**303,811.56**	**43,338.24**
2630 Computer Assisted Instruction							
15 Instructional Salaries		190,076.00	190,076.00	68,369.84	9,767.12	48,835.69	72,870.47
16 Noninstructional Salaries		541,950.00	518,450.00	245,761.14	35,074.19	199,492.11	73,196.75
22 State Aided Comp Hardware		155,000.00	155,000.00	122,870.29	20,796.57	16,728.29	15,401.42
4 Contractual and Other		95,700.00	133,700.00	116,585.69	856.00	15,747.00	1,367.31
45 Materials & Supplies		33,000.00	30,500.00	17,748.73	693.95	8,211.53	4,539.74
46 Sch. Library AV Loan Prog		125,500.00	125,500.00	53,745.41	12,790.07	13,032.29	58,722.30
49 BOCES Services		1,745,500.00	2,077,426.27	1,609,610.89	199,217.51	467,815.38	0.00
Subtotal of 2630 Computer Assisted Instruction		**2,886,726.00**	**3,230,652.27**	**2,234,691.99**	**279,195.41**	**769,862.29**	**226,097.99**
2810 Guidance-Regular School							
15 Instructional Salaries		1,413,749.00	1,413,749.00	683,399.58	110,428.16	611,172.64	119,176.78
16 Noninstructional Salaries		116,184.00	116,184.00	42,228.37	6,919.39	34,475.82	39,479.81
45 Materials & Supplies		0.00	3,000.00	2,030.39	0.00	969.61	0.00
Subtotal of 2810 Guidance-Regular School		**1,529,933.00**	**1,532,933.00**	**727,658.34**	**117,347.55**	**646,618.07**	**158,656.59**
2815 Health Srvcs-Regular School							
16 Noninstructional Salaries		595,898.00	595,898.00	265,771.70	49,728.94	280,007.80	50,118.50
4 Contractual and Other		160,000.00	170,000.00	51,234.89	15,131.41	111,198.92	7,566.19
45 Materials & Supplies		28,350.00	28,350.00	18,880.43	588.56	6,027.68	3,441.89
Subtotal of 2815 Health Srvcs-Regular School		**784,248.00**	**794,248.00**	**335,887.02**	**65,448.91**	**397,234.40**	**61,126.58**
2820 Psychological Srvcs-Reg Schl							
Instructional Salaries		1,012,921.00	1,012,921.00	473,645.35	79,604.42	438,847.79	100,427.86
Contractual and Other		0.00	0.00	24.08	0.00	0.00	-24.08
Total of 2820 Psychological Srvcs-Reg Schl		**1,012,921.00**	**1,012,921.00**	**473,669.43**	**79,604.42**	**438,847.79**	**100,403.78**
2840 Social Work Srvcs-Regular School							

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15 Instructional Salaries		394,075.00	394,075.00	196,068.50	34,241.20	187,710.86	10,295.64
4 Contractual and Other		0.00	2,669.00	2,669.00	0.00	0.00	0.00
Subtotal of 2825 Social Work Srvcs-Regular School		**394,075.00**	**396,744.00**	**198,737.50**	**34,241.20**	**187,710.86**	**10,295.64**
2830 Pupil Personnel Srvcs-Special Schools							
15 Instructional Salaries		540,696.00	540,696.00	120,165.00	19,050.60	95,253.10	325,277.90
16 Noninstructional Salaries		176,184.00	176,184.00	114,044.85	18,068.17	58,477.75	3,661.40
4 Contractual and Other		800.00	800.00	0.00	0.00	0.00	800.00
Subtotal of 2830 Pupil Personnel Srvcs-Special Schools		**717,680.00**	**717,680.00**	**234,209.85**	**37,118.77**	**153,730.85**	**329,739.30**
2850 Co-Curricular Activ-Reg Schl							
15 Instructional Salaries		252,065.00	252,065.00	128,700.74	13,355.54	98,000.84	25,363.42
4 Contractual and Other		34,400.00	44,800.00	11,094.73	0.00	17,900.00	15,805.27
45 Materials & Supplies		16,450.00	16,450.00	3,292.96	13.05	4,369.55	8,787.49
Subtotal of 2850 Co-Curricular Activ-Reg Schl		**302,915.00**	**313,315.00**	**143,088.43**	**13,368.59**	**120,270.39**	**49,956.18**
2855 Interscholastic Athletics-Reg Schl							
15 Instructional Salaries		1,187,896.00	1,187,896.00	539,336.48	70,447.75	134,124.81	514,434.71
16 Noninstructional Salaries		68,250.00	68,250.00	32,888.49	8,366.36	13,562.02	21,799.49
2 Equipment		127,600.00	122,600.00	80,866.08	30,171.77	40,877.01	856.91
4 Contractual and Other		303,500.00	327,435.59	155,789.32	61,828.82	128,250.48	43,395.79
45 Materials & Supplies		86,680.00	86,510.00	45,658.65	4,833.68	6,235.01	34,616.34
Subtotal of 2855 Interscholastic Athletics-Reg Schl		**1,773,926.00**	**1,792,691.59**	**854,539.02**	**175,648.38**	**323,049.33**	**615,103.24**
5510 District Transportation Services							
16 Noninstructional Salaries		2,783,229.00	2,783,229.00	1,433,004.07	232,821.44	961,903.12	388,321.81
2 Equipment		67,540.00	67,540.00	44,731.45	43,799.74	9,143.26	13,665.29
4 Contractual and Other		371,500.00	363,920.04	227,660.40	15,752.24	75,689.75	60,569.89
45 Materials & Supplies		655,000.00	646,000.00	255,074.94	35,936.95	312,989.30	77,935.76
49 BOCES Services		0.00	10,494.00	10,494.00	0.00	0.00	0.00
Subtotal of 5510 District Transportation Services		**3,877,269.00**	**3,871,183.04**	**1,970,964.86**	**328,310.37**	**1,359,725.43**	**540,492.75**
5530 Garage Building							
16 Noninstructional Salaries		539,593.00	539,593.00	270,573.98	39,589.81	165,552.30	103,466.72
4 Contractual and Other		75,550.00	75,550.00	18,202.19	2,672.40	49,833.38	7,514.43
Subtotal of 5530 Garage Building		**615,143.00**	**615,143.00**	**288,776.17**	**42,262.21**	**215,385.68**	**110,981.15**
5540 Contract Transportation-Med Elgble							
4 Contractual and Other		520,000.00	547,505.00	102,928.10	102,300.00	444,408.32	168.58
Subtotal of 5540 Contract Transportation-Med Elgble		**520,000.00**	**547,505.00**	**102,928.10**	**102,300.00**	**444,408.32**	**168.58**
5581 Transportation from Boces							
49 BOCES Services		30,000.00	15,981.00	7,826.33	1,630.85	8,154.67	0.00
Subtotal of 5581 Transportation from Boces		**30,000.00**	**15,981.00**	**7,826.33**	**1,630.85**	**8,154.67**	**0.00**
6010 Youth Program							
15 Instructional Salaries		41,600.00	41,600.00	34,245.67	7,460.50	0.00	7,354.33

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4 Contractual and Other		4,800.00	4,800.00	2,513.00	359.00	1,795.00	492.00
45 Materials & Supplies		100.00	100.00	0.00	0.00	0.00	100.00
Subtotal of 7310 Youth Program		**46,500.00**	**46,500.00**	**36,758.67**	**7,819.50**	**1,795.00**	**7,946.33**
9010 State Retirement							
8 Employee Benefits		2,154,380.00	2,154,380.00	810,007.67	135,899.93	594,950.97	749,421.36
Subtotal of 9010 State Retirement		**2,154,380.00**	**2,154,380.00**	**810,007.67**	**135,899.93**	**594,950.97**	**749,421.36**
9020 Teachers' Retirement							
8 Employee Benefits		3,955,053.00	3,955,053.00	1,668,569.07	315,026.51	1,810,010.61	476,473.32
Subtotal of 9020 Teachers' Retirement		**3,955,053.00**	**3,955,053.00**	**1,668,569.07**	**315,026.51**	**1,810,010.61**	**476,473.32**
9030 Social Security							
8 Employee Benefits		4,024,464.00	4,018,464.00	1,824,862.46	336,403.55	1,853,243.44	340,358.10
Subtotal of 9030 Social Security		**4,024,464.00**	**4,018,464.00**	**1,824,862.46**	**336,403.55**	**1,853,243.44**	**340,358.10**
9040 Workers' Compensation							
8 Employee Benefits		420,000.00	400,000.00	331,851.00	165,925.00	41,107.97	27,041.03
Subtotal of 9040 Workers' Compensation		**420,000.00**	**400,000.00**	**331,851.00**	**165,925.00**	**41,107.97**	**27,041.03**
9045 Life Insurance							
8 Employee Benefits		30,000.00	30,000.00	18,659.44	2,744.25	11,340.56	0.00
Subtotal of 9045 Life Insurance		**30,000.00**	**30,000.00**	**18,659.44**	**2,744.25**	**11,340.56**	**0.00**
9050 Unemployment Insurance							
8 Employee Benefits		15,000.00	15,000.00	13,561.54	4,866.20	0.00	1,438.46
Subtotal of 9050 Unemployment Insurance		**15,000.00**	**15,000.00**	**13,561.54**	**4,866.20**	**0.00**	**1,438.46**
9055 Disability Insurance							
8 Employee Benefits		30,000.00	30,000.00	7,718.50	923.00	5,645.50	16,636.00
Subtotal of 9055 Disability Insurance		**30,000.00**	**30,000.00**	**7,718.50**	**923.00**	**5,645.50**	**16,636.00**
9060 Hospital, Medical, Dental Insurance							
8 Employee Benefits		20,565,803.00	20,453,420.90	8,529,427.79	1,410,430.42	11,486,547.91	437,445.20
Subtotal of 9060 Hospital, Medical, Dental Insurance		**20,565,803.00**	**20,453,420.90**	**8,529,427.79**	**1,410,430.42**	**11,486,547.91**	**437,445.20**
9089 Other (specify)							
8 Employee Benefits		291,000.00	291,000.00	0.00	0.00	0.00	291,000.00
Subtotal of 9089 Other (specify)		**291,000.00**	**291,000.00**	**0.00**	**0.00**	**0.00**	**291,000.00**
9711 Serial Bonds-School Construction							
6 Principal		4,050,000.00	4,050,000.00	0.00	0.00	0.00	4,050,000.00
7 Interest		1,887,850.00	1,887,850.00	943,925.00	0.00	0.00	943,925.00
Subtotal of 9711 Serial Bonds-School Construction		**5,937,850.00**	**5,937,850.00**	**943,925.00**	**0.00**	**0.00**	**4,993,925.00**
Bond Antic Notes-Bus Purchases							
rincipal		1,000,740.00	1,000,740.00	1,000,740.00	0.00	0.00	0.00
nterest		128,311.00	128,311.00	128,310.19	0.00	0.00	0.81
tal of 9732 Bond Antic Notes-Bus Purchases		**1,129,051.00**	**1,129,051.00**	**1,129,050.19**	**0.00**	**0.00**	**0.81**
Other Debt (specify)							

Victor Central School District

Budget Status Report As Of: 01/31/2026

Fiscal Year: 2026

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Current Appropriation	Year-to-Date Expenditures	Cycle Expenditures	Encumbrance Outstanding	Unencumbered Balance
6 Principal		246,456.00	246,456.00	246,456.37	0.00	0.00	-0.37
7 Interest		85,285.00	85,285.00	85,284.60	0.00	0.00	0.40
Subtotal of 9789 Other Debt (specify)		**331,741.00**	**331,741.00**	**331,740.97**	**0.00**	**0.00**	**0.03**
9901 Transfer to Other Funds							
95 Transfer-Special Aid Fund		200,000.00	200,000.00	175,705.00	0.00	0.00	24,295.00
Subtotal of 9901 Transfer to Other Funds		**200,000.00**	**200,000.00**	**175,705.00**	**0.00**	**0.00**	**24,295.00**
Total GENERAL FUND		**109,771,405.00**	**109,938,714.87**	**49,527,269.62**	**8,383,095.57**	**46,580,776.52**	**13,830,668.73**

Victor Central School District

Budget Status Report As Of: 01/31/2026

Fiscal Year: 2026

Fund: A GENERAL FUND

Selection Criteria

Criteria Name: Shared: BOE Summary by State Modified
Fund: A
Budget type: Current Year
As Of Date: 01/31/2026
Suppress Budget Accounts with no activity
Print Summary Only
Sort by: Fund/State function/State object
Printed by JULIE LEVA

Ver. 26.02.03.2286

Victor Central School District

Revenue Status Report As Of: 01/31/2026

Fiscal Year: 2026

Fund: A GENERAL FUND

Revenue Account	Subfund	Description	Original Estimate	Current Estimate	Year-to-Date	Current Cycle	Anticipated Balance	Excess Revenue
1001 Real Property Taxes Tom			60,523,516.00	58,540,969.91	58,535,108.74	0.00	5,861.17	0.00
1081 Other Pmts in Lieu of Taxes			3,828,179.00	3,828,179.00	3,565,755.21	0.00	262,423.79	0.00
1085 STAR Reimbursement			0.00	1,982,546.09	1,982,546.09	0.09	0.00	0.00
1090 Int. & Penal. on Real Prop.Tax			50,000.00	50,000.00	26,900.81	0.00	23,099.19	0.00
1120 Nonprop. Tax Distrib. By Co.			100,000.00	100,000.00	22,166.51	0.00	77,833.49	0.00
1310 Day Sch.Tuit-Res.Nonvet Postgr			0.00	0.00	1,533.35	0.00	0.00	1,533.35
1335 Oth Student Fee/Charges (Indiv			75,000.00	75,000.00	171,549.00	-3.00	0.00	96,549.00
1410 Admissions (from Individuals)			2,500.00	2,500.00	29,248.00	0.00	0.00	26,748.00
2230 Day School Tuit-Oth Dist. NYS			150,000.00	150,000.00	75,000.00	0.00	75,000.00	0.00
2401 Interest and Earnings			300,000.00	300,000.00	1,271,102.48	217,703.67	44,676.94	1,015,779.42
2410 Rental of Real Property,Indiv.			40,000.00	40,000.00	27,395.38	40.00	12,604.62	0.00
2440 Rental of Buses			10,000.00	10,000.00	11,453.39	0.00	0.00	1,453.39
2450 Commissions			0.00	0.00	264.74	43.44	0.00	264.74
2650 Sale Scrap & Excess Material			0.00	0.00	427.07	0.00	0.00	427.07
2690 Other Compensation for Loss			0.00	0.00	4,325.00	770.00	0.00	4,325.00
2701 Refund PY Exp-BOCES Aided Srvc			300,000.00	300,000.00	4,292.43	0.00	295,707.57	0.00
2703 Refund PY Exp-Other-Not Trans			125,000.00	125,000.00	131,830.96	3,200.00	0.00	6,830.96
2705 Gifts and Donations			0.00	1,000.00	1,870.98	300.00	0.00	870.98
2770 Other Unclassified Rev.(Spec)			75,000.00	75,000.00	7,778.71	6,953.71	67,221.29	0.00
3101 Basic Formula Aid-Gen Aids (Ex			36,954,149.00	36,954,149.00	5,048,962.94	7,705.54	31,944,995.55	39,809.49
3102 Lottery Aid			0.00	0.00	8,325,597.35	191,831.49	0.00	8,325,597.35
3103 BOCES Aid (Sect 3609a Ed Law)			3,076,372.00	3,076,372.00	0.00	0.00	3,076,372.00	0.00
3260 Textbook Aid (Incl Txtbk/Lott)			250,941.00	250,941.00	64,860.00	0.00	186,081.00	0.00
3262 Computer Sftwre, Hrdwre Aid			126,694.00	126,694.00	0.00	0.00	126,694.00	0.00
3263 Library A/V Loan Program Aid			25,744.00	25,744.00	0.00	0.00	25,744.00	0.00
3289 Other State Aid			0.00	0.00	23,272.00	0.00	0.00	23,272.00
4601 Medic.Ass't-Sch Age-Sch Yr Pro			100,000.00	100,000.00	61,183.27	8,001.09	38,816.73	0.00
4960 Emerg Disaster Assist-FEMA			0.00	0.00	12,840.31	0.00	0.00	12,840.31
5999 Appropriated Fund Balance			3,658,310.00	3,824,619.87	0.00	0.00	3,824,619.87	0.00
Total GENERAL FUND			**109,771,405.00**	**109,938,714.87**	**79,407,264.72**	**436,546.03**	**40,087,751.21**	**9,556,301.06**

Selection Criteria

mated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.

e are estimates to balance the budget

Victor Central School District

Revenue Status Report As Of: 01/31/2026

Fiscal Year: 2026

Fund: A GENERAL FUND

Revenue Account	Subfund	Description	Original Estimate	Current Estimate	Year-to-Date	Current Cycle	Anticipated Balance	Excess Revenue

Criteria Name: Shared: BOE
As Of Date: 01/31/2026
Suppress revenue accounts with no activity
Show Actual revenue in 'As Of' cycle
Show special revenue accounts 5997-5999
Print Summary Only
Sort by: Fund/State Revenue
Printed by JULIE LEVA

mated revenue for Carryover Encumbrances from the prior fiscal year will not be realized.
e are estimates to balance the budget

Extraclass Fund

From January 1, 2026 - January 31,2026

Activities	Beginning Balance	Receipts	Disbursements	Ending Balance
CLASS OF 2023	-			-
CLASS OF 2024	-			-
CLASS OF 2025				-
CLASS OF 2026	13,950.03	13,600.00		27,550.03
CLASS OF 2027	3,068.61			3,068.61
CLASS OF 2028	2,482.73			2,482.73
CLASS OF 2029	1,227.53			1,227.53
CLASS OF 2030	1,000.00			1,000.00
CLASS OF 2031	1,000.00			1,000.00
CODING CLUB		150.00		150.00
AQUATIC LEADERS	-			-
ART CLUB	-	200.00		200.00
BUSINESS CLUB	13,871.58	20,965.00	21,871.00	12,965.58
DRAMA CLUB	11,578.87		382.49	11,196.38
FRENCH CLUB	8,142.16		83.97	8,058.19
GO GREEN GARDEN TEAM	-			-
GLOBAL COMPETENCY	310.55			310.55
INTERNATIONAL CLUB	122.82		10.00	112.82
JAZZ BAND		300.00		300.00
J.H. MUSICAL	26,406.49	111.82	2,309.37	24,208.94
J.H. STORE	-			-
J.H. ST. CO.	785.49		167.45	618.04
J.H. YEARBOOK	1,201.77			1,201.77
KEYCLUB	4,806.32	153.00		4,959.32
MASTERMINDS		300.00		300.00
MEDICAL EXPLORERS	41.63			41.63
MENTORING CLUB	3,031.07			3,031.07
Model UN	9.00	678.96		687.96
N.H.S.	2,967.56			2,967.56
OUTDOOR ACTIVITY	422.63			422.63
POSITIVE SCHOOL CLIMATE	3,025.93			3,025.93
SALES TAX	80.86	55.88		136.74
SEAS	246.30			246.30
S.H. ORCHESTRA	16,371.12		1,000.00	15,371.12
SH SCHOOL STORE	2,561.78	427.00		2,988.78
S.H. ST. CO.	38,226.04	65.54	10,733.47	27,558.11
SH YEARBOOK	917.01			917.01
SPANISH CLUB	3,497.39	150.00		3,647.39
VICTOR MUSIC SOCIETY	1,014.29	122.38	275.00	861.67
VICTOR CARES	9,292.15	1,387.12	877.27	9,802.00
WELLNESS CLUB	452.24	200.00		652.24
TOTALS	172,111.95	38,866.70	37,710.02	173,268.63

Bank Balance	196,498.31
Checks Outstanding	23,269.68
Interest Not Posted	-
Deposit from General Payment in January	
Returned Checks	40.00
Void in Process	
Total Reconciled Bank Balance	**173,268.63**

Received by the Board of Education and entered as part of the minutes of the Board meeting

Assistant Superintendent for Business

Jill Smith, Extraclass Treasurer

Victor Central School District

Budgetary Transfer Report

Fiscal Year: 2026

Current Appropriation - Effective From: 01/01/2026 To: 01/31/2026

Effective Date	Trans ID	Transaction Description	Budget Account	Description	Amount Transferred From	Amount Transferred To
Fund: A - GENERAL FUND						
01/12/2026	006491	Fiber work at Intermediate School				
			A2630-160-00-0000-000 R	COMPUTER SERVICES SUPPORT	-2,500.00	
			A2630-400-00-0000-000 R	CONTRACTUAL		2,500.00
01/16/2026	006570	For Buildings and Maintenance				
			A1621-400-00-0000-000 R	MAINTENANCE CONTRACTUAL	-10,000.00	
			A1621-450-00-0000-000 R	BUILDINGS AND MAINTENANCE		10,000.00
01/21/2026	006611	To fund auditor expenses per C. Griffin				
			A9040-800-00-1000-000 R	WORKERS COMP PREMIUMS	-20,000.00	
			A1320-400-00-0000-000 R	AUDIT SERVICES		20,000.00
01/21/2026	006650	Transfers for contract adjustments				
			A1310-490-00-0000-000 R	BUSINESS OFFICE BOCES	-5,421.39	
			A1620-490-00-0000-000 R	MAINTENANCE BOCES SERVICE	-27,123.88	
			A1680-490-00-0000-000 R	BOCES CENTRAL DATA PROCES	-38,898.00	
			A2070-490-00-0000-000 R	IN-SERVICE/PROFESSIONAL D	-60,096.00	
			A2110-490-00-0000-000 R	REGULAR INSTRUCTION BOCES	-30,387.00	
			A2250-490-00-0000-000 R	SWD BOCES SERVICES	-170,000.00	
			A2630-490-00-0000-000 R	BOCES INSTRUCTIONAL TECHN	-112,950.99	
			A2630-490-00-0059-000 R	BOCES - ADDITIONAL HARDWA		444,877.26
01/21/2026	006656	transfers for contract adjustments				
			A1430-490-00-0000-000 R	PERSONNEL SERVICES BOCES	-2,936.00	
			A5581-490-00-0000-000 R	Transportation from BOCES	-3,525.00	
			A1345-490-00-0000-000 R	PURCHASEING BOCES		60.00
			A1420-490-00-0000-000 R	LEGAL SERVICES BOCES		25.00
			A2020-490-00-0000-000 R	BOCES		163.00
			A2330-490-00-0023-000 R	BOCES SUMMER SCHOOL PROGR		6,213.00
01/22/2026	006684	to cover long term sub				
			A2250-150-00-0000-000 R	HANDICAPPED IPS	-50,000.00	
			A2250-400-00-0000-000 R	SWD CONTRACTED SERVICES		50,000.00
01/23/2026	006694	to order envelopes				
			A1670-400-00-0000-000 R	CENTRAL SERVICES POSTAGE/	-1,500.00	
			A1670-450-00-0000-000 R	CENTRAL SVC - MAT'L/SUPPL		1,500.00
01/29/2026	006811	transfers for contract adjustments				
			A2280-490-00-0000-000 R	BOCES OCC EDUCATION	-76,296.88	
			A1480-490-00-0000-000 R	PR BOCES		5,000.00
			A1620-490-00-0000-000 R	MAINTENANCE BOCES SERVICE		1,176.88
			A1680-490-00-0000-000 R	BOCES CENTRAL DATA PROCES		60,971.00
			A2070-490-00-0000-000 R	IN-SERVICE/PROFESSIONAL D		6,834.00
			A2110-490-00-0000-000 R	REGULAR INSTRUCTION BOCES		2,315.00
01/29/2026	006815	ASBO Conference				
			A1325-401-00-0000-000 R	TREASURER CONFERENCE/TRA	-660.00	
			A1345-400-00-0000-000 R	PURCHASING COOPERATIVE SE	-1,000.00	
			A1310-401-00-0000-000 R	BUSINESS OFFICE CONFERENC		660.00
			A1310-401-00-0000-000 R	BUSINESS OFFICE CONFERENC		1,000.00
01/30/2026	006830	Conference Money				
			A1345-400-00-0000-000 R	PURCHASING COOPERATIVE SE	-500.00	
			A1310-401-00-0000-000 R	BUSINESS OFFICE CONFERENC		500.00
01/30/2026	006845	To cover OT leave				
			A2250-160-05-0000-000 R	SPED AIDES SALARIES VEC	-50,000.00	
			A2250-400-00-0000-000 R	SWD CONTRACTED SERVICES		50,000.00
01/30/2026	006847	to cover negative balance, new entrant at Norman Howard and Life Prep claim form				
			A2250-490-00-0000-000 R	SWD BOCES SERVICES	-60,000.00	
			A2250-472-00-0000-000 R	SWD PRIVATE TUITION		60,000.00
01/30/2026	006853	To pay for two DECA advisors to attend the state competition				
			A2110-400-01-0000-000 R	SHS BUILDING CONTRACTUAL	-1,400.00	
			A2850-401-01-0903-000 R	DECA TRAVEL		1,400.00

Victor Central School District

Budgetary Transfer Report

Fiscal Year: 2026

Current Appropriation - Effective From: 01/01/2026 To: 01/31/2026

Effective Date	Trans ID	Transaction Description	Budget Account	Description	Amount Transferred From	Amount Transferred To
			Total for Fund A - GENERAL FUND		-725,195.14	725,195.14
Fund: F - SPECIAL AID FUND						
01/29/2026	006794	to cover travel				
			F2110-400-00-MTR R	Purchased Services-Mentor	-54.40	
			F2110-460-00-MTR R	TRAVEL-MENTOR TEACHER		54.40
			Total for Fund F - SPECIAL AID FUND		-54.40	54.40
Fund: H - CAPITAL FUND						
01/12/2026	006513	To fund legal expenses				
			H2110-240-00-99M R	CONTRACTUAL 99M	-20,000.00	
			H2110-247-00-99M R	OTHER CONTRACTUAL		20,000.00
			Total for Fund H - CAPITAL FUND		-20,000.00	20,000.00

Victor Central School District

Budgetary Transfer Report

Fiscal Year: 2026

Current Appropriation - Effective From: 01/01/2026 To: 01/31/2026

Total Current Appropriation	745,249.54

Selection Criteria

Type: Current Appropriation
Date From: 01/01/2026
Date To: 01/31/2026
Date Used: Effective in Budget
Printed by JULIE LEVA

VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION
Personnel Agenda, March 11, 2026

All appointments on these pages are made in compliance with New York State Education Law relating to criminal history background clearances for new employees. Conditional clearances under that law have been requested for all new employees.

Instructional

Tenure Appointments:	The appointment to tenure of **Taylor Cardona**, who is certified in Early Childhood Education Birth-Grade 2, upon the successful completion of her probationary period as an Elementary Teacher, effective April 16, 2026.

Long Term Substitute Appointments:	The appointment of **Brynne Kessler**, who has certification in Childhood Education Grades 1-6, to a long term substitute position as an Elementary Teacher, effective August 27, 2025, and ending June 18, 2026, at an annual salary of $48,502, which will be prorated based on the length of the assignment.

Leaves of Absence:	The granting of a maternity and subsequent childcare leave of absence for **Erika Marion**, Mathematics Teacher, effective July 1, 2026, and extending through June 30, 2028.
	The granting of an extended maternity and subsequent childcare leave of absence for **Natalie Ball**, Elementary Teacher, effective approximately April 21, 2026, and extending through June 30, 2027.

Resignations:	The resignation due to retirement of **Valerie Falagan**, Teacher Assistant, effective June 26, 2026.
	The resignation of **Rachel Lawrence**, Elementary Teacher, effective March 7, 2026.

Athletics:	**Position**	**Name**	**Level**	**Years**
Baseball	Volunteer	Andrew Kimmins	-	-
	Volunteer	Bailey Gauthier	-	-
Track & Field	Modified	Stash Merritt	5	5
	Modified Assistant	Christopher Levy	6	23
	Modified Assistant	Joseph Carey	6	14
	Modified Assistant	Bryan Kavanaugh	6	1
Lacrosse – Boys	Varsity Assistant	Anthony Pezzimenti	4	19

	Volunteer	Bradley Voigt	-	-
Softball	Volunteer	Lauren Gulick	-	-

Per Diem and Substitute Positions:	**Candidate**	**Position**
	John Mirras	Drivers Education
	Julia Hannan	Uncertified

Non-Instructional

Appointments:	The appointment of **Gregory Thompson**, School Bus Driver, effective February 9, 2026, at an hourly rate of $23.10.
	The appointment of **Oksana Shvachii**, Food Service Helper, effective March 2, 2026, at an hourly rate of $16.17.
	The appointment of **Ruby Birdsall**, School Bus Driver, effective February 23, 2026.
	The appointment of **Armando Almanza**, Cleaner, effective March 2, 2026, at an hourly rate of $16.68.
	The appointment of **Alexis Cresswell**, Full Time Teacher Aide, effective March 2, 2026, at an hourly rate of $16.17.

Resignations:	The resignation of **Jacqueline Valdes**, School Bus Monitor, effective February 13, 2026.
	The resignation of **Miyah Snell**, Teacher Aide, effective March 9, 2026.
	The resignation of **Steve Slavny**, Coordinator of District Safety, effective June 30, 2026.

Terminations:	The termination of employment of **Glori Perez Montalvo**, Full Time Cleaner, effective February 19, 2026.

Leaves of Absence:	The granting of a maternity and subsequent childcare leave of absence for **Miyah Snell**, Teacher Aide, effective February 23, 2026, and extending through approximately March 9, 2026.
	The granting of a discretionary leave of absence for **Petrita Sanchez Llanos**, Teacher Aide, from June 1, 2026, through June 30, 2026.

Per Diem and Substitute Positions:	**Candidate**	**Position**
	Owen Myers	Teacher Aide/ Typist
	Mason Larose	Teacher Aide
	Gary Zwick	School Bus Driver Trainee/ School Bus Monitor

MEMORANDUM OF AGREEMENT

1. During the term of this Memorandum of Agreement only, an Association member who refers a non-District employee for employment with the District as a bus driver will receive a one-time $500 referral bonus if the individual is subsequently employed (within one (1) month from initial application) by the District as a full time, part time or substitute bus driver, provided that each of the following eligibility criteria is met:

a. The non-District employee has indicated in writing at the time of initial application the name of the current Association member who referred the individual for employment with the District; and

b. The individual referred to the District by the Association member remains employed by the District as bus driver for five (5) consecutive months following employment by the District; and

c. The bus driver hired by the District upon the recommendation of the Association member has worked no less than an average of 3 days per week or 15 hours per week during such five (5) consecutive-month period.

No referral bonus will be paid if any of the above eligibility criteria is not met. Only one Association member may receive a referral bonus per new bus driver hired. In the event of a disagreement between who first referred the individual to the District for employment as a bus driver, the referral bonus will only be paid if the individual applying to the District indicates in writing the Association member who first referred the individual.

2. An Association member who during the term of this Memorandum of Agreement is entitled to and receives a referral bonus as set forth in paragraph 1, above, having met each of the eligibility criteria, will receive a second, one-time $500 referral bonus, provided that each of the following eligibility criteria is met:

a. The individual whom the Association member referred and whom was hired by the District as a full time, part time or substitute bus driver, remains employed by the District for ten consecutive (10) months following employment by the District; and

b. The bus driver hired by the District upon the recommendation of the Association member has worked no less than an average of 3 days per week or 15 hours per week during such ten (10) consecutive-month period.

No referral bonus will be paid if any of the above eligibility criteria is not met. Only one Association member may receive a referral bonus per new bus driver hired. In the event of a disagreement between who first referred the individual to the District for employment as a bus driver, the referral bonus will only be paid if the individual applying to the District indicates in

writing the Association member who first referred the individual.

3. The parties agree that this Memorandum of Agreement does not create or establish a precedent for any past or future matter or individual.

4. The parties agree that this Memorandum of Agreement does not entitle any other unit member to any payment or benefit.

5. This Memorandum of Agreement constitutes the full and complete agreement of the parties related to bus driver referral bonuses and may not be modified, altered, or changed orally. No alteration or amendment shall be made without written consent of the parties to this Memorandum of Agreement.

6. The parties agree that this Memorandum of Agreement shall sunset in its entirety and have no further force or effect on June 30, 2027.

7. Should any provisions of this Memorandum of Agreement be declared or determined by any court or reviewing officer or entity to be illegal or invalid, the validity of the remaining provisions shall not be affected thereby and the illegal or invalid provision shall be severed from this Memorandum of Agreement, provided severance of the invalid or illegal provision does not defeat the intent of the parties as reflected in this Memorandum of Agreement.

Agreed to this _____day of February, 2026

Victor Central School District

By: Timothy Terranova, Ed. D.,

Superintendent of Schools

Victor Teachers' Association

By: Michael Modleski,

VTA President

MEMORANDUM OF AGREEMENT
BETWEEN THE CIVIL SERVICE EMPLOYEE'S ASSOCIATION INC, LOCAL 1000, AFSCME, AFL-CIO, VICTOR CENTRAL SCHOOL DISTRICT NON-INSTRUCTIONAL EMPLOYEES UNIT #7854 ONTARIO COUNTY LOCAL 835 AND THE VICTOR CENTRAL SCHOOL DISTRICT

The Civil Service Employees' Association (hereinafter referred to as "CSEA") and the Victor Central School District (hereinafter referred to as the "District" and both hereinafter referred to as the "parties") are agreeing to the Memorandum of Agreement stated below.

WHEREAS, the current (July 1, 2023-June 30, 2027) Collective Bargaining Agreement (CBA), Schedule A Starting rates, does not provide a specific rate of pay for bus monitors, bus monitor substitutes, or bus driver trainees who possess a Non-CDL C license and are assigned to transport students via van;

NOW, THEREFORE, the parties agree as follows:

- **Rate of Pay:** Any bus monitor, bus monitor substitute, or bus driver trainee who possesses a valid Non-CDL C license shall be paid at a rate of $21.10 per hour for any time spent driving a van to transport students.
- **Substitution of Pay:** This rate of $21.10 per hour shall be paid in lieu of the employee's regular straight-time rate of pay for the duration of the specific van transport assignment. Beginning on July 1, 2026, the rate shall increase to $21.94.
- **Non-Precedent Setting:** This Memorandum of Agreement shall not set any precedent or practice regarding any aspect of the collective bargaining agreement, and all other terms and conditions of the collective bargaining agreement remain unchanged.
- **Entirety of Agreement:** This Memorandum constitutes the full and complete agreement of the parties regarding this matter and may only be amended or modified by written agreement signed by authorized representatives of both parties.
- **Retroactive Date**: The parties hereby stipulate and agree that the terms and conditions set forth in this Agreement shall be effective retroactively, commencing on September 1, 2025, notwithstanding the date of final execution.

Agreed to this ____ day of _____, 2026

Victor Central School District	CSEA Unit #7854
	Lori Fuller
By: Timothy Terranova, Ed. D.	By: Lori Fuller
Superintendent of Schools	CSEA President
Date:	Date: 2/25/26



CYBERSECURITY INCIDENT RESPONSE PLAN

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Related Documents

- NIST National Institute of Standards and Technology, US Department of Commerce
- New York State Education Department
- New York State Regional Information Center, RIC One Twelve Regional Information Centers

1.0 Executive Summary

This document provides the operational protocols and tactics when responding to a critical or unexpected security incident. This document will be known as the ***Cybersecurity Incident Response Plan,*** and it will include a general overview of preparedness. The plan will consist of record-keeping investigation and communications templates, NIST Cybersecurity Framework pre-checklists, and a current district data flowchart. Also included are team roles with district staff names and contact information, and an emergency vendor call list. This ***Cybersecurity Incident Response Plan*** (CIRP) is essential for an efficient and swift response to a cyber incident. This plan provides steps and procedures that will be activated when responding to an incident.

The goals of the plan will be to:

- Identify, outline and document the control and support of critical systems and place a high level of security that will be identified with documentation and training.
- Hold the incident response plan as a confidential document that will be sealed to only critical stakeholders involved in supporting and protecting the critical areas identified.
- Create an emergency response team prepared to act in times of crisis.
- Create a process of prevention and preparedness from district stakeholders.
- Provide a high-level approach for how the incident response capability fits into the overall organization.
- Create a process that will activate when an incident is discovered.
- Protect and document any or any further vulnerabilities from an incident.
- Protect the district's critical systems, data, and student and staff record integrity.
- Meet all guidelines of state and federal regulations.

If a school district experiences a cybersecurity incident, it is essential to observe and follow the steps below to ensure the safety of district resources and assist in protecting the component districts.

1. **Identity**: Identify the systems that are impacted.
2. **Isolate**: Take those devices that are compromised offline immediately.
3. **Communicate**: Notify all relevant stakeholders and the appropriate agencies to assist in the correct mitigation response. During the communication process, the priorities must be identified, and a timeline created that will help to make decisions as the active incident investigation continues.
    a. Notify the Superintendent of Schools
    b. Notify the Director of EduTech
    c. Notify the NYS Chief Privacy Officer
    d. Notify the District Insurance Carrier
    e. Notify the District Legal Counsel
4. **Investigate**: Investigate the impacted **system to identify the primary cause of the incident with guidance from resources, such as EduTech and MS-ISAC**. In ransomware or malware, there may be secondary infections not present at the time; however, the possibilities of reinfection are high

because of the likelihood of undetected auxiliary infections. Identify if personally identifiable information (PII) for staff and students may have been compromised.

5. **Mitigate**: Begin the cleanup process to ensure that all traces of the infections identified are removed from the environment. This will be the most time-consuming part of the process and is critical to restoring the environment to a secure and functional status. Refresh all computers with a clean operating system and software.

6. **Recovery:** The process of restoring and returning affected systems and devices to a secure state and using tools to return systems into production and restore business as usual.

7. **Lessons Learned:** Once the investigation is completed, the ***Incident Response Team*** (IRT) should discuss and review the documentation of the process and analyze the event. The IRT is looking for security holes, vulnerabilities, and areas needed for training. The lessons learned should prevent future incidents and create a more secure district environment.

The response to a cyber incident being reported is **critical**. The purpose of the Regional Information Center's response will be used to protect all parties. In partnership with district technology staff, EduTech, and the New York State Education Department, this team will respond swiftly in containing any further damage.

1.1 Definitions

Cybersecurity Incident – A cybersecurity incident is any event that threatens the confidentiality, integrity, or availability of the information resources supported or utilized internally, especially sensitive information whose theft or loss may be harmful to individual students, our partners, or our organization.

Cybersecurity Data Breach - A cybersecurity breach means the unauthorized release, access, or disclosure of students' personally identifiable information (PII) or teacher and principal APPR by or to a person not authorized to access, use, or receive the student, teacher, or principal data.

Cyber Incident Log – The Cybersecurity Incident Log will capture critical information about a cybersecurity incident and the organization's response to that incident. It should be maintained while the incident is in progress.

Incident Response Plan – A step-by-step walk-through of high-level procedures and templates that prepares districts for a cyber incident and develops an effective action plan.

Incident Response Manager (IRM) – The Incident Response Manager has the overall responsibility and authority during the incident to coordinate and direct all facets of the incident response efforts.

Incident Response Team (IRT) – The IRT is made up of experts across different organizations whose charge is to navigate the organization through a cybersecurity incident from the initial investigation to mitigation to post-incident review. Members include an Incident Response Manager, technical hardware and networking experts, front-end software experts, communications experts, and legal experts

Incident Summary Report (ISR) – The Incident Summary Report (ISR) is a document prepared by the IRM at the conclusion of a cybersecurity incident. It will provide a detailed summary of the incident, including how and

why it may have occurred, estimated data loss, affected parties, and impacted services. Finally, it will examine the Cybersecurity Incident Response Plan procedures, including how the IRT followed the guidelines and required updates.

Isolate Thread – To prevent the spread of malware across local and regional networks, unplug the ethernet cable or turn off Wi-Fi on infected workstations.

Process Improvement Plan (PIP) – The PIP is a document prepared by the IRM at the conclusion of a cybersecurity incident. It will provide recommendations for avoiding or minimizing the impact of future cybersecurity incidents based upon the "lessons learned" from the recently completed incident. This plan should be kept confidential for security purposes.

Report Attack – School districts must report every discovery or report of a breach or unauthorized release of a student, teacher, or principal data to the Chief Privacy Officer no more than ten calendar days after discovery.

Secure Network – To help limit the scope and progression of an attack, information systems may be taken offline or have access terminated. The network may be isolated from regional or outside communications.

2.0 Purpose

The Victor Central School District is a trusted public education provider to PK-12 students. Victor stores information related to students, staff, and internal business operations and manages and maintains the technical infrastructure required to house and maintain this information.

Additionally, Victor contracts with EduTech, and vendors of digital services and products to manage and maintain this data and infrastructure.

This Cybersecurity Incident Response Plan outlines the procedures Victor uses to detect and respond to unauthorized access or disclosure of private information from systems utilized, housed, maintained, or serviced by Victor. More specifically, this plan defines the roles and responsibilities of various staff members with respect to the identification, isolation, and repair of data security breaches, outlines the timing, direction, and general content of communications among affected stakeholders, and defines the different documents that will be required during various steps of the incident response.

Victor also implements practices designed to proactively reduce the risk of unauthorized access or disclosure, such as training staff with respect to legal compliance requirements, following appropriate physical security and environmental controls for technical infrastructure, and deploying digital security measures such as firewalls, malware detection, and numerous other industry-standard systems.

In the event of a cybersecurity incident, Victor staff have been trained to deal with the matter expeditiously. Victor staff is trained on a yearly basis to recognize anomalies in the systems they regularly utilize and to report

any such irregularities as soon as possible to the **Incident Response Manager** (IRM), so the **Incident Response Team** (IRT) can be mobilized. Throughout the year, the IRM and the IRT members are kept up to date on the latest security threats and trained in modern techniques of incident remediation.

The availability and protection of the information resources managed by the systems we maintain are of paramount importance to our school district.

3.0 Roles

The Incident Response Team (IRT) leads, guides, manages, and controls the process of an incident. During the phases of investigation, the team works together to maintain and support the security, information, and operation of running the situation. All team members are trained in information security and data privacy best practices. The team keeps all information and processes confidential and secures the district's data and systems by enforcing the protection or containment of security issues.

3.1 Incident Response Team

- **VCS District Personnel:**
  - Data Protection Officer
  - Superintendent of Schools
  - Incident Response Manager (IRM)
  - Director of Technology
  - Additional District Team Members:
    Members of Cabinet, as needed
    Communications/Public Relations
    Data Coordinator
- **Outside Personnel:**
  - Director of EduTech - also serves as the Incident Response Manager
  - District Legal Counsel: Bond, Schoeneck & King PLLC
  - District Insurance Carrier: CFC

Victor Central School District Cybersecurity Incident Response Plan

Superintendent of Schools: _____

Approved by The Board of Education: _____ Date: _____ Version: _____

EXTRACT OF MINUTES

Meeting of the Board of Education of the

Victor Central School District, in the

Counties of Ontario, Monroe and Wayne, New York

March 11, 2026

* * *

A regular meeting of the Board of Education of Victor Central School District, in the Counties of Ontario, Monroe and Wayne, New York, was held in said School District on March 11, 2026, at _____ o'clock P.M. (Prevailing Time).

There were present: Lisa Kostecki, President of the Board of Education; and

Board Members:

There were absent:

Also Present: Kate Selleck, District Clerk

* * *

Board Member _____ offered the following resolution and moved its adoption:

RESOLUTION OF THE BOARD OF EDUCATION OF VICTOR CENTRAL SCHOOL DISTRICT, NEW YORK, ADOPTED MARCH 11, 2026, DIRECTING SUBMISSION OF A BOND PROPOSITION AT THE ANNUAL DISTRICT MEETING OF THE QUALIFIED VOTERS OF SAID SCHOOL DISTRICT, TO BE HELD MAY 19, 2026, AND PRESCRIBING THE FORM OF SUCH BOND PROPOSITION TO BE INSERTED IN THE NOTICE OF SUCH ANNUAL DISTRICT MEETING AND ELECTION.

RESOLVED BY THE BOARD OF EDUCATION OF VICTOR CENTRAL SCHOOL DISTRICT, IN THE COUNTIES OF ONTARIO, MONROE AND WAYNE, NEW YORK, AS FOLLOWS:

Section 1. At the Annual District Meeting and Election of the qualified voters of Victor Central School District, in the Counties of Ontario, Monroe and Wayne, New York (the "District"), to be held on May 19, 2026, a Bond Proposition in substantially the form as hereinafter set forth shall be submitted to the qualified voters of said District. Said Bond Proposition shall appear in the Notice of Annual District Meeting and Election to be held May 19, 2026, and the District Clerk is hereby authorized and directed to include such Bond Proposition in said Notice by inserting therein substantially the following paragraphs:

NOTICE IS FURTHER GIVEN that a Bond Proposition in substantially the following form shall be presented to the qualified voters of the District at such Annual District Meeting and Election:

BOND PROPOSITION

RESOLVED:

(a) That the Board of Education of Victor Central School District, in the Counties of Ontario, Monroe and Wayne, New York (the "District"), is hereby authorized to purchase various school buses for use by the District; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of $1,566,837;

(b) that a tax is hereby voted in the aggregate amount of not to exceed $1,566,837 to pay such cost, said tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and

(c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed $1,566,837 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

Such Bond Proposition shall appear on the ballots used for voting at said Annual District Meeting and Election in substantially the following condensed form:

BOND PROPOSITION

YES NO

RESOLVED:

(a) That the Board of Education of Victor Central School District, in the Counties of Ontario, Monroe and Wayne, New York (the "District"), is hereby authorized to purchase various school buses for use by the District, and to expend $1,566,837 therefor; (b) that a tax is hereby voted in the aggregate amount of not to exceed $1,566,837 to pay such cost, said tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and (c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed $1,566,837 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

Section 2. The proceeds of the bonds authorized pursuant to the Bond Proposition set forth in Section 1 hereof, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the District for expenditures made for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 3. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Board Member _____ and duly put to a vote on roll call which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

******

CERTIFICATE

I, Kate Selleck, District Clerk of Victor Central School District, Ontario, Monroe and Wayne Counties, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Education of said School District, duly called and held on March 11, 2026 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Education and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said School District this ____ day of March, 2026.

_____
District Clerk

(SEAL)

NOTICE OF VICTOR CENTRAL SCHOOL DISTRICT
BUDGET HEARING and ANNUAL VOTE AND ELECTION

NOTICE IS HEREBY GIVEN that, as authorized by Education Law, a public hearing for the purposes of discussion of the expenditure of funds and the budgeting therefor will be held in the Victor Junior/Senior High School Performing Arts Center, 953 High Street, Victor, NY, on Tuesday, May 5, 2026, at 7:00 p.m. for the qualified voters of the Victor Central School District.

AND NOTICE IS ALSO GIVEN that voting on budget and election of members of the Board of Education will take place in the Boardroom of Victor Early Childhood School, 953 High St, Victor, NY 14564, on Tuesday, May 19, 2026, between the hours of 6:00 a.m. and 9:00 p.m.

AND NOTICE IS ALSO GIVEN that a statement of the amount of money that will be required for the ensuing year for school purposes, exclusive of public moneys, may be obtained during the fourteen (14) days immediately preceding the annual budget vote and election, and on the date of election at any District schoolhouse and from the District website or by contacting the District Clerk at (585) 924-3252 ext. 1402 or districtclerk@victorschools.org.

NOTICE IS FURTHER GIVEN that a Bond Proposition in substantially the following form shall be presented to the qualified voters of the District at such Annual District Meeting and Election:

BOND PROPOSITION

RESOLVED:

(a) That the Board of Education of Victor Central School District, in the Counties of Ontario, Monroe and Wayne, New York (the "District"), is hereby authorized to purchase various school buses for use by the District; and to expend therefor, including preliminary costs and costs incidental thereto and to the financing thereof, an amount not to exceed the estimated total cost of $1,566,837;

(b) that a tax is hereby voted in the aggregate amount of not to exceed $1,566,837 to pay such cost, said tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and

(c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed $1,566,837 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

Such Bond Proposition shall appear on the ballots used for voting at said Annual District Meeting and Election in substantially the following condensed form:

BOND PROPOSITION

YES NO

RESOLVED:

(a) That the Board of Education of Victor Central School District, in the Counties of Ontario, Monroe and Wayne, New York (the "District"), is hereby authorized to purchase various school buses for use by the District, and to expend $1,566,837 therefor; (b) that a tax is hereby voted in the aggregate amount of not to exceed $1,566,837 to pay such cost, said tax to be levied and collected in installments in such years and in such amounts as shall be determined by said Board of Education; and (c) that in anticipation of said tax, bonds of the District are hereby authorized to be issued in the principal amount of not to exceed $1,566,837 and a tax is hereby voted to pay the interest on said bonds as the same shall become due and payable.

NOTICE IS FURTHER GIVEN that a resolution in the following form shall be presented to the qualified voters of the District at such Annual District Meeting and Election:

VICTOR FARMINGTON LIBRARY FUNDING PROPOSITION

RESOLVED:

That the Victor Central School District, Ontario County, New York, be authorized to levy taxes in the amount of $993,000, separate and distinct from the School District's tax levy, for the annual support of the Victor Farmington Library, Victor, New York, and pay over such monies to the trustees of the Victor Farmington Library for library services for the benefit of residents during the 2027 fiscal year and each year thereafter.

NOTICE IS FURTHER GIVEN that such Library Funding Proposition shall appear on the ballots used for voting at said Annual District Meeting and Election in substantially the following form:

VICTOR FARMINGTON LIBRARY FUNDING PROPOSITION

YES NO

Shall the Victor Central School District, Ontario County, New York, be authorized to levy taxes in the amount of $993,000, separate and distinct from the School District's tax levy, for the annual support of the Victor Farmington Library, Victor, New York, and pay over such monies to the trustees of the Victor Farmington Library for library services for the benefit of residents during the 2027 fiscal year and each year thereafter?

AND NOTICE IS GIVEN that petitions nominating candidates to fill two vacancies on the Board of Education must be filed with the Clerk of the District, or her designee, in the District Office no later than 5:00 p.m. on Monday, April 20, 2026.

Each petition must have been directed to the Clerk of the District, must have been signed by at least twenty-five (25) qualified voters of the District, must have stated the residence of each signer, and the name and address of the candidate.

The following vacancies are to be filled on the Board of Education:
a) One for a three year term (incumbent Bryan Adams)
b) One for a three year term (incumbent Christopher Parks)

AND NOTICE IS GIVEN that all qualified individuals who wish to vote in any voting matter of the District must be registered and be listed on the District's voter registration at the time of the vote. Residents of the Victor Central School District who are registered, at their current address, to vote in general, county-wide elections and who have not had such registration canceled, will be automatically placed on the District voter register and need not pre-register to vote in School District votes.

AND NOTICE IS ALSO GIVEN that the Board of Registration shall meet to prepare the register of School District voters and any person shall be entitled to have his/her name placed upon such register provided that at such meeting he/she is known or proven to the satisfaction of such Board of Registration to be then or thereafter entitled to vote at the school election for which such register is prepared. Pre-registration of voters will be held at the District Office, 953 High Street, on the following date:

Tuesday, May 12, 2026, between the hours of 3:00 P.M. and 7:00 P.M.

The register of eligible voters will be filed in the office of the Clerk of the District and will be open for inspection by any qualified voter of the District for five days immediately preceding the vote, except May 17, which is a Sunday. The hours for such inspection are: between 8:00 A.M. and 4:00 p.m. on May 13, 14, 15, and 18, and by prior appointment on Saturday, May 16.

NOTICE IS FURTHER GIVEN, that pursuant to Sections 2018-a and 2018-e of the Education Law, applications for absentee/early mail ballots may be obtained at the Office of the District Clerk of the Victor Central School District, during all days in which the School District is in session. Completed applications must be received by the District Clerk no earlier than April 20, 2026 and by May 12, 2026, if the absentee/early mail ballot is to be mailed to the voter. If the absentee/early mail ballot is to be delivered personally to the voter at the Office of the District Clerk the completed application must be received by the District Clerk no later than May 18, 2026. No absentee/early mail voter's ballot will be canvassed unless it has been received in the Office of the District Clerk of the School District no later than 5:00 p.m. on May 19, 2026. A list of all persons to whom absentee/early ballots have been issued will be available in the Office of the District Clerk between 8:00 a.m. and 4:00 p.m. on and after May 13, 2026 until May 18, 2026, except on Saturday May 16, 2026, by prearranged appointment and not on Sunday, May 17, 2026. Any qualified voter may file a written challenge of the qualifications of a voter whose name appears on such list, stating the reasons for the challenge. A challenge to an early voting ballot may not be made on the basis that the voter should have applied for an absentee ballot.

NOTICE IS FURTHER GIVEN, that military voters who are not currently registered may apply to register as a qualified voter of the Victor Central School District by requesting and returning a

registration application to the District Clerk in person, by mail to District Clerk, Victor Central School District, 953 High Street, Victor, NY, Telephone 585-924-3252 ext. 1402 or email: districtclerk@victorschools.org. The request for the registration application may include the military voter's preference for receipt of the registration application by either mail, fax or email. Military voter registration application forms must be received in the office of the District Clerk no later than 5:00 p.m. on April 23, 2026.

NOTICE IS FURTHER GIVEN, that military voters who are qualified voters of the Victor Central School District, may request an application for a military ballot from the District Clerk in person, by mail to District Clerk, Victor Central School District, 953 High Street, Victor, New York, Telephone 585-924-3252 ext. 1402 or email: districtclerk@victorschools.org. In such request, the military voter may indicate their preference for receiving the application and military ballot by mail, fax or email. A military voter must return the original military ballot application by mail or in person to the office of the District Clerk at the address above. In order for a military voter to be issued a military ballot, a valid military ballot application must be received in the office of the District Clerk no later than 5:00 p.m., on April 23, 2026. Military ballot applications received in accordance with the foregoing will be processed in the same manner as a non-military ballot application under Section 2018-a of the Education Law.

NOTICE IS FURTHER GIVEN, a military voter's original military ballot must be returned by mail or in person to the Office of the District Clerk at 953 High Street, Victor, New York. Military ballots shall be canvassed if they are received by the District Clerk before 5:00 p.m. on May 19, 2026 showing a cancellation mark of the United States Postal Service or a foreign country's postal service, or showing a dated endorsement of receipt by another agency of the United States Government; and signed and dated by the military voter.

Only qualified voters who are registered to vote will be permitted to vote.

Kate Selleck
District Clerk

Fieldtrip Form Starting January 2025

You have been requested to review the following:

Is this an overnight trip?:	Yes
Requestor's Email Address:	gloverm@victorschool.org
Requestor's First Name:	Matthew
Requestor's Last Name:	Glover
School Building:	HS
Please select the correct Nurse for your building.:	HS, Kim Spitzer
Course / Grade Level of Students::	8-12
Select the appropriate type of field trip:	Athletics
Have BOTH the District and Building calendars been checked for potential conflicts?:	Yes
Estimated number of Students::	Varsity and JV (30-32)
Departure Date::	Oct 09, 2026
Place of Departure::	Victor Highschool
Type of Transportation::	Parents Driving
Departure Time::	2:00 PM
Destination (include EXACT address)::	[redacted] Halfmoon, NY 12065
Time you plan to REACH your destination::	5:00 PM
Return Date::	Oct 10, 2026
Time you plan to LEAVE your destination::	6:00 PM
Estimated Round-Trip Mileage:	400 miles

Return Time::	10:00 PM
Would you like the bus to stay with the group or may it return at a different time?:	No, the bus can return at a different time
Arrangements for meals (if necessary)::	Boosters will pay for all meals for players and coaches
Preparation: How will the student be prepared for the trip as an instructional activity?:	Great opportunity for players to see outside section v teams for potential state tournament
On trip: What instructional activities will occur on the trip?:	Athletes will play in tournament against teams from all over NYS
Upon Return: What activities will occur to enrich the experience and determine if the objectives were accomplished?:	Coaches will meet with team and discuss tournament and plan practices accordingly based on observations and film from the tournament.
What instructional provisions have been made to help participants keep up with other classes that they will miss?:	no classes will be missed
What specific instructional plans have been made for any student missing the field trip?:	All students will be able to attend
Please note any scheduled teaching assignments (classes, study halls, supervisory assignments, etc.) that will need coverage during the time period of this field trip.:	no school will be missed
Do you have any supporting documents such as an itinerary?:	Yes
Estimated Number of Chaperones (including teachers/staff/parents)::	3 coaches and many parents
Special arrangements, instructions, or comments::	Athletes will be prepped on teams will be playing in our pool
Will you be requesting this trip again next year?:	Yes
School and/or District Funding Requested?:	No
If fundraising is involved, please describe::	Boosters
Who will be paying for bus transportation (if someone other than VCSD)?:	no
Out of Pocket Cost to Student (if any)::	zero

Cost to Chaperone (if any)::	no
Cost Breakdown per Student - Event Fee::	none
Cost Breakdown per Student - Meals::	boosters will provide Zero to players
Cost Breakdown per Student - Travel::	zero
Cost Breakdown per Student - Other::	zero
Cost Breakdown per Student TOTAL::	zero
Short Description or Name of Field Trip:	Girls Volleyball Team traveling to Shenendehowa for Volleyball Tournament
If you have a supporting itinerary please email it to selleckk@victorschools.org PLEASE NOTE- Itineraries are MANDATORY for overnight trips. Please include the name of the club on the top of the itinerary.:	Yes, I email the itinerary to selleckk@victorschools.org
Email Address:	gloverm@victorschool.org

Approval history

In progress

Copy Sent to clinkk@victorschools.org
Approved by siestob@victorschools.org
Approved by finterk@victorschools.org
Approved by weimerd@victorschools.org
Copy Sent to renkertk@victorschools.org
Approved by clinkk@victorschools.org

Fieldtrip Form Starting January 2025

You have been requested to review the following:

Is this an overnight trip?:	Yes
Requestor's Email Address:	buttrama@victorschools.org
Requestor's First Name:	Andrew
Requestor's Last Name:	Buttram
School Building:	HS
Please select the correct Nurse for your building.:	HS, Kim Spitzer
Course / Grade Level of Students::	9-12
Select the appropriate type of field trip:	Non-required co-curricular
Have BOTH the District and Building calendars been checked for potential conflicts?:	Yes
Estimated number of Students::	20
Departure Date::	Mar 18, 2027
Place of Departure::	Buffalo, Rochester or Toronto
Type of Transportation::	Bus and Plane
Departure Time::	10:00 AM
Destination (include EXACT address)::	Rennes & Paris, FRANCE
Time you plan to REACH your destination::	8:00 AM
Return Date::	Mar 28, 2027
Time you plan to LEAVE your destination::	8:00 AM
Estimated Round-Trip Mileage:	3000
Return Time::	6:00 PM

Would you like the bus to stay with the group or may it return at a different time?:	No, the bus can return at a different time
Arrangements for meals (if necessary)::	All meals are provided by host families or are paid for through participation fees.
Preparation: How will the student be prepared for the trip as an instructional activity?:	Students attend meetings during Activity Period to learn about places of cultural and historic interest. They also host a French student in the Fall of 2025.
On trip: What instructional activities will occur on the trip?:	Tours and visits to landmarks and sites in the USA, Canada, and France.
Upon Return: What activities will occur to enrich the experience and determine if the objectives were accomplished?:	Participants share photos, experiences, and perspectives of their trip abroad with their classmates. French students who visit Victor in the fall share their experience with students studying French in the JH and SH.
What instructional provisions have been made to help participants keep up with other classes that they will miss?:	Victor students are expected to notify their teachers of their absence prior to leaving and to get upcoming assignments. We also offer a study session with our students if they need a more structured opportunity to complete work before their trip abroad.
What specific instructional plans have been made for any student missing the field trip?:	Students will continue to receive instruction and lessons on Google Classroom.
Please note any scheduled teaching assignments (classes, study halls, supervisory assignments, etc.) that will need coverage during the time period of this field trip.:	Substitute teachers will be needed for up to 3 teachers while they are traveling with the group.
Do you have any supporting documents such as an itinerary?:	Yes
Estimated Number of Chaperones (including teachers/staff/parents)::	3

Special arrangements, instructions, or comments::	Please see attached documents.
Will you be requesting this trip again next year?:	No
School and/or District Funding Requested?:	No
If fundraising is involved, please describe::	Candy sales, etc... Profits earned are tallied per individual student.
Who will be paying for bus transportation (if someone other than VCSD)?:	A shuttle will only be required if flights are significantly cheaper in Buffalo or Toronto, and would be paid for through student fees.
Out of Pocket Cost to Student (if any)::	$3,100
Cost to Chaperone (if any)::	$120
Cost Breakdown per Student - Event Fee::	$550
Cost Breakdown per Student - Meals::	$550
Cost Breakdown per Student - Travel::	$1,500
Cost Breakdown per Student - Other::	$500
Cost Breakdown per Student TOTAL::	$3,100
Short Description or Name of Field Trip:	Victor-Rennes Exchange
If you have a supporting itinerary please email it to selleckk@victorschools.org PLEASE NOTE- Itineraries are MANDATORY for overnight trips. Please include the name of the club on the top of the itinerary.:	Yes, I email the itinerary to selleckk@victorschools.org
Email Address:	buttrama@victorschools.org

Approval history

In progress

Copy Sent to clinkk@victorschools.org
Approved by siestob@victorschools.org
Approved by finterk@victorschools.org
Copy Sent to renkertk@victorschools.org
Approved by clinkk@victorschools.org

The District's Policy Manual, developed with Erie 1 BOCES Policy Services, does not provide legal advice. Applying Board policies to specific situations may require consulting with school administrators/school attorney, or other professionals to address the particular circumstances.

FOREWORD

Here are the policy statements formulated by the Board of Education (Board) of the Victor Central School District (District).

Policy is defined as a basic plan of action. It establishes limits within which freedom of judgment can be exercised. Policy is also a governing principle of management. It is a statement that 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, or from customary patterns of formal behavior.

Policy should accomplish the following:

a) State a position taken by the District;

b) Grant the authority to act;

c) Be sufficiently detailed to give adequate direction;

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

e) Provide for impartial procedures.

In addition to the adopted policies, the operation of the District is governed by and subject to all applicable laws, regulations of the Commissioner of Education, Civil Service requirements, Board 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 will 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 bylaws and policies of the Victor Central School District will be the minutes of the Board's meetings.

VICTOR CENTRAL SCHOOL DISTRICT

POLICY MANUAL CONTENTS

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SECTION 2000	INTERNAL OPERATIONS
SECTION 3000	COMMUNITY RELATIONS
SECTION 4000	ADMINISTRATION
SECTION 5000	NON-INSTRUCTIONAL/BUSINESS OPERATIONS
SECTION 6000	PERSONNEL
SECTION 7000	STUDENTS
SECTION 8000	INSTRUCTION

The following citations will be used in the Policy Manual:

Federal:

USC	United States Code
CFR	United States Code of Federal Regulations

State:

NYCRR	New York Code of Rules and Regulations
8 NYCRR	Regulations of the Commissioner of Education

Victor Central School District **NUMBER**

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SUBJECT: SCHOOL DISTRICT AND BOARD OF EDUCATION LEGAL STATUS AND AUTHORITY

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

The State Legislature has implemented this constitutional mandate through the creation of school districts of various types. As a Central School District, the Victor Central School District is organized under and subject to the provisions of Education Law Article 37.

The Board is the corporate body charged with the general control, management, and responsibility of the schools of the Victor Central School District. As such, it possesses those powers and duties set forth in law.

The Board is authorized to act as a body duly called in session. Individual Board members have no authority over school affairs.

Members of the Board are free to speak to individuals on these issues outside of Board meetings, but such public expression is not to be construed as Board policy. Information from executive sessions must remain confidential at all times, unless release is appropriately authorized. The Board will not be bound in any way by any individual's statement or action unless the Board, through an adopted policy or by a majority vote of Board membership, has delegated this authority to the individual member.

Education Law Sections 2, 1501, 1604, 1701, 1709, 1804, 2502, and 2503

Adoption Date

SUBJECT: BOARD OF EDUCATION: QUALIFICATIONS, NUMBERS AND TERMS OF OFFICE

A Board member of the District must meet the following qualifications:

a) A citizen of the United States;

b) Eighteen years of age or older;

c) Able to read and write;

d) A legal resident of the District for a continuous and uninterrupted period of at least one year prior to the election;

e) Cannot be an employee of the District;

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

g) May not simultaneously hold another incompatible public office, including, but not limited to Superintendent, clerk, tax collector, treasurer or librarian, or an employee of the Board. In union free and central school districts, however, a Board member may be appointed clerk of the Board and of the District.

h) Must not have been removed from a school district office within one year preceding the date of appointment or election to the Board.

Number of Members

The Board of the District will consist of seven members elected by the qualified voters of the District at the annual election as prescribed by law.

Terms of Office

Members of the Board will serve for three years beginning July 1 following their election and each term will expire on the 30th day of June of the third year.

Education Law Sections 1602, 1702(1), 1804(1), 1950(9), 2101, 2102, 2103, 2103-a, 2130(1), 2105, and 2502
Public Officers Law Section 3
Town Law Section 23(1)

Adoption Date

SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION

a) Candidates for the office of member of the Board must be nominated by a petition directed to the District Clerk which is signed by at least 25 qualified voters of the District, or by 2% of the number of voters who voted in the previous annual election, whichever is greater. Petitions must state the residence of each signer and the name and residence of each candidate.

b) The notice of the Annual District Meeting must state that petitions nominating candidates for the Board must be filed with the Clerk of the District, between 9 a.m. and 5 p.m., no later than 30 days before the Annual or Special District Meeting at which the school board election will occur.

c) Voting will be by machine or paper ballot, and provision will be made for the election by "write-in-vote" of any candidate not previously nominated. The position of candidates on ballots will 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.

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

e) The candidates receiving the largest number of votes, will be declared elected in accordance with Education Law.

f) At least ten days prior to the election, the Board will appoint at least two inspectors of election for each voting machine or ballot box, and set their salary.

g) The District Clerk will oversee the election. The Clerk will also give notice immediately to each person declared elected to the Board, informing him or her of the election and his or her term of office.

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

i) No electioneering will be allowed within 100 feet of the polling place.

j) 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 also fills the remaining days of the previous term, beginning his or her term of office immediately upon election and the taking and filing of the oath of office.

Ex Officio Student Board Members

The Board will have at least one ex officio student board member. Ex officio student board members will be entitled to sit with board members at all public meetings and hearings of the Board and may participate in other Board activities and responsibilities at the discretion of the Board. However, ex officio student board members will:

(Continued)

SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION (Cont'd.)

a) Not be allowed to vote;

b) Not be allowed to attend executive sessions or any other meetings or hearings not open to the public; and

c) Not be entitled to receive compensation of any form for participating at Board meetings.

Ex officio student board members will serve on the Board for a term of one year, commencing July 1 and ending June 30.

Selecting Ex Officio Student Board Members

To be designated as an ex officio student board member the student must have attended a District high school for at least one year prior to selection.

The ex officio student members of the Board may be any of the following:

a) The student that has been duly elected as student president of the high school;

b) A student duly elected by the student body;

c) A student selected by the high school student government;

d) A student selected by the high school principal;

e) A student selected by the Superintendent; or

f) A student selected by a majority vote of the Board.

The District will take into consideration the number of high schools within the District and provide a mechanism which allows for fair representation among the schools.

Education Law Sections 2004, 2012, 2018, 2025, 2029, 2031-a, 2032, 2034, 2105(14), 2121, 2502, 2602, 2608(1), and 2610

Adoption Date

SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS

Each candidate for the position of member of the Board whose expenses and/or contributions received exceed $500 must file a statement accounting for his or her campaign expenditures and contributions with the District Clerk and an additional statement with the Commissioner of Education. In the event the expenses do not exceed $500 and the aggregate amount of all contributions made to the candidate do not exceed $500, then a sworn statement to that effect must only be filed with the District Clerk.

Required contribution statements must include:

a) The dollar amount and/or fair market value of any receipt, contribution, or transfer which is other than money;

b) The name and address of the transferor, contributor, or person from whom received;

c) If that transferor, contributor or person is a political committee as defined in Election Law Section 14-100;

d) The name and political unit represented by the committee;

e) The date of receipt;

f) The dollar amount of every expenditure;

g) The name and address of the person to whom the expenditure was made, or the name of and political unit represented by the committee to which it was made; and

h) The date of the expenditure.

The times for filing the statements are as follows:

a) The first statement on or before the thirtieth day preceding the election to which it relates;

b) A second statement on or before the fifth day before the election;

c) A third statement within 20 days after the election.

Any contribution or loan in excess of $1000 received after the close of the period covered in the last statement filed before the election (b above) but before the election itself must be reported within 24 hours after receipt.

(Continued)

SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS (Cont'd.)

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
Election Law Section 14-100(1)

Adoption Date

SUBJECT: RESIGNATIONS AND VACANCIES ON THE BOARD

Board members may resign at a District meeting of residents (i.e., the annual meeting, not a regular Board meeting) or by filing a written resignation with the District Superintendent of the Supervisory District who must endorse his or her approval and file the resignation with the District Clerk.

Alternatively, a Board member may resign by filing a written resignation with the District Clerk. The Clerk must then notify the Board and the State Board of Elections.

A resignation may be withdrawn only with the consent of the person to whom the resignation was delivered (i.e., the District Clerk or BOCES District Superintendent). The Board has no authority to act upon a request to withdraw a resignation.

The resignation will take effect upon the date specified in the letter of resignation; however, if no effective date is specified, it will take effect on the date of delivery to or filing with the District Clerk. If an effective date is specified in the letter of resignation, the date must not be more than 30 days subsequent to the date of its delivery or filing.

It will be the duty of each member of the Board to attend all meetings of the Board and, if any member refuses to attend three consecutive 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.

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. The Board may also remove a Board member for misconduct relating to the exercise of authority as a Board member. A written copy of all misconduct charges must be served upon the Board member at least ten days before the time designated for a hearing on the charges; the Board member will be allowed a full and fair opportunity to refute the charges before removal.

In the event of death, resignation, removal from office or from the District, or refusal to serve as a Board member, the District has the power and duty to fill the vacancy. If the Board chooses to fill the vacancy by appointment, the appointment requires a majority vote of the full Board and will be only for a term ending with the next annual election of the District.

The Board, at its own option, may instead call a special election within 90 days to fill the unexpired term. If not filled by Board appointment or special election, the District Superintendent of the Supervisory District may appoint a competent person to fill the vacancy until the next annual election. Alternatively, the Commissioner of Education may order a special election for filling a vacancy. When a special election is ordered, the vacancy will not be otherwise filled.

(Continued)

SUBJECT: RESIGNATIONS AND VACANCIES ON THE BOARD (Cont'd.)

A Board member who has been removed from office will be ineligible to appointment or election to any office in the District for a period of one year from the date of such removal.

Education Law Sections 306, 1607, 1706, 1709(17)(18), 1804(1), 2103(2), 2109, 2111, 2112, 2113, 2502, 2503, and 2553
Public Officers Law Sections 30, 31, and 35

Adoption Date

SUBJECT: POWERS AND DUTIES OF THE BOARD

As a Central School District, the Board has the powers and duties set forth in New York State Education Law, principally Articles 33, 35, and 37, and other applicable federal and state laws and regulations. The Board has, in all respects, the superintendence, management, and control of the educational affairs of the District, and, therefore, has all the powers reasonably necessary to exercise powers granted expressly or by implication, and to discharge duties imposed expressly or by implication, by the laws of New York State and the Commissioner of Education.

Education Law Sections 1604, 1709, 1804, and 2503

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

Adoption Date

SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS AND DUTIES OF THE PRESIDENT AND VICE PRESIDENT

Board officers will be nominated and elected by the Board at its annual organizational meeting for a term of one year. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board are:

a) President; and

b) Vice President.

Duties of the President of the Board

The President's duties may include the following:

a) Presides at all meetings of the Board;

b) Calls special meetings as necessary or on request;

c) Appoints members to all committees of the Board;

d) Serves ex-officio as a member of all committees;

e) Executes documents on behalf of the Board;

f) Performs the usual and ordinary duties of the office as described in the New York State School Boards Association School Board President's Handbook.

Duties of the Vice President of the Board

The Board may, in its discretion, elect one of its members Vice President, who will have the power to exercise the duties of the President in case of the President's absence or disability. If the presidency becomes vacant, the Vice President will act as President until a President is elected.

Education Law Sections 1701, 1804, 2105(6), and 2502

Adoption Date

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD

Appointments

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

The following will be appointed annually:

a) District Clerk;

b) District Treasurer;

c) Deputy District Treasurer;

d) Tax Collector;

e) External (Independent) Auditor;

f) Deputy District Treasurer, Extraclassroom Activities Account;

g) Internal Claims Auditor.

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

a) Director of School Health Services (District Physician/Nurse Practitioner);

b) Attendance Officer;

c) Committee on Special Education and Committee on Preschool Special Education;

d) Records Access Officer;

e) Records Management Officer;

f) Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) designee;

g) Civil Rights Compliance Officer(s) (coordinates the District's efforts to comply with civil rights laws such as Title VI, Section 504, the Americans with Disabilities Act, and the Age Discrimination Act);

(Continued)

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

h) Title IX Coordinator(s) (coordinates the District's efforts to comply with Title IX; when appointing, District must "designate and authorize" the Title IX Coordinator(s));

i) Liaison for Homeless Children and Youth (McKinney-Vento Liaison);

j) Chemical Hygiene Officer;

k) Dignity Act Coordinator (one in each building);

l) Chief Emergency Officer.

The following may also be appointed:

a) School Attorney;

b) Internal Auditor;

c) Insurance Consultant.

Designations

The following designations will be made by the Board at the Annual Organizational Meeting in July:

a) Petty Cash Fund(s);

b) Official Newspaper(s);

c) Official Bank Depositories;

d) Official Bank Signatories;

e) Purchasing Agent;

f) Certifier of Payrolls;

g) Designated Educational Official (DEO) to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;

h) School Pesticide Representative;

(Continued)

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

i) Reviewing Official, Hearing Official, and Verification Official for participation in the federal Child Nutrition Program (the Hearing Official may not be the same person as the Reviewing and/or Verification Official).

Authorizations

The following authorizations will be made by the Board at the Annual Organizational meeting in July:

a) Approval of attendance at conferences, conventions, workshops, and the like;

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

c) Superintendent to apply for grants in aid (state and federal) as appropriate;

d) Establish mileage reimbursement rate;

e) Other(s) as deemed appropriate/necessary.

McKinney-Vento Homeless Education Assistance Act, Section 722, as reauthorized by the Every Student Succeeds Act (ESSA) of 2015
29 CFR Section 1910.1450
Education Law Sections 305(31), 1709, and 2503
8 NYCRR Part 185
21 NYCRR Parts 1401, 9760

Adoption Date

SUBJECT: DUTIES OF THE DISTRICT CLERK

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

a) Attending all meetings of the Board, keeping a record of its proceedings, and recording, by name, those in attendance;

b) Preparing Board meeting minutes, obtaining approval of the minutes by the Board at the next meeting, signing the minutes to signify their official standing, and posting a copy to the District website;

c) Sending notices of special meetings to Board members;

d) Contacting and communicating with members as required;

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

f) Maintaining an up-to-date record of Board policies and bylaws;

g) Delivering to, and collecting from, the President (or Vice President) papers for signature as may be necessary;

h) Distributing notices to the public announcing availability of budget copies to be presented at the Annual District Meeting in compliance with the requirements of the State Education Law;

i) Administering oaths of office;

j) Giving written notice of appointment to persons appointed as inspectors of election;

k) Calling all meetings to order in the absence of the President and Vice President; and

l) Assuming other duties customary to the office.

The above duties of the District Clerk are not intended to be complete, but should serve as a guide in undertaking the duties of this office. The District Clerk will perform other duties as may be assigned periodically by the Board.

Education Law Section 2121
Public Officers Law Sections 10 and 104

Adoption Date

SUBJECT: DUTIES OF THE DISTRICT TREASURER

The Treasurer is appointed by the Board 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 will perform other specific tasks as follows:

a) Acts as custodian of all moneys belonging to the District and lawfully deposits these moneys in the depositories designated by the Board;

b) Pays all authorized obligations of the District as directed, including payments of bond principal and interest;

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

d) Makes all such entries and posts to all such financial ledgers, records and reports, including bond and note registers, as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;

e) Signs all checks drawn on District fund accounts provided that the District's Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds;

f) Safeguards either his or her electronic signature and/or the check-signing machine and signature plate, personally overseeing all preparation of checks;

g) Assumes other duties customary to the office.

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

Adoption Date

SUBJECT: DUTIES OF THE TAX COLLECTOR

Tax Collector Appointed by the Board

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

a) Prepares and mails tax notices;

b) Uses suitable printed tax receipt forms as prescribed by the State Tax Commission;

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

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

e) Submits a report, certified by him or her to the Board, showing the amount of taxes and fees collected along with the unpaid listing. The combination of taxes collected and uncollected must equal the amount of the warrant;

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

g) Carries out any other duties of the position as prescribed in Education Law, Real Property Tax Law, or as established by the Commissioner's regulations.

Education Law Sections 2126, 2130, and 2506
General Municipal Law Article 5-G
Real Property Tax Law Sections 578(2), 922, 924, 1322, 1330, and 1338
8 NYCRR Section 170.2

Adoption Date

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

The Board by law must obtain an annual audit of its records by an independent certified public accountant (CPA) or an independent public accountant (PA). The audit must also include all extraclassroom activity funds. The independent accountant will present the report of the annual audit to the audit committee. The Board will adopt a resolution accepting the audit report and file a copy of the resolution with the Commissioner. The District will also file the audit report with the Commissioner for a specific school year by October 15 of the following school year. In addition to the annual audit, the District is subject to state audits conducted by the State Comptroller.

The independence and objectivity of the auditor may be enhanced when the Board and Audit Committee perform an oversight role with respect to the hiring and performance of the auditor, as required by law. Similarly, no audit engagement will be for a term longer than five consecutive years. The District, may, however, permit an independent auditor engaged under an existing contract for those services to submit a proposal for those services in response to a request for competitive proposals or be awarded a contract to provide those services under a request for proposal process.

Duties and Responsibilities

The independent auditor must conduct the audit in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States. Standards of GAGAS are organized as general, fieldwork, and reporting.

Below are some important considerations the District will expect of the auditor in preparing the audit; however, they should not be considered all-inclusive or a substitute for the auditor's professional judgment.

a) Independence: The auditor must document that he or she is independent of the District and free of personal and external impairments. The auditor must establish an internal quality control system to identify any personal and external impairment and assure compliance with GAGAS independence requirements.

b) Internal Quality Control System: The auditor must document that his or her internal quality control processes adequately demonstrate compliance with government auditing standards. He or she must establish an organizational structure, policies, and procedures to provide reasonable assurance of complying with applicable standards governing audits.

c) Internal Controls: The auditor must obtain a sufficient understanding of the District's internal controls and document such understanding covering the five interrelated components: the control environment, risk assessment, control activities, information and communication, and monitoring.

(Continued)

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR (Cont'd.)

d) Planning and Supervision: The auditor's work is to be properly planned and supervised and will consider materiality and/or significance in order to provide reasonable assurance of detecting misstatements resulting from direct and illegal acts and irregularities to financial statements. The auditor should also be aware of the possibility that indirect illegal acts may have occurred.

e) Audit documentation: In order to meet the GAGAS requirements, the audit documentation should provide a clear understanding of its purpose, the source, and the conclusions the auditor reached. It should be organized to provide a clear link to the findings, conclusions, and recommendations contained in the audit report.

f) Reporting on Internal Controls and Compliance: The auditor must report on and present the results of his or her testing of the District's compliance with laws and regulations and its internal controls over financial reports in light of irregularities, illegal acts, other material noncompliance, significant deficiencies, and material weaknesses in internal controls.

Generally Accepted Government Auditing Standards (GAGAS) Sections 3.50-3.54, 4.03, 4.19-4.24, and 5.07-5.20
Education Law Sections 1709(20-a) and 2116-a
General Municipal Law Sections 33 and 104-b
8 NYCRR Sections 170.2, 170.3, and 170.12

Adoption Date

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board will appoint a Claims Auditor to examine all claims. This auditor will determine whether the amounts claimed are actual and necessary expenditures, if the goods or services were actually received, whether the District official or employee was authorized to incur the obligation, and if the claims are supported with adequate evidence. Support may include itemized documentation, a thorough description of the goods or services, and detailed receipts and invoices. The Claims Auditor will ensure that each claim is legitimate, mathematically correct, does not exceed any available appropriation within the applicable budget code, and is made in accordance with District policy, purchasing order, or contract before authorizing payment. This auditor will certify that he or she audited each claim listed on the claims warrant to authorize the Treasurer to pay. The Treasurer should compare the signed checks to the certified warrant to verify accuracy and consistency before issuing payment.

The Claims Auditor will report directly to the Board on a quarterly basis. The Board may require that the Claims Auditor report to the Clerk of the District, Clerk of the Board, or to the Superintendent for administrative matters such as workspace, time, and attendance.

The Board may adopt a resolution establishing the office of Deputy Claims Auditor to act as the Claims Auditor in the absence of the Claims Auditor. The Board may, by resolution, abolish the position of Deputy Claims Auditor at any time. The same eligibility requirements and qualifications that apply to a Claims Auditor apply to the Deputy Claims Auditor.

Qualifications

The Claims Auditor must have the necessary knowledge and skills to effectively audit claims, including experience with purchasing, bidding, and claims. The Claims Auditor must be bonded or included in the District's blanket undertaking, before assuming his or her duties.

The Claims Auditor should not be:

a) A member of the Board;

b) The Clerk or Treasurer of the Board;

c) The Superintendent or District official responsible for business management;

d) The Purchasing Agent;

e) Clerical or professional personnel directly involved in District accounting and purchasing functions or under the direct supervision of the Superintendent;

f) The individual or entity responsible for the internal audit function (the Internal Auditor);

g) The External (Independent) Auditor responsible for the external audit of the financial statements;

(Continued)

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR (Cont'd.)

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

The Claims Auditor is not required to be a resident of the District and will be classified in the civil service exempt class.

Delegation of the Claims Audit Function

The Board may delegate the claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, or independent contractors, provided that the individual, organization, or entity:

a) Has no other responsibilities related to the business operations of the District;

b) Has no interest in any other contracts with, and does not provide any goods or services to, the District; and

c) Is not a close or immediate family member of anyone who has responsibilities related to District business operations, or has an interest in any other contracts with the District.

The Board remains ultimately responsible for auditing all claims.

Education Law Sections 1604(35), 1709(20-a), 2526, and 2554(2)
8 NYCRR Section 170.12(c)

Adoption Date

SUBJECT: DUTIES OF THE EXTRACLASSROOM ACTIVITY FUND DEPUTY DISTRICT TREASURER

Extraclassroom Activity (ECA) Deputy District Treasurer

The ECA Deputy District Treasurer is appointed by the Board and has custody of all ECA funds. The ECA Deputy District Treasurer's duties include, but are not limited to:

a) Disbursing ECA funds by means of check forms upon receipt of a payment order signed by the student activity treasurer, and building administrator of the ECA, provided that there are sufficient funds in the account;

b) Signing all checks disbursing ECA funds;

c) Providing completed checks disbursing ECA funds to the student activity treasurer of the ECA;

d) Signing a receipt for all ECA funds placed into his or her custody and depositing those funds promptly into a bank designated by the Board;

e) Maintaining a record of the receipts and disbursements of each individual ECA account and of all the ECA accounts combined;

f) Verifying bank statements and preparing a reconciliation of cash balances and ECA accounts to be forwarded to the Deputy District Treasurer monthly;

g) Submitting to the Board a financial report relating to the receipts and expenditures for all ECA accounts on a quarterly basis; and

h) Reporting to the Board or its designee regularly.

8 NYCRR Part 172
NYSED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019

Adoption Date

SUBJECT: DUTIES OF THE SCHOOL ATTORNEY

The Board will appoint a school attorney to provide legal counsel to the District. The school attorney's duties may include:

a) Providing legal representation to the District in proceedings before courts and administrative agencies;

b) Providing legal opinions as requested by the Board or its agents, and consistent with any agreement between the District and the school attorney;

c) Providing counsel in matters related to due process hearings; and/or

d) Such other duties as are consistent with law and the scope of the school attorney's representation.

Adoption Date

SUBJECT: DUTIES OF THE SCHOOL PHYSICIAN/NURSE PRACTITIONER

The school physician or nurse practitioner will be appointed by the Board. The duties of the school physician or nurse practitioner will include, but are not limited to, the following:

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

b) Performing routine examinations of school children to detect the presence of contagious diseases and physical defects;

c) Serving as an on-call member on the Committee on Special Education, Committee on Preschool Special Education, and Section 504 Committee;

d) Reporting to the Assistant Superintendent for Pupil Services on school health services;

e) Coordinating scheduling for physical examinations to all students participating in interscholastic athletics;

f) Providing final medical clearance for a return to extra class athletic activities for all students who have or are believed to have sustained a mild traumatic brain injury (concussion);

g) Developing the program of health service in accordance with policies approved by the Board and as directed by the Superintendent;

h) Conducting a medical evaluation on any employee at the request of the Board.

8 NYCRR Section 136.5
Education Law Sections 902, 913, and 6902

Adoption Date

SUBJECT: DUTIES OF THE INTERNAL AUDITOR

The Internal Auditor reports directly to the Board. The District may use its employees, inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950, or independent contractors as the person or entity serving as Internal Auditor. The person or entity serving as Internal Auditor must follow generally accepted auditing standards, be independent of District business operations, and have the requisite knowledge and skills to complete the work.

The Internal Auditor is responsible for performing the internal audit function for the Board, which includes at a minimum:

a) Development of a risk assessment of District operations, including, but not limited to, a review of financial policies, procedures, and practices;

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

c) Annual testing and evaluation of one or more areas of the District's internal controls, taking into account risk, control weakness, size, and complexity of operations;

d) Preparation of reports, at least annually or more frequently as the Board may direct, which:

1. Analyze significant risk assessment findings;

2. Recommend changes for strengthening controls and reducing identified risks; and

3. Specify timeframes for implementation of such recommendations.

Education Law Sections 1950, 2116-b, and 2116-c
8 NYCRR Section 170.12(d)

NOTE: Refer also to Policy #5573 -- Internal Audit Function

Adoption Date

SUBJECT: POLICY AND ADMINISTRATIVE REGULATIONS

The formulation and adoption of written policies will constitute the basic method by which the Board will exercise its leadership in the operation of the District. The Superintendent will act as an advisor to the Board in adopting and approving of written Board policies. The Board will seek input from staff and the community where appropriate. These written Board policies will govern the operation of the District.

The adoption of a written policy will occur only after the draft policy has been discussed and voted on affirmatively during at least three separate meetings of the Board (i.e., the "first reading", the "second reading", and the "third and final reading"). The policy draft may be amended at the second meeting. By a majority vote, the Board may waive the "second reading" and "third reading" and complete the adoption of the proposed policy at its "first reading."

Board action is also necessary for revising policies that require amendment or rescinding policies that are no longer relevant or applicable to the District.

The formal adoption, amendment, or rescinding of written Board policy will be recorded in the official minutes of the Board. This written Board policy will govern the conduct and affairs of the District and will be binding upon the members of the educational community in the District.

It will be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision. The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out-of-date or for other reasons appear to need revision.

Execution of Policy: Administrative Regulations

The Board will 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 detailed arrangements will constitute the administrative regulations governing the schools, and they will be consistent with the policies adopted by the Board. The Board will be kept informed periodically of changes in administrative regulations.

Education Law Sections 1604(9), 1709(1), 1709(2), and 2503(2)

Adoption Date

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)

All Board meetings will be open to the public except those portions that are executive sessions. The Board will make reasonable efforts to ensure that all meetings are held in an appropriate facility that can adequately accommodate all members of the public who wish to attend. The Superintendent will attend all Board meetings. Members of the Superintendent's staff may attend Board meetings at the Superintendent's discretion. The Board may also request that additional people attend.

Regular Board meetings will take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified. Any Board meeting may be adjourned to a future date and time if approved by a majority of the Board present. Further, if a meeting date falls on a legal holiday, interferes with other area meetings, or Board member attendance will be less than a quorum, the Board will select a date for a postponed meeting at the prior regular meeting, and it will direct the District Clerk to notify all members. The District Clerk will provide the Board members written notice of the time of and agenda for each regular meeting before the meeting.

When the Board schedules a meeting on at least one week's notice, it will give or electronically transmit public notice of the time and place to the news media and conspicuously post the notice in one or more designated public locations at least 72 hours before the meeting. Notice of other meetings will be given or electronically transmitted, to the extent practicable, to the news media and conspicuously posted at one or more designated public locations at a reasonable time before the meeting. When the Board has the ability to do so, it will conspicuously post meeting notices on the District's website. If a meeting is streamed live over the Internet, the notice will inform the public of the website's Internet address.

The Superintendent will prepare the meeting agenda during the week before the meeting and review it with the Board President. The agenda will then be distributed to Board members no later than the Friday before the regular meeting. The President or other Board members will submit requests to place matters on the agenda to the Superintendent. Whenever individuals or groups wish to bring a matter to the attention of the Board, they will submit a written request to the Superintendent.

District records available to the public under the Freedom of Information Law, as well as any proposed resolution, rule, regulation, policy, or amendment scheduled to be discussed at a Board meeting will be made available upon request, to the extent practicable, at least 24 hours before the meeting. Copies of these records may be made available for a reasonable fee. These records will be posted on the District's website, to the extent practicable, at least 24 hours before the meeting.

(Continued)

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)

Using Videoconferencing to Conduct Board Meetings

If videoconferencing is used to conduct a Board meeting:

a) The Board will provide an opportunity for the public to attend, listen, and observe the meeting at any location where a Board member is participating; and

b) The public notice for the meeting will inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Voting may be done through videoconferencing provided that Board members can be both seen and heard voting and participating from remote locations.

Recording Meetings

The Board allows public meetings to be photographed, broadcast, webcast, or otherwise recorded and/or transmitted by means of audio or video, in a non-disruptive manner, and it supports the use of this technology to facilitate the open communication of public business.

Quorum

The quorum for any Board meeting is four members. No formal action will be taken at any meeting where a quorum is not present. Unless otherwise required by law, official action will only be taken by approval of the majority of the full Board.

Use of Parliamentary Procedure

The Board will use pertinent portions of the latest edition of Robert's Rules of Order to conduct its business.

Public Comment

The Board encourages courteous and respectful public comment at Board meetings. All speakers must conduct themselves in a civil manner. Obscene language, harassing language, defamatory statements, and threats of violence are prohibited. All participants are required to comply with the District *Code of Conduct*.

(Continued)

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)

The Board will designate a specific portion of its meeting agenda for public comment for a period of up to 30 minutes. Speakers will be required to sign-in to speak. The public is not permitted to discuss topics unrelated to the District and/or matters involving specific personnel or students. Each speaker will be allowed up to three minutes. The Board may request, but will not require, speakers identify themselves. The Board does not allow speakers to cede their remaining time to other speakers. Written comments may be directed to the Board.

If there are a large number of individuals who want to address the Board, the Board President may limit the number of repetitive comments being made so that the time limit on public comment is not exceeded.

If individuals engage in disruptive or unruly behavior during the meeting, the Board President will remind the audience of this policy and the requirement to conduct themselves in a civil manner and comply with the District *Code of Conduct*. The Board President may call for the removal of disruptive or unruly individuals from the meeting. When appropriate, law enforcement may be called to remove disruptive or unruly individuals. In some instances, individuals engaging in disruptive or unruly behavior may be subject to criminal sanctions.

These rules apply to residents and nonresidents equally.

Education Law Sections 1708, 2504, and 2801
General Construction Law Section 41
Penal Law Section 240.20
Public Officers Law Article 7
8 NYCRR Section 100.2

NOTE: Refer also to Policies #1520 -- Special Meetings of the Board
#1540 -- Executive Sessions
#6211 -- Employment of Relatives of Board Members

Adoption Date

SUBJECT: SPECIAL MEETINGS OF THE BOARD

In an effort to anticipate and respond to special circumstances which may arise during District operations, any member of the Board may call for a special meeting. A reasonable and good-faith effort will be made by the Superintendent or the Board president, as the case may be, to give every member of the Board 24-hours' notice of the time, place, and purpose of the meeting. In an emergency, however, the members may waive the 24-hour notice requirement.

All special meetings will be held at a regular meeting place of the Board and in accordance with all applicable provisions of the Open Meetings Law. Public notice of the time and place will be given, to the extent practicable, to the news media, and it will be conspicuously posted in one or more designated public locations at a reasonable time before the meeting.

Education Law Section 1606(3)
Public Officers Law Sections 103 and 104

NOTE: Refer also to Policy #1510 -- Regular Board Meetings and Rules (Quorum and Parliamentary Procedure)

Adoption Date

SUBJECT: MINUTES

Board minutes are a legal record of the activities of the Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes of all meetings will be kept by the District Clerk or, in their absence, by the Superintendent or designee. The minutes will be complete, accurate, and maintained in accordance with law. All minutes must be signed by the District Clerk when approved. Unless otherwise provided by law, minutes will be available to the public and posted on the District website within two weeks from the date of a meeting; unapproved copies, so marked, are acceptable, subject to correction.

Minutes of executive sessions need not include any matter which is not required to be made public by the Freedom of Information Law (FOIL).

The minutes of each meeting of the Board will 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, if different from opening or adjournment times;

e) All action taken by the Board, including a record or summary of all motions, proposals, resolutions, and other matters formally voted upon, with evidence of those voting in the affirmative and the negative, and those abstaining.

Minutes of Executive Sessions

Minutes will be taken at executive sessions of any action that is taken by formal vote. The minutes will consist of a record or summary of the final determination of the action, the date, and the vote. However, this summary need not include any matter which is not required to be made public by the FOIL.

If action is taken by a formal vote in executive session, minutes will be available to the public and posted on the District website within one week of the date of the executive session.

Education Law Sections 1721, 2121, and 3020-a
Public Officers Law Sections 87, 103, 103-a, and 106

NOTE: Refer also to Policy #1510 -- Regular Board Meetings and Rules (Quorum and Parliamentary Procedure)

Adoption Date

SUBJECT: EXECUTIVE SESSIONS

Upon a majority vote of its total membership, taken in an open meeting in accordance with a motion identifying the general area or areas of the subject or subjects to be considered, the Board may conduct an executive session for discussion of the below listed purposes only, provided, however, that no action by formal vote will be taken except on an Education Law Section 3020-a probable cause finding. For all other purposes, the action by formal vote will be taken in open meeting and properly recorded in the minutes of the meeting. Attendance at an executive session will be permitted to any Board member and any persons authorized or requested to attend by the Board. The Superintendent will attend all executive sessions except those that concern his or her evaluation, employment, or salary.

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

b) Any matter that 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 that would imperil effective law enforcement if disclosed;

d) Discussions regarding proposed, pending or current litigation;

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

f) 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) Preparation, grading, or administration of examinations;

h) Proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value.

Motions for executive sessions should state the subject or subjects to be discussed in executive session. It is insufficient to merely recite statutory language.

Matters discussed in executive sessions must be treated as confidential.

Education Law Sections 1708(3) and 3020-a
Public Officers Law Article 7

Adoption Date

SUBJECT: ANNUAL DISTRICT MEETING AND ELECTION/BUDGET VOTE

The Annual District Meeting and Election/Budget Vote for the District will be held on the third Tuesday in May. At this time, the District's registered voters will elect members of the Board and will also vote on the District Budget for the upcoming school year. However, in the event that the third Tuesday in May conflicts with a religious holiday, the Board may petition the Commissioner of Education to obtain permission to hold the Annual Meeting and Election/Budget Vote on the second Tuesday in May. This request from the Board must be certified and received by the Commissioner no later than March 1.

In the event that a school budget revote is necessary, it will be held on the third Tuesday of June. However, in the event that the third Tuesday of June conflicts with a religious holiday, the Board may petition the Commissioner of Education to obtain permission to hold the budget revote on the second Tuesday in June. This request from the Board must be certified and received by the Commissioner no later than March 1.

The District Clerk will give notice of the time and place of holding the Annual Meeting and Election/Budget Vote by publishing this notice four times within seven weeks preceding the meeting. The first publication of the notice must be at least 45 days prior to the meeting. This notice must appear in two newspapers, if there are two newspapers which have a general circulation within the District, or one newspaper, if there is one newspaper with a general circulation within the District. The notice must also contain any other information as required by law.

Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election will 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 14 days preceding the Annual Meeting. The availability of this budget information will be included in a legal notice of the Annual Meeting; and the copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election.

Education Law Sections 1608, 1716, 1804(4), 1906(1), 2003(1), 2004(1), 2007(3), 2017(5), 2017(6), 2022(1), 2504, and 2601-a(2)

NOTE: Refer also to Policy #1640 -- Absentee, Military, and Early Mail Ballots

Adoption Date

SUBJECT: ANNUAL ORGANIZATIONAL MEETING

The Annual Organizational Meeting of the Board will be held on the first Tuesday in July of each year, unless that day is a legal holiday, in which event it will be held on the first Wednesday in July.

The Board may pass a resolution, however, to hold its Annual Organizational Meeting at any time during the first 15 days of July.

Officers

The meeting will be called to order by the District Clerk, who will act as a Temporary Chairperson. The Board will proceed to the election of a president and vice president. Election will be by a majority vote. The president will then take the chair.

Oath of Office

The District Clerk will administer the Oath of Office to the Superintendent of Schools, newly elected officers, and new members of the Board. Newly elected or Board of Education members must take their constitutional oath of office within 30 days of the beginning of their term of office.

Education Law Sections 1701, 1707, 2502, and 2504
Public Officers Law Section 10

Adoption Date

SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT DISTRICT MEETINGS

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

a) A citizen of the United States;

b) Eighteen years of age or older;

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

Any person who would not be qualified to register or vote under the provisions of Election Law Sections 5-100 and 5-106 will not have the right to register for or vote in an election.

Education Law Sections 2012, 2014, 2025, and 2603
Election Law Article 5

Adoption Date

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS

Absentee Ballots

The Board authorizes the district clerk to provide absentee ballots to qualified district voters. Absentee ballots will be used for the election of board members, the adoption of the annual budget, and district public library budget and referenda.

A district voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason they will not be able to appear in person on the day of the district election/vote for which the absentee ballot is requested. The application must be received by the district clerk no earlier than the thirtieth day before the election/vote. The application must be received by the district clerk at least seven days before the election/vote if the ballot is to be mailed to the voter or the day before the election/vote if the applicant or their agent delivers the application to the district clerk in person.

A qualified district voter is eligible to vote by absentee ballot if they will be:

a) Absent from the county of their residence;

b) Unable to appear at the polling place because of illness or physical disability, or duties related to the primary care of one or more individuals who are ill or physically disabled, or because they will be or is a patient in a hospital;

c) An inmate or patient of a veteran's administration hospital; or

d) Absent from their voting residence because they are detained in jail awaiting action by a grand jury or awaiting trial, or confined in jail or prison after a conviction for an offense other than a felony, provided that they are qualified to vote in the election district of their residence.

Statements on the application for an absentee ballot must be signed and dated by the voter.

A voter's absentee ballot must reach the office of the district clerk not later than 5 p.m. on the day of the election/vote in order that their vote may be canvassed.

Qualified district voters who are unable to personally appear at the polling place because of a permanent illness or physical disability and whose registration record has been marked "permanently disabled" pursuant to law are entitled to receive an absentee ballot without application.

(Continued)

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS (Cont'd.)

A list of all persons to whom absentee ballots have been issued will be maintained in the office of the district clerk and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of this list, file a written challenge of the qualifications as a voter of any person whose name appears on this list, stating the reason for the challenge. A challenge to an absentee ballot may not be made on the basis that the voter should have applied for an early mail ballot. The written challenge will be transmitted by the district clerk to the election inspectors on the day of the district election/vote.

Military Ballots

The Board authorizes the district clerk to provide military ballots to military voters to be used for the election of board members, the adoption of the annual budget, and district public library budget and referenda.

A military voter is:

a) A qualified voter of New York State who:

   1. Is in actual military service and, by reason of that military service, is absent from the District on the day of registration or election; or

   2. Is discharged from that military service within 30 days of an election; or

b) A spouse, parent, child, or dependent of the previously described voter, accompanying or being with that voter, if a qualified voter of New York State and a resident of the District.

A military voter may designate a preference to receive a military ballot application or a military ballot by mail, fax, or email. This designation will remain in effect until revoked or changed by the military voter. If a military voter does not designate a preference, a military ballot application or a military ballot will be provided to the military voter by mail.

Military ballots will be distributed as soon as practicable, but no later than 25 days before the election/vote.

Three days before the first day for distribution of military ballots, the names of all candidates duly nominated for public office and the amendments, referenda, propositions, and questions to be voted for on the ballots will be determined. If, at a later date, the nomination of any candidate named on a military ballot is found invalid, the ballot will still be valid, but no vote for the invalid candidate will be counted in the election/vote.

A voter's military ballot must be received by the office of the district clerk not later than 5 p.m. on the day of the election/vote in order that their vote may be canvassed at which point the military ballot will be processed in the same manner as absentee ballots.

(Continued)

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS (Cont'd.)

All military ballot applications and military ballots must be returned by mail or in person.

Early Mail Ballots

The Board authorizes the district clerk to provide early mail ballots to qualified district voters. Early mail ballots will be used for the election of board members, the adoption of the annual budget, and district public library budget and referenda.

A district voter must request in advance an application for an early mail ballot. The voter must complete the application. The application must be received by the district clerk no earlier than the thirtieth day before the election/vote. The application must be received by the district clerk at least seven days before the election/vote if the ballot is to be mailed to the voter or the day before the election/vote if the applicant or their agent delivers the application to the district clerk in person.

Any qualified district voter is eligible to vote by early mail ballot.

Statements on the application for an early mail ballot must be signed and dated by the voter.

A voter's early mail ballot must reach the office of the district clerk not later than 5 p.m. on the day of the election/vote in order that their vote may be canvassed.

A list of all persons to whom early mail ballots have been issued will be maintained in the office of the district clerk and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of this list, file a written challenge of the qualifications as a voter of any person whose name appears on this list, stating the reason for the challenge. A challenge to an early mail ballot may not be made on the basis that the voter should have applied for an absentee ballot. The written challenge will be transmitted by the district clerk to the election inspectors on the day of the district election/vote.

Education Law Sections 2014, 2018-a, 2018-b, 2018-d, 2018-e, 2018-f, and 2613
8 NYCRR Part 122

Adoption Date

SUBJECT: SUBMISSION OF QUESTIONS AND PROPOSITIONS AT THE ANNUAL MEETING AND ELECTION AND SPECIAL DISTRICT MEETINGS

Questions and Propositions at the Annual Meeting and Election

The following rules and regulations will apply to the submission of questions or propositions at the annual meeting and election of this District:

a) Questions or propositions must be submitted by petition directed to the District Clerk and must be signed by 25 qualified voters, or 5% of the registered voters of the District who voted in the previous annual election of Board members, whichever is greater.

b) A separate petition will be required for each question or proposition.

c) Each petition must be filed with the District Clerk. Petitions relating to an Annual Election must be filed not later than 90 days preceding the election at which the question or proposition is to be voted upon.

d) Questions or propositions submitted in accordance with these rules and accepted will be printed on the ballot. The District, however, retains the right to reject petitions as permitted by law, including, but not limited to, instances where the petitions are advisory in nature or beyond the power of the voters.

e) The Board will cause the rules and regulations set forth in this policy to be distributed within the District.

f) Nothing in this policy affects the nominations of candidates as set forth in the Annual District Election notice in accordance with Education Law Section 2018.

Questions or Propositions to be Submitted at Special District Meetings

The procedure for requesting the Board to call a Special District Meeting to vote on a question or proposition will be in accordance with Education Law.

Education Law Sections 1703, 2008, 2018, 2035(2), and 2601-a

Adoption Date

Victor Central School District **NUMBER**

INTERNAL OPERATIONS

1.1 Orienting and Training Board Members.....2110

BOARD OF EDUCATION COMMITTEES

2.1 Committees of the Board.....2210

BOARD OF EDUCATION ACTIVITIES

3.2 Attendance by Board Members at Conferences, Conventions, and Workshops 2320
3.4 Board Self-Evaluation.....2340

SUBJECT: ORIENTING AND TRAINING BOARD MEMBERS

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

a) Giving the electee selected materials relating to the responsibilities of Board membership supplied by local, state, or national school-board associations or other professional organizations;

b) Inviting the electee to attend Board meetings to hear the discussions;

c) Having the Clerk supply material pertinent to meetings and explaining its use;

d) Inviting the electee to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board;

e) Having the clerk provide a copy of or access to the Board's policies and bylaws;

f) Providing the opportunity to attend a local, state, or national school-board association's orientation program.

Board Member Training

Within the first year of election or appointment, each Board member must complete a minimum of six hours of training on the financial oversight, accountability, and fiduciary responsibilities of a school board member and a training course acquainting him or her with the powers, functions, and duties of Boards, as well as the powers and duties of other governing and administrative authorities affecting public education. Re-elected Board members will not be required to repeat this training. The curriculum and provider of this training must be approved by the Commissioner of Education.

Upon completing the required training, the Board member will file with the District Clerk a certificate of completion issued by the provider of the training. Actual and necessary expenses incurred by a Board member in complying with these requirements are a lawful charge to the District.

Education Law Section 2102-a
8 NYCRR Section 170.12(a)

Adoption Date

SUBJECT: COMMITTEES OF THE BOARD

The Board and/or the President of the Board may, at its discretion, establish committees for the purpose of undertaking a specific task in connection with Board activity. These committees, however, cannot make legal decisions for the entire Board.

At the request of the Board, the President will appoint temporary committees consisting of less than a quorum of the full membership for special purposes. These committees will be discharged on the completion of their assignment. The President of the Board will be an ex-officio member of these committees.

The Board recognizes that it may be necessary to periodically authorize advisory committees for the purpose of enlisting opinions and counsel of the general public. These committees will be appointed by the Board. The Board has the right to accept, reject, or modify all or any part of a committee recommendation.

Audit Committee

The Board has established an audit committee to oversee the annual audit of the District and report on its findings to the Board.

Education Law Sections 1708, 2116-c, and 4601

NOTE: Refer also to Policy #5572 -- Audit Committee

Adoption Date

SUBJECT: ATTENDANCE BY BOARD MEMBERS AT CONFERENCES, CONVENTIONS, AND WORKSHOPS

The Board believes that continuing in-service training and development are important for its members. The Board, therefore, encourages the participation of all members at appropriate school board conferences, conventions, and workshops which are believed to be of benefit to the District. However, in order to control both the investment of time and funds necessary to implement this policy, the Board establishes the following guidelines:

a) The Board Clerk or School Board Associations will inform the Board of upcoming conferences, conventions, and workshops. The Board will periodically decide which meetings appear to be most likely to produce direct and indirect benefits to the District. At least annually, the Board will identify those new ideas or procedures and/or cost benefits that can be ascribed to participation at these meetings.

b) Funds for participation at conferences, conventions, workshops and the like will be budgeted for on an annual basis. When funds are limited, the Board will designate which members are to participate at a given meeting.

c) Reimbursement to Board members for all actual and necessary registration fees, expenses of travel, meals and lodging, and all necessary tuition fees incurred in connection with attendance at conferences and the like will be in accordance with established regulations for expense reimbursement.

d) When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

The authorization for Board members to attend a conference, convention, or workshop will be by Board resolution at the reorganizational meeting.

Education Law Section 2118
General Municipal Law Sections 77-b and 77-c

NOTE: Refer also to Policies #5323 -- Reimbursement for Meals/Refreshments
#6161 -- Conference/Travel Expense Reimbursement

Adoption Date

SUBJECT: BOARD SELF-EVALUATION

The Board will review the effectiveness of its internal operations at least once annually and formulate a plan for improving its performance. Accordingly, the members of the Board shall conduct an annual self-evaluation to determine the degree to which they are meeting their responsibilities as board members and the needs of their educational community. The annual self-evaluation exercise should be conducted in the May/June timeframe to ensure that the results of the evaluation include input from any board members whose term may be expiring at the end of June. The Superintendent and others who work regularly with the Board may be asked to participate in this review and to suggest ways by which the Board can improve its functioning as a legislative body.

Adoption Date

Victor Central School District **NUMBER**

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SUBJECT: MEDIA/MUNICIPAL GOVERNMENTS/SENIOR CITIZENS

School District Media

The building principal is responsible for the preparation of news releases concerning the activities within that building, and for reviewing them with the Superintendent prior to release. Copies of all final news releases will be sent to the Superintendent's Office.

In addition, a periodic newsletter may be prepared and sent to each resident of the District or posted on its website. 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.

As the official spokesperson, the Superintendent or designee will issue all news releases concerning the District. All statements of the Board will be released through the Office of the Superintendent and/or the District Clerk.

Media Relations

The Board invites and welcomes the active participation of all forms of mass media, print and electronic, in educating the public and improving education within the District and the wider community. The Board of Education and Superintendent will make every reasonable effort to cooperate with the media by providing accurate information about District operations, to the extent permissible by statute and regulation.

The board president is designated as the spokesperson for the Board when the Board is making a statement on an issue. No other member of the Board individually will speak for, in the name of, the Board unless by explicit direction of the Board. Board members should emphasize to the media when asked to speak as a board member that they can only speak as private citizens unless they have been empowered by the Board to speak for it.

The Superintendent of Schools is designated as the spokesperson for the District.

Periodic publications may be prepared and sent to each resident of the District or posted on the District website. Included in the publication 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.

As the official spokesperson, the Superintendent or designee, will issue all news released concerning the District. All statements of the Board will be released through the Office of the Superintendent and/or district clerk.

(Continued)

SUBJECT: MEDIA/MUNICIPAL GOVERNMENTS/SENIOR CITIZENS (Cont'd.)

The Superintendent of Schools shall establish all necessary procedures to govern day-to-day interactions between the schools and the news media. Staff desiring to create a press release shall notify the building principal who then notifies the Superintendent or designee. All final news releases will be released by the Office of the Superintendent or designee.

Representatives of the media must contact the Office of School and Community Relations prior to any visit to the school campus. That office will notify appropriate school administrators of the requested visit, and establish visit details.

Municipal Governments

The Board will establish and maintain a positive working relationship with the governing bodies of the municipality. The Board will also cooperate with municipal, county, and state agencies whose work affects the welfare of the children of the District, including, but not limited to, the County Social Services Department, the Board of Health, the Recreation Department, the Public Library, and all community emergency services agencies.

Senior Citizens

The Board will consider school-related programs for senior citizens in accordance with Education Law and/or the Commissioner's regulations. These programs include special use of school buildings or school buses, school lunches, and partial tax exemptions.

Education Law Sections 1501-b(1)(a), 1501-b(1)(b), and 1709(22)
Real Property Tax Law Section 467

Adoption Date

SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING

General Criteria

The availability of Internet access in the District provides an opportunity for staff and students to access information and contribute to the District's online presence. The District/school/classroom websites must relate to curriculum or instructional matters, school authorized activities, or general information of interest to the public pertaining to the District or its schools. Staff and students are prohibited from publishing personal home pages or links to personal home pages as part of the District/school/classroom Web Page(s). Similarly, no individual or outside organization will be permitted to publish personal Web Pages as part of the District/school/classroom Web Page(s).

Internet access for the creation of Web Pages is provided by the District and all information must be reviewed by the Website Manager prior to publishing it on the Web. Personnel designing information for the Web Pages must familiarize themselves with and adhere to District standards and procedures. Failure to follow District standards or responsibilities may result in disciplinary sanctions in accordance with law and/or the applicable collective bargaining agreement.

The District will ensure that any and all notifications and documents required by law, regulation, or District policy to be posted on its website will be published.

Content Standards

a) Approval for posting a Web Page must be obtained from the Website Manager or his or her designee(s). If at any time, the Website Manager or designee(s) believes the proposed material does not meet the standards approved by the District, it will not be published on the Web. Decisions regarding access to active Web Pages for editing content or organization will be the responsibility of the Website Manager or designee(s).

b) Staff or student work should be published only as it relates to a school/classroom authorized project or other school-related activity, and in compliance with any and all relevant laws, rules, and regulations.

c) A Student Web Page (if considered a school-sponsored student publication) will be subject to District review as would any other school-sponsored student publication.

d) Commercial advertising or marketing on the District/school/classroom Web Page(s) (or the use of school-affiliated Web Pages for the pursuit of personal or financial gain) will be prohibited unless otherwise authorized in accordance with law and/or regulation. Decisions regarding website advertising must be consistent with existing District policies and practices on this matter. School-affiliated Web Pages may mention outside organizations only in the context of school programs that have a direct relationship to those organizations (e.g., sponsorship of an activity, student community service project).

(Continued)

SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

e) Web Pages may include faculty or staff names; however, other personal information about employees including, but not limited to, home telephone numbers, addresses, personal email addresses, or other identifying information such as names of family members may be published only with the employee's permission.

f) All Web Pages must conform to the standards for appropriate use found in the District's Acceptable Use Policy(ies) and accompanying regulations regarding standards of acceptable use; examples of inappropriate behavior; and compliance with applicable laws, privacy, and safety concerns.

g) All staff and/or students authorized to publish material on the District/school/classroom Web Page(s) must acknowledge receipt of the District's Web Page Standards and agree to comply with these standards prior to posting any material on the Web.

Release of Student Education Records/Directory Information

The District will not permit students' personally identifiable information to be posted on any District Web Pages unless the posting is consistent with the Family Educational Rights and Privacy Act (FERPA) and District policy.

Use of Copyrighted Materials and Fair Use Exceptions

Copyrighted Materials

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, Fair Use guidelines, licenses, or contractual agreements, or the permission of the copyright proprietor. Web Page publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials or notice that the publication is in accordance with the Fair Use provisions of the Copyright Law.

Consequences for Non-Compliance

Web Pages that do not comply with the above criteria are subject to revocation of approval and removal from the District/school/classroom websites.

Staff

Faculty or staff posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with law and applicable collective bargaining agreements. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

(Continued)

SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

Students

Students posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with applicable due process procedures and the District *Code of Conduct*. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Oversight

The Superintendent or designee will have the authority to approve or deny the posting of any proposed Web Pages on school-affiliated websites based upon compliance with the terms and conditions set forth in this policy as well as applicable District practices and procedures.

Digital Millennium Copyright Act (DMCA), 17 USC Sections 101 et seq., 512 and 1201 et seq.
Family Educational Rights and Privacy Act of 1974, 20 USC Section 1232(g)
34 CFR Parts 99 and 201

NOTE: Refer also to Policies #7241 -- Student Directory Information
#7410 -- Extracurricular Activities
#8350 -- Use of Copyrighted Materials

Adoption Date

SUBJECT: FLAG DISPLAY

In accordance with State Education Law and Executive Law, the Board will display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as the statutes may require or the Board 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 will be flown at half-staff. The Superintendent's approval will be required for the flag to be flown at half-staff on any other occasion.

The flag will be displayed in every assembly room (i.e., the auditorium) including the room where the Board meetings are conducted, as well as displayed in all rooms used for instruction.

4 USC Section 6
Education Law Sections 418-420
Executive Law Sections 402 and 403
8 NYCRR Sections 108.1-108.3

Adoption Date

SUBJECT: SCHOOL VOLUNTEERS AND VISITORS TO THE SCHOOL

The Board recognizes the need to develop a school volunteer program to support District instructional programs and extracurricular activities. The purpose of the volunteer program will be to strengthen school/community relations through positive participation.

Volunteers are persons who are willing to donate their time and energies to assist building principals, teachers, and other school personnel in implementing various phases of school programs. Volunteers shall serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program. All volunteers will work under the supervision of a District employee.

All visitors, including volunteers, will be required to report to the main office upon arrival at school and share the purpose for their visit. Visitors will be required to provide a state or government issued ID to enter into the Electronic Visitor Management System (EVMS) at the appropriate school building.

During School Hours

Each prospective volunteer will be required to provide a valid state or government issued ID and be cleared by the EVMS at the appropriate school building prior to entering. Once entry is approved, the volunteer will be issued a badge with the visitor's name, the date, and purpose of the visit.

The District retains the right to determine the status and service of volunteers. It is the responsibility of the building principal/administrator to inform all staff and prospective volunteers of the volunteer policy.

Electronic Visitor Management System

The District utilizes an EVMS in order to ensure the safety and welfare of its students, staff, and guests. When any visitor, including parents and volunteers, wishes to enter any school building during school hours, they must present a valid state or government issued photo ID, such as a valid driver's license. Prior to entry being permitted, the EVMS will check visitors against known sexual offender databases. Once the visitor's ID is scanned, the EVMS will print a visitor's badge which must be worn throughout the duration of the visit. Visitors should return this badge at the end of their visit so that they may be checked out of the building in a timely fashion. Visitors who refuse to produce IDs or fail the check of sexual offender databases, will be asked to either wait in the school building lobby or to leave school premises.

Administrative regulations will be developed to implement the terms of this policy.

(Continued)

SUBJECT: SCHOOL VOLUNTEERS AND VISITORS TO THE SCHOOL (Cont'd.)

Volunteer Protection Act of 1997, 42 USC Section 14501 et seq.
Education Law Sections 3023 and 3028
Public Officers Law Section 18

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

Adoption Date

SUBJECT: SHARED DECISION-MAKIING AND SCHOOL-BASED PLANNING

The Board of Education encourages the participation of the community in improving education in our schools. In accordance with the Regulations of the Commissioner, the Board has adopted a plan for the effective participation of parents, teachers, administrators and the Board in shared decision-making at the building level. This plan specifies:

a) The educational issues which will be subject to decision sharing and cooperative planning at the school level;

b) The manner and extent of the expected involvement of all parties;

c) The means and standards by which all parties will evaluate improvement in student achievement;

d) The means by which all parties will be held accountable for the decisions made;

e) The process whereby disputes will be resolved at the local level; and

f) The manner in which all state and federal requirements for the involvement of parents in planning and decision-making will be coordinated with and met by the overall plan.

Every two years, the Board shall review the plan to determine its effectiveness and to recertify or amend the plan, as needed. Any amendment or recertification of the plan will be developed and adopted in accordance with Section 100.11 of the Regulations of the Commissioner.

Adoption Date

SUBJECT: USE OF SERVICE AND THERAPY ANIMALS

The District complies with the American with Disabilities Act Amendments Act (ADA) in allowing the use of Service Animals for students, staff and visitors. The District is committed to allowing Service Animals as necessary to provide individuals with disabilities an equal opportunity to access the programs, services, and physical facilities of the District. As explained in more detail below, Service Animals are distinguished from emotional support, therapy, comfort, or companion animals. This policy explains the specific requirements applicable to an individual's use of a Service Animal on District property. The District reserves the right to amend this policy as circumstances require.

Additionally, the District recognizes the importance of therapy dogs, as defined below, and permits the use of therapy dogs on school grounds subject to the conditions of this policy. The use of therapy dogs can have many benefits including reduced anxiety and increased mental stimulation, as well as decreased depression, feelings of isolation, and boredom.

Service Animals

Under the ADA, a service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The ADA Amendments Act excludes from this definition any animal that is not a dog.

The work or tasks performed by a service animal must be directly related to the individual's disability. Animals whose primary function is to provide crime deterrence and/or emotional support, comfort, or companionship are not considered to be Service Animals under the ADA Amendments Act. Psychiatric service animals that have been trained to take a specific action e.g., to help avoid an anxiety attack or to reduce its effects, however, may qualify as a service animal.

"Handler" is the individual who is responsible for caring for and supervising the service animal, which includes toileting, feeding, grooming, and veterinary care. The District is not obligated to supervise or otherwise care for a service animal. In situations in which the individual with a disability is unable to act as the service animal's Handler, the individual with the disability must provide a Handler for the service animal on District property.

The District generally allows Service Animals on District property and in District facilities when the animal is accompanied by an individual with a disability who indicates the Service Animal is trained to provide, and does provide, a specific service to them that is directly related to their disability.

In order to use a service dog in the District, a written request must be submitted to the Superintendent or his/her designee. A parent or guardian must make a written request for a student to be accompanied to school or a school function by a Service Animal at least ten business days prior to the Service Animal accompanying the student.

(Continued)

SUBJECT: USE OF SERVICE AND THERAPY ANIMALS (Cont'd.)

The District may make two inquiries to determine whether an animal qualifies as a Service Animal, which includes:

a) Whether the animal is required because of a disability, and;

b) What work or task the animal has been trained to perform.

The District cannot require documentation regarding the animal's certification or training.

Handler Responsibilities

A Service Animal's Handler is solely responsible for the custody and care of the Service Animal and must meet the following requirements:

a) The District requires that a service animal be under the control of its Handler at all times. The District requires that a service animal shall have a harness, leash, or other tether, unless either the Handler is unable because of a disability to use a harness, leash, or the tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must otherwise be under the Handler's control (e.g., voice control, signals, or other effective means).

b) If an individual with disabilities cannot, for any reason, provide needed care or supervision of his or her service animal, the District requires that the animal be accompanied by a Handler who is capable of providing the needed care and supervision of the service animal.

c) The Handler must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the individual's responsibility to know and understand these ordinances, laws, and regulations. The District has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The District reserves the right to request documentation showing that the animal has been licensed.

d) The Handler is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner. The Handler must always carry sufficient equipment to clean up the animal's waste.

e) The Handler must abide by all equally applicable District policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the District.

f) The Districts personnel shall **not** be required to provide care or food for any Service Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm.

(Continued)

SUBJECT: USE OF SERVICE AND THERAPY ANIMALS (Cont'd.)

Exclusion of a Service Animal

The District may exclude a Service Animal from the District if:

a) The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;

b) The animal's presence results in a fundamental alteration of a District program, service, or activity;

c) The animal is not house-broken;

d) The Handler does not comply with the Handler's responsibilities set forth above; or

e) The animal or its presence creates an unmanageable disturbance or interference with the District's operations.

The District will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in accordance with District policy.

Disputes

Any person who disputes any decision or action by any employee or agent of the District relating to a service animal may contest that decision by submitting a written complaint to the Assistant Superintendent of Pupil Services. Any such complaint must be filed within 30 days of the decision or action complained of. The Assistant Superintendent of Pupil Services shall investigate any such complaint, using means that he or she deems appropriate under the circumstances, and respond to such a complaint in writing within 30 days unless a longer time is warranted for thorough investigation. If a longer time for response is warranted, the Assistant Superintendent of Pupil Services shall state in writing the extended time period required. Any person dissatisfied by a decision of the Assistant Superintendent of Pupil Services may make a written appeal to the Superintendent of Schools within 30 days of when the Assistant Superintendent of Pupil Services transmits his or her written response by email or by U.S. Mail. The Superintendent shall render a decision affirming or reversing the determination of the Superintendent of Pupil Services within 30 days, or the Superintendent may refer the challenge to a neutral adjudicator.

Any dispute related to the use of a service animal pursuant to a Student's IEP must comply with the impartial due process procedures as required by federal and state special education law and Board Policy.

(Continued)

SUBJECT: USE OF SERVICE AND THERAPY ANIMALS (Cont'd.)

The District will maintain a copy of any complaint under this policy presented to the Assistant Superintendent of Pupil Services for a period of six years after final resolution of such dispute.

Therapy Dogs

For purposes of this policy, a therapy dog is defined as a dog that has been trained, evaluated, and certified to work with a Handler to provide affection and comfort to individuals in a variety of settings including schools. A Handler is defined as an individual that has been trained, evaluated, and certified to work with a particular therapy dog. Therapy dogs are not covered by the same laws that protect service dogs.

Although there is no formal identification or certification for therapy dogs, the District requires that any therapy dog and accompanying Handler permitted on school grounds to be certified by an American Kennel Club (AKC) recognized therapy dog organization such as Therapy Dogs International. Further, the therapy dog must not pose a health and safety risk to any individual on school grounds. In order to use a therapy dog in the District, a written request must be submitted to the Superintendent or his/her designee. The request must include the following:

a) General information about the proposed use of the therapy dog including when and where;

b) Personal information about the therapy dog and Handler including name, address, and phone;

c) Copies of the therapy dog's:

   1. Current licensure from the local licensing authority;

   2. Vaccination and immunization records from a licensed veterinarian;

d) Copy of a certification from an AKC recognized therapy dog organization;

e) Copy of an insurance policy that provides sufficient liability coverage for the work of the therapy dog and Handler while on school grounds and names the District as an additional insured;

f) Certification from the Handler that, while on school grounds, the therapy dog, will:

   1. Be clean, well-groomed, and free of parasites, illness, or injury;

   2. Remain under the Handler's control through the use of a leash or other tether unless the use of a leash or other tether would interfere with the therapy dog's service;

   3. Be supervised and accompanied by the Handler;

(Continued)

SUBJECT: USE OF SERVICE AND THERAPY ANIMALS (Cont'd.)

4. Wear a therapy dog ID and/or a bandana;

5. Not disrupt the educational process by excessive barking or any other behavior;

6. Only go to locations that have been authorized by District administrators;

7. Be fed, exercised, and cleaned-up after by the Handler.

Additionally, Handlers who are not employed by the District must comply with all requirements for volunteers in the District. Volunteers will work under the supervision of appropriate staff and are expected to comply with all District rules and regulations.

A new request must be submitted for each proposed use of a therapy dog. There must be one request for each dog. In no case will a request for the use of a therapy dog be valid for more than one school year.

The District reserves the right to deny a request for the use of a therapy dog for any reason. Once a request has been granted, the District reserves the right to exclude a therapy dog from school grounds for any reason including, but not limited to, the therapy dog:

a) Presenting a direct and immediate threat to others;

b) Not being under the Handler's control;

c) Interfering with the educational process;

d) Going into a location in the District that has not been authorized by District administrators.

If any individual suffers an allergic reaction while in the presence of a therapy dog, the District will require the Handler to move the therapy dog to a different location designated by a District administrator.

The Handler of a therapy dog is solely responsible and liable for any damage to school property, or any injury caused by the therapy dog. Further, the District bears no financial responsibility for the required training, care, or feeding for the therapy dog.

Parents/Guardians will be notified prior to any therapy dog being permitted on school grounds.

Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
28 CFR Sections 35.104 and 35.136
Civil Rights Law Sections 47, 47-a, and 47-b
Executive Law Section 296

Adoption Date

SUBJECT: ANIMALS ON SCHOOL GROUNDS

Based upon (1) the District's obligation to limit the use of school facilities to educational purposes, and (2) concerns related to maintenance costs and hygiene, as well as to help maintain safe and healthy conditions for the students, staff and visitors to the Victor Central School District, it shall be a violation of District policy for any individual to bring a dog or other animal onto school grounds, except in accordance with the following regulations:

a) All animals will be on a leash at all times except for service dogs and properly identified service dogs in training.

b) A clean up/carry out policy will be adhered to at all times.

c) Animals are not allowed on athletic fields under any circumstances.

The animal owner assumes all risks for the safety of persons or property when bringing animals on school grounds.

Public Health Law 2140

Adoption Date:

SUBJECT: PUBLIC COMPLAINTS

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 to the administrator and/or his or her assistant if the matter cannot be resolved by the teacher, coach, or other school employee.

If the complaint and related concerns are not resolved at this level to the satisfaction of the complainant, the complaint may be carried to the Superintendent or their assistant. The Superintendent may require the statement of the complainant in writing.

The Superintendent may, but is not required to, address anonymous complaints. All other complaints and related concerns that are not resolved at the Superintendent level to the satisfaction of the complainant may be carried to the Board.

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#8330 -- Objection to Instructional and Library Materials and Controversial Issues
District *Code of Conduct*

Adoption Date

SUBJECT: SOLICITATION OF CHARITABLE DONATIONS

Students

Direct solicitation of charitable donations from District students on school property during regular school hours is prohibited. It is a violation of District policy to ask District students directly to contribute money or goods for the benefit of a charity during the hours in which they are compelled to be on school grounds.

However, this policy does not prevent the following types of fundraising activities:

a) Fundraising activities which take place off school grounds or outside of regular school hours during before-school or after-school extracurricular periods;

b) Arms-length transactions, where the purchaser receives consideration for his or her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity;

c) Indirect forms of charitable solicitation on school grounds that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods, or money.

The Board will ultimately decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities provide some educational benefit for the students and comply with the terms of this policy and the Rules of the Board of Regents. The administration should approve and schedule these activities so as to eliminate the possibility of many drives being conducted simultaneously.

Any fund drive must be sponsored by the School District, or a school-related organization (e.g., the Parent-Teacher Association). School personnel may not collect funds from students unless it is a fund drive sponsored by the School District or a school-related organization.

Funds raised through school-sponsored activities must be deposited and accounted for in the extracurricular fund. Accounting for funds raised by school-related groups is the responsibility of such groups.

Fund drives sponsored by the School District requiring door-to-door solicitation are prohibited.

Personnel

Soliciting of funds from school personnel by persons or organizations representing public or private organizations is prohibited. The Superintendent has the authority to make exceptions to this policy in cases where solicitation is considered to be in the District's best interest. The Board will be notified of these instances.

(Continued)

SUBJECT: SOLICITATION OF CHARITABLE DONATIONS (Cont'd.)

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

New York State Constitution Article 8, Section 1
Education Law Section 414
8 NYCRR Section 19.6

NOTE: Refer also to Policy #7450 -- Fundraising by Students

Adoption Date

SUBJECT: ADVERTISING IN THE SCHOOLS

District facilities, staff, and students will not be used or 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 their cooperation does not restrict or impair the educational program of the schools or conflict with the Rules of the Board of Regents;

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

c) The Superintendent may, at his or 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, cooperate with any agency in promoting activities in the general public interest that are non-partisan and non-controversial, and that promote the education and other best interests of the students.

No materials of a commercial nature will be distributed through District students except as authorized by law or the Commissioner's regulations.

New York State Constitution Article VIII, Section 1
8 NYCRR Section 19.6

Adoption Date

SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS, AND EQUIPMENT

School Facilities

It is the policy of the Board to encourage the greatest possible use of school facilities for community-wide activities including those uses permitted by New York law. Individuals or groups wishing to use the school facilities must secure written permission from the Board or its designee and abide by the rules and regulations established for use, including restrictions on alcohol, tobacco, and drug use. All visitors must comply with the District's *Code of Conduct.*

The District reserves the right to charge a fee for the use of its facilities in a manner consistent with law, and on terms specified in regulation or by agreement with these organizations.

Materials and Equipment

Except when used in connection with, or rented under provisions of Education Law Section 414, school-owned materials or equipment may be used for school-related purposes only. Private or personal use of school-owned materials and equipment is strictly prohibited. The loan of equipment and materials for public purposes that serve the welfare of the community is allowed, as long as the equipment is not needed at that time for school purposes and that the proposed use will not disrupt normal school operations.

The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations. The Board will also allow the loan of equipment to local governments and other entities that benefit the welfare of the surrounding community. The Board supports this inter-municipal cooperation as it saves taxpayer monies and is a more efficient use of scarce or costly equipment and resources.

Education Law Section 414
NY Constitution Article 8

NOTE: Refer also to Policies #3410 -- Code of Conduct
#5640 -- Smoking, Tobacco, and Cannabis (Marijuana) Use
#6150 -- Alcohol, Tobacco, Drugs, and Other Substances (Staff)
#7410 -- Extracurricular Activities
District *Code of Conduct*

Adoption Date

SUBJECT: FACILITIES AND PUBLIC DEDICATION

The Board of Education recognizes the importance and benefit of publicly recognizing the outstanding performance and contributions of people associated with our School District. This recognition can take many forms, including a Board resolution or proclamation, a memento awarded to the individual, a plaque affixed to a wall in a hallway of a school building designated as a "Hall of Fame," a plaque affixed to a District facility, the dedication of a facility or part of a facility to an individual or individuals, or other form of recognition deemed suitable by the Board.

Residents and/or employee of the District may nominate a person or persons for recognition by submitting a written proposal to the district clerk. The proposal must include clear justification for the recognition, a specific description of the recognition proposed, the exact wording of any inscriptions, and the materials to be used to fabricate the recognition. Items should be fabricated so they are as maintenance free as possible.

The Board shall, by majority vote, approve any of the above forms of recognition to be displayed or placed on, or in, or affixed to, District property. This recognition should be for a person or persons who have attained substantial national or local prominence, or who have provided significant benefit to the District either in the course of his or her employment or volunteer efforts on behalf of the District. The recognition may be purchased with District funds authorized by the Board, or through funds received by the District from student, community or parent groups or individuals. The Board reserves the right to approve the materials, design and wording of all forms of recognition.

The Board also reserves the right to hold a public dedication of any new facilities, structures, plaques or other form of public recognition. Sufficient notice to the community regarding the date and time of such dedication will be made.

Adoption Date

SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

The use of motor-driven vehicles, including cars, snowmobiles, mini-bikes, motorcycles, all-terrain vehicles (ATVs) and other like vehicles is prohibited on any school grounds or areas except for authorized school functions or purposes. A school function means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place in another state.

All student vehicles must be registered with the high school principal and parked in authorized areas only.

Education Law Section 2801(1)
Vehicle and Traffic Law Section 1670

Adoption Date

SUBJECT: PUBLIC ACCESS TO RECORDS

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

Records Access Officer

The Superintendent, subject to the approval of the Board, will designate a Records Access Officer who will have the duty of coordinating the District's response to public requests for access to records.

Fulfilling FOIL Requests

The District will 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 regardless of burden, volume, or cost of the request. The District may charge a fee for copies as permitted by law and regulation.

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.

Requests for Records via Email

If the District has the capability to retrieve or extract electronic records with reasonable effort, it will provide the records electronically upon request. The District will accept requests for records submitted in the form of email and respond to those requests by email using the forms supplied by the District. This information will 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 will inform the requester that the records are accessible via the Internet and in printed form either on paper or other information storage medium.

Notification

The District will post in a conspicuous location wherever records are kept and/or publish in a local newspaper of general circulation a notice which contains: the locations where records will be made available for inspection and copying; the name, title, business address, and business telephone number of the Records Access Officer; and the right to appeal a denial of access to records with the name and business address of the person or body to whom the appeal should be directed.

(Continued)

SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)

Additional Provisions

Regulations and/or procedures governing access to District records in relation to FOIL requests will be developed.

Education Law Section 2116
Public Officers Law Article 6
21 NYCRR Part 1401

NOTE: Refer also to Policy #1510 -- Regular Board Meetings and Rules (Quorum and Parliamentary Procedure)

Adoption Date

SUBJECT: NOTIFICATION OF DISCLOSURE OF EMPLOYEE DISCIPLINARY RECORDS

Overview

In accordance with New York State Public Officers Law, this policy establishes a process to notify District employees when the District is responding to a request for their disciplinary records.

Scope

This policy applies to all current and former employees of the District whose disciplinary records may be subject to public disclosure under the Freedom of Information Law (FOIL).

What Constitutes an Employee Disciplinary Record

For purposes of this policy, disciplinary records are any record created in furtherance of a disciplinary proceeding, including, but not limited to:

a) The complaints, allegations, and charges against an employee;

b) The name of the employee complained of or charged;

c) The transcript of any disciplinary trial or hearing, including any exhibits introduced at such trial or hearing;

d) The disposition of any disciplinary proceeding; and

e) The final written opinion or memorandum supporting the disposition and discipline imposed including the District's complete factual findings and its analysis of the conduct and appropriate discipline of the covered employee.

Notification Upon Release of Disciplinary Records

When the District releases an employee's disciplinary records in response to a FOIL request, it will promptly provide written notification to the affected employee, unless the request is from the employee for their own records.

For current employees, this notification will be sent to the employee's work email address or, if unavailable, their home address on file with human resources.

For former employees, this notification will be sent to the employee's last known home address on file with human resources. The District will make a reasonable effort to notify former employees, and will document the steps taken to do so.

(Continued)

SUBJECT: NOTIFICATION OF DISCLOSURE OF EMPLOYEE DISCIPLINARY RECORDS (Cont'd.)

Content of Notification

The notification will include a brief description of the released records. This notification is for informational purposes only and does not require employee consent. Its purpose is to ensure employees are aware of the disclosure.

Public Officers Law Section 87

NOTE: Refer also to Policy #3310 -- Public Access to Records

Adoption Date

SUBJECT: CODE OF CONDUCT

The District has developed and will amend, as appropriate, a written Code of Conduct for the maintenance of order on school property and at school functions. The Code will govern the conduct of students, teachers, and other school personnel, as well as visitors and vendors. The Board will further provide for the enforcement of this Code of Conduct.

The Code of Conduct applies to all students whenever they are part of the Victor Central School community, not just during the school day. This includes:

a) While students are in any Victor Central School building or on school grounds.

b) When they are riding in school vehicles.

c) When they are participating in or attending any school-related or district-sponsored event, such as field trips, sports games, concerts, or club activities, whether these events happen on school property or at other locations like parks, private businesses, other schools or even out of the state or country at school sponsored events.

In addition, the Code also applies to behavior that happens outside of school hours and off school property, including online environments, if those actions could negatively impact the learning environment or the well-being of our school community.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The District Code of Conduct will be adopted by the Board only after at least one public hearing that provided for the participation of school personnel, parents or persons in parental relation, students, and any other interested parties.

The District Code of Conduct will be reviewed on an annual basis, and updated as necessary in accordance with law. The District has established a shared decision making team, the District Council, to facilitate review of its Code of Conduct and the District's response to violations. The Board will reapprove any updated Code of Conduct or adopt revisions only after at least one public hearing that provides for the participation of school personnel, parents or persons in parental relation, students, and any other interested parties. The District will file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the commissioner, no later than 30 days after their respective adoptions.

The Board will ensure community awareness of its Code of Conduct by:

a) Posting the complete Code of Conduct on the District website, if any, including any annual updates and other amendments to the Code;

(Continued)

SUBJECT: CODE OF CONDUCT (Cont'd.)

b) Providing copies of a summary of the Code of Conduct to all students in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year;

c) Providing a plain language summary of the Code of Conduct to all parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;

d) Providing each existing teacher with a copy of the complete Code of Conduct and a copy of any amendments as soon as practicable following initial adoption or amendment. New teachers will be provided a complete copy of the current Code of Conduct upon their employment; and

e) Making complete copies available for review by students, parents, or persons in parental relation to students, other school staff, and other community members.

Education Law Article 2, Sections 801-a, 2801, and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 NYCRR Section 100.2

NOTE: Refer also to District Code of Conduct

Adoption Date

SUBJECT: PROHIBITION OF WEAPONS ON SCHOOL GROUNDS

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Board or its designee, no person may have in his or 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 Sections 265.01-265.06

NOTE: Refer also to Policies #3410 -- Code of Conduct
#7360 -- Weapons in School and the Gun-Free Schools Act

Adoption Date

SUBJECT: VIOLENT AND DISRUPTIVE INCIDENT REPORTING

The Board of Education is committed to promoting and maintaining the safety of all students, staff and visitors to the schools. Consistent with this commitment and in accordance with state law and regulation, the District shall submit an annual report to the Commissioner of Education regarding violent and disruptive incidents. In addition, the Board shall use this data to access the safety of its schools and, where appropriate, identify and take steps to improve the safety and security of its students, staff and visitors.

Reporting Requirement

Each building principal or designee shall be responsible for preparing, on a regular basis, a report of all the violent and disruptive incidents that have occurred on school grounds, at a school function, or at a school-sponsored event and forwarding the report to the Superintendent of Schools. The Superintendent or designee shall be responsible for compiling the reports received from the building principals or designees into the annual report and submitting the report to the Commissioner. The summary report shall contain all the information required by law and shall be filed with the Commissioner on or before a date set by the Commissioner. The Superintendent shall also present this summary report to the Board at its first meeting following the filing of the report with the Commissioner.

The District is responsible for assuring that copies of each VADIR report, both individual and summary reports, are retained until the youngest person involved in a reported incident is 27 years old.

Confidentiality

Any violent or disruptive incident report prepared in accordance with law shall be available for inspection by the State Education Department upon request. All names and other personally identifiable information included in any report shall be confidential and shall not be disclosed to any person for use by any person for purposes other than the reporting purposes in Education Law Section 2802, except as otherwise authorized by law.

Education Law Section 2802 (Uniform Violent Incident Reporting System)
8 NYCRR 100.2 (gg) (Uniform Violent Incident Reporting System)
8 NYCRR 185.11 (Appendix I) (Records Retention and Disposition Schedule ED-1)

Adoption Date

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses complaints of discrimination and/or harassment made under applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

In accordance with applicable federal and state laws and regulations, the District does not discriminate on the basis of any legally protected class or category in its education programs and activities or when making employment decisions. Further, the District prohibits discrimination and harassment on school property and at school functions on the basis of any legally protected class or category including, but not limited to:

a) Age;

b) Race;

c) Creed;

d) Religion;

e) Color;

f) National origin;

g) Citizenship or immigration status;

h) Sexual orientation;

i) Gender identity or expression;

j) Military status;

k) Sex;

l) Disability;

m) Predisposing genetic characteristics;

n) Familial status;

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

o) Marital status; and

p) Status as a victim of domestic violence.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of discrimination and/or harassment. The District will promptly respond to reports of discrimination and/or harassment, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)).

Scope and Application

This policy outlines the District's general approach to addressing complaints of discrimination and/or harassment. This policy applies to the dealings between or among the following parties on school property and at school functions:

a) Students;

b) Employees;

c) Applicants for employment;

d) Paid or unpaid interns;

e) Anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace;

f) Volunteers; and

g) Visitors or other third parties.

Further, discrimination and/or harassment that occurs off school property and somewhere other than a school function can disrupt the District's educational and work environment. This conduct can occur in-person or through phone calls, texts, emails, or social media. Accordingly, conduct or incidents of discrimination and/or harassment that create or foreseeably create a disruption within the District may be subject to this policy in certain circumstances.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* may address misconduct related to discrimination and/or harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved, where the alleged discrimination and/or harassment occurred, and the basis of the alleged discrimination and/or harassment. These documents must be read in conjunction with this policy.

The dismissal of a complaint under one policy or document does not preclude action under another related District policy or document.

Definitions

For purposes of this policy, the following definitions apply:

a) "School property" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of any District elementary or secondary school, or in or on a school bus or District vehicle.

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

What Constitutes Discrimination and Harassment

Determinations as to whether conduct or an incident constitutes discrimination and/or harassment will be made consistent with applicable federal and state laws and regulations, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. These determinations may depend upon a number of factors, including, but not limited to: the particular conduct or incident at issue; the ages of the parties involved; the context in which the conduct or incident took place; the relationship of the parties to one another; the relationship of the parties to the District; and the protected class or characteristic that is alleged to have been the basis for the conduct or incident. The examples below are intended to serve as a general guide for individuals in determining what may constitute discrimination and/or harassment. These examples should not be construed to add or limit the rights that individuals and entities possess as a matter of law.

Generally stated, discrimination consists of the differential treatment of a person or group of people on the basis of their membership in a legally protected class. Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of their membership in a protected class; denying an individual access to facilities or educational benefits on the basis of their membership in a protected class; or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Generally stated, harassment consists of subjecting an individual, on the basis of their membership in a legally protected class, to unwelcome verbal, written, or physical conduct which may include, but is not limited to: derogatory remarks, signs, jokes, or pranks; demeaning comments or behavior; slurs; mimicking; name calling; graffiti; innuendo; gestures; physical contact; stalking; threatening; bullying; extorting; or the display or circulation of written materials or pictures.

This conduct may, among other things, have the purpose or effect of: subjecting the individual to inferior terms, conditions, or privileges of employment; creating an intimidating, hostile, or offensive environment; substantially or unreasonably interfering with an individual's work or a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting an individual's employment or educational opportunities.

Under New York State Human Rights Law (NYSHRL), discrimination or harassment does not need to be severe or pervasive to be illegal. It can be any discriminatory or harassing behavior that rises above petty slights or trivial inconveniences. Every instance of discrimination or harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, NYSHRL specifies that whether discriminatory or harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics.

Harassment can also consist of hazing. Hazing activities are demeaning and abusive behaviors that harm victims, are inconsistent with the educational goals of the District, and may constitute criminal conduct. Consequently, hazing of students by other students or groups of students is strictly prohibited on school property, in school buildings, on school buses, by school-sponsored groups, clubs, or teams, and at school-sponsored events and/or activities whether occurring on or off-campus. Hazing is prohibited regardless of the victim's apparent willingness to participate in the activity.

For purposes of this policy, the term "hazing" is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Acts constituting hazing may range in severity from teasing or embarrassing a student to various forms of physical, emotional, and/or sexual abuse. Hazing behaviors include, but are not limited to:

a) Humiliation: socially offensive, isolating, or uncooperative behaviors.

b) Substance abuse: abuse of tobacco, alcohol, or illegal drugs.

c) Other dangerous actions: hurtful, aggressive, destructive, and disruptive behaviors.

Hazing is a form of harassment and bullying and may constitute discrimination.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Civil Rights Compliance Officer

The District has designated the following District employee(s) to serve as its CRCO(s):

Assistant Superintendent for Personnel and Assistant Superintendent for Pupil Services
953 High Street, Victor, NY 14564

Phone: Assistant Superintendent for Pupil Services (585) 924-3252 ext. 1455
Email: Assistant Superintendent for Pupil Services -- ryanka@victorschools.org

Phone: Assistant Superintendent for Personnel (585) 924-3252 ext. 1415
Email: Assistant Superintendent for Personnel -- david.passero@victorschools.org

The CRCO(s) will coordinate the District's efforts to comply with its responsibilities under applicable non-discrimination and anti-harassment laws and regulations including, but not limited to: the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and the Age Discrimination Act of 1975.

Where appropriate, the CRCO(s) may seek the assistance of other District employees, such as the District's Title IX Coordinator(s) or Dignity Act Coordinator(s) (DAC(s)), or third parties in investigating, responding to, and remedying complaints of discrimination and/or harassment.

Reporting Allegations of Discrimination and/or Harassment

Anyone who experiences, witnesses, or becomes aware of potential instances of discrimination or harassment is encouraged to report the behavior to a supervisor, building principal, other administrator, or the CRCO. Individuals should not feel discouraged from reporting discrimination or harassment because they do not believe it is bad enough or conversely because they do not want to see someone punished for less severe behavior.

Reports of discrimination and/or harassment may be made verbally or in writing. A written complaint form is posted on the District's website if an individual would like to use it, but the complaint form is not required. Individuals who are reporting discrimination and/or harassment on behalf of another individual may use the complaint form and note that it is being submitted on another individual's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another individual is also acceptable.

Reports may be made to a CRCO in person, by using the contact information for a CRCO, or by any other means that results in a CRCO receiving the person's verbal 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 a CRCO.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Reports of discrimination and/or harassment may also be made to any other District employee including a supervisor or building principal. All reports of discrimination and/or harassment must be immediately forwarded to the CRCO. Reports may also be forwarded to other District employees depending on the allegations.

Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination.

If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

In addition to complying with the reporting requirements in this policy, District employees must comply with any other applicable reporting requirements contained in District policy, regulation, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*. Applicable documents include, but are not limited to, the District's policies, regulations, and procedures related to Title IX, sexual harassment in the workplace, and the Dignity for All Students Act (DASA).

Supervisory Responsibilities

Supervisors, building principals, other administrators, and the CRCOs are responsible for helping to maintain a discrimination and harassment-free educational and work environment.

All supervisors, building principals, and other administrators who receive a complaint or information about suspected discrimination or harassment, observe what may be discriminatory or harassing behavior, or for any reason suspect that discrimination or harassment is occurring, are required to report the suspected discrimination or harassment to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Supervisors, building principals, and other administrators should not be passive and wait for an individual to make a claim of discrimination or harassment. If they observe such behavior, they must act.

Supervisors, building principals, and other administrators can be disciplined if they engage in discriminatory or harassing behavior themselves. Supervisors, building principals, and other administrators, can also be disciplined for failing to report suspected discrimination or harassment or allowing discrimination or harassment to continue after they know about it.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

While supervisors, building principals, and other administrators have a responsibility to report discrimination and harassment, they must be mindful of the impact that discrimination and/or harassment and a subsequent investigation has on victims. Being identified as a possible victim of discrimination or harassment and questioned about discrimination or harassment can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors, building principals, and other administrators must accommodate the needs of individuals who have experienced discrimination or harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Grievance Process for Complaints of Discrimination and/or Harassment

All complaints or information about discrimination or harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected discrimination or harassment will be prompt, thorough, equitable, and started and completed as soon as possible. Investigations will be kept confidential to the extent possible. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials. All individuals involved, including those making a discrimination or harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

The CRCO will generally oversee the District's investigation of all complaints of discrimination and/or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

District employees may be required to cooperate as needed in an investigation of suspected discrimination or harassment. The District recognizes that participating in a discrimination or harassment investigation can be uncomfortable and has the potential to retraumatize an individual. Individuals receiving claims and leading investigations will handle complaints and questions with sensitivity toward participants.

Various District policies and documents address discrimination and harassment. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other district staff such as the District's Dignity Act Coordinators (DACs) or Title IX Coordinator(s) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

If an investigation reveals that discrimination and/or harassment based on a legally protected class has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Knowingly Makes False Accusations

Any employee or student who knowingly makes false accusations against another individual as to allegations of discrimination and/or harassment will face appropriate disciplinary action.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits all retaliation. Any individual that reports an incident of discrimination or harassment, provides information, or otherwise assists in any investigation of a discrimination or harassment complaint is protected from retaliation. No one should fear reporting discrimination or harassment if they believe it has occurred. Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Any District employee who retaliates against anyone involved in a discrimination or harassment investigation will face disciplinary action, up to and including termination.

Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Where appropriate, follow-up inquiries will be made to ensure that the discrimination and/or harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Confidentiality

To the extent possible, all complaints will be treated as confidential. Disclosure may be necessary in certain circumstances such as to complete a thorough investigation and/or notify law enforcement officials. All disclosures will be in accordance with law and regulation.

Training

In order to promote familiarity with issues pertaining to discrimination and harassment in the District, and to help reduce incidents of prohibited conduct, the District will provide appropriate information and/or training to employees and students. As may be necessary, special training will be provided for individuals involved in the handling of discrimination and/or harassment complaints.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Notification

Prior to the beginning of each school year, the District will issue an appropriate public announcement or publication which advises students, parents or legal guardians, employees, and other relevant individuals of the District's established grievance process for resolving complaints of discrimination and/or harassment. This announcement or publication will include the name, office address, telephone number, and email address of the CRCO(s). The District's website will reflect current and complete contact information for the CRCO(s).

A copy of this policy and its corresponding regulations and/or procedures will be available upon request and will be posted and/or published in appropriate locations and/or District publications.

Additional Provisions

Regulations and/or procedures will be developed for reporting, investigating, and remedying allegations of discrimination and/or harassment.

8 USC Section 1324b
29 USC Section 206
42 USC Section 1981
Age Discrimination Act of 1975, 42 USC Section 6101 et seq.
Age Discrimination in Employment Act of 1967 (ADEA), 29 USC Section 621 et seq.
Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
Equal Educational Opportunities Act of 1974, 20 USC Section 1701 et seq.
Genetic Information Non-Discrimination Act (GINA), 42 USC Section 2000ff et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC Section 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC Section 4301 et seq.
28 CFR Part 35
29 CFR Chapter I – National Labor Relations Board
29 CFR Chapter XIV – Equal Employment Opportunity Commission
34 CFR Parts 100, 104, 106, 110, and 270
45 CFR Part 86
Civil Rights Law Sections 40, 40-a, 40-c, 47-a, 47-b, and 48-a
Civil Service Law Sections 75-b and 115
Correction Law Section 752

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Education Law Sections 10-18, 313, 313-a, 2801, 3201, and 3201-a
Labor Law Sections 194-a, 201-d, 201-g, 203-e, 206-c, 215, and 740
New York State Human Rights Law, Executive Law Section 290 et seq.
Military Law Sections 242, 243, and 318
8 NYCRR Section 100.2
9 NYCRR Section 466 et seq.

NOTE: Refer also to Policies #3421 -- Title IX and Sex Discrimination
#6120 -- Equal Employment Opportunity
#6121 -- Sexual Harassment in the Workplace
#6122 -- Employee Grievances
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
#7554 -- Equal Educational Opportunities
#8220 -- Career and Technical (Occupational) Education
District *Code of Conduct*

Adoption Date

SUBJECT: TITLE IX AND SEX DISCRIMINATION

Overview

The District is committed to creating and maintaining education programs and activities which are free from discrimination and harassment. 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 adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sex discrimination, including sexual harassment. 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 and Application 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.

Other District policies and documents address sex-based misconduct and may have different definitions, standards of review, and grievance procedures. These documents must be read in conjunction with this policy as they may cover incidents of sex-based misconduct not addressed by Title IX.

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. Depending on the allegations, additional grievance procedures may apply.

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The dismissal of a formal complaint of sexual harassment 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*.

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;

c) Sexual assault, meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

d) Dating violence, meaning violence committed by a person:

   1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

   2. Where the existence of such a relationship will be determined based on a consideration of the following factors:

      (a) The length of the relationship;

      (b) The type of relationship;

      (c) The frequency of interaction between the persons involved in the relationship;

e) Domestic violence, meaning felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or

f) Stalking, meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for his or her safety or the safety of others; or

2. Suffer substantial emotional distress.

Title IX Coordinator

The District has designated and authorized the following District employee(s) to serve as its Title IX Coordinator(s):

Karen Finter, Assistant Superintendent for Instruction
David Passero, Assistant Superintendent for Personnel
953 High Street, Victor, NY 14564

Phone: Assistant Superintendent for Instruction (585) 924-3252 ext. 1453
Email: Assistant Superintendent for Instruction -- finterk@victorschools.org

Phone: Assistant Superintendent for Personnel (585) 924-3252 ext. 1415
Email: Assistant Superintendent for Personnel -- David.passero@victorschools.org

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 the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Dignity Act Coordinator(s) (DAC(s)) in investigating, responding to, and remedying complaints of sex discrimination, including sexual harassment.

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.

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

Reports of sex discrimination may also be made to any other District employee including a supervisor, building principal, or the District's CRCO. 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.

In addition to complying with this policy, District employees must comply with any other applicable District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*. This includes, but is not limited to, Policy #7550 -- Dignity for All Students (DASA) which requires District employees to make an oral report promptly to the Superintendent or principal, their designee, or the DAC not later than one school day after witnessing or receiving an oral or written report of harassment, bullying, and/or discrimination of a student. Two days after making the oral report, DASA further requires that the District employee file a written report with the Superintendent or principal, their designee, or the DAC.

If the Title IX Coordinator is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another Title IX Coordinator, if the District has designated another individual to serve in that capacity. If the District has not designated another Title IX Coordinator, the Superintendent 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 #3420 -- Non-Discrimination and Anti-Harassment in the District and any other applicable District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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. The District is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. 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) "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a District's Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any District employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the District with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the District. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in this policy.

b) "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

c) "Days" means business days, but excludes any weekday during which the school is closed.

d) "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email, by using the contact information

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required to be listed for the Title IX Coordinator, and by any additional method designated by the District. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by email or through an online portal provided for this purpose by the District) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party, and must comply with the requirements of law and regulation.

e) "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

f) "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. These measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

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 a crime or wrongdoing. Exculpatory evidence frees or tends to free an individual from blame or accusation.

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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 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 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.

l) The Title IX Coordinator, the investigator, any decision-maker, or any other person participating on behalf of 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

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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 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, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for any complainant or respondent in any meeting or grievance proceeding. However, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

q) Written notice of the date, time, location, participants, and purpose of all hearings, 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.

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.

<u>After a Report of Sexual Harassment Has Been Made</u>

After receiving a report of sexual harassment, the Title IX Coordinator will:

a) Promptly contact the complainant to discuss and offer supportive measures;

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

b) 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;

c) Consider the complainant's wishes with respect to supportive measures; and

d) Explain to the 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.

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.

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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.

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;

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

3. Inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney;

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, the Title IX Coordinator or another District employee may serve as the District's investigator. The District may also outsource all or part of an investigation to appropriate third parties. The outsourcing of all or part of an investigation does not relieve the District from its obligation to comply with law and regulation.

It is anticipated that most investigations will be completed within 30 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. If a student is involved, the District will follow any applicable District policy, procedure, or other document such as the District's *Code of Conduct* regarding the questioning of students.

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;

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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 at least 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.

At least ten days prior to a hearing or other 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.

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.

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.

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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.

It is anticipated that most informal resolutions will be completed within ten days.

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.

Hearings and Determination Regarding Responsibility

The District will designate an individual decision-maker or a panel of decision-makers 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).

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

The District's grievance process may, but is not required to, provide for a hearing. The determination as to whether a hearing will be provided will be made on a case-by-case basis. If a hearing is provided, the District will make all evidence subject to the parties' inspection and review available to give each party equal opportunity to refer to this evidence during the hearing, including for purposes of cross-examination.

With or without a hearing, before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to:

a) Submit written, relevant questions that a party wants asked of any party or witness within five days after the parties have received the investigative report;

b) Provide each party with the answers given by any party or witness within five days of receiving the questions; and

c) Allow for additional, limited follow-up questions and responses from each party to occur within three days after the parties have received responses to their initial questions.

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(s) will issue a written determination regarding responsibility to the Title IX Coordinator, the Superintendent, and all parties simultaneously within 45 days after all follow-up questions have been responded to or after the hearing, if one has been provided.

To reach this determination, the decision-maker(s) will use the clear and convincing evidence standard which is the standard of evidence that will be applied in all formal complaints of sexual harassment. This standard is understood to mean concluding that a fact is highly probable to be true.

The written notice of the determination regarding responsibility will include:

a) Identification of the allegations potentially constituting sexual harassment;

b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

c) Findings of fact supporting the determination;

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

d) Conclusions regarding the application of any applicable District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct* to the facts;

e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District is imposing on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and

f) The District's procedures and permissible bases for the complainant and respondent to appeal.

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 will 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.

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 five 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

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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 five 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

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

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SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

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.

All complaints alleging retaliation will be handled in a manner consistent with the District's policies and procedures regarding the investigation of discrimination and harassment complaints, including Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

If the Title IX Coordinator is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another Title IX Coordinator, if the District has designated another individual to serve in that capacity. If the District has not designated another Title IX Coordinator, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the Title IX Coordinator.

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) Witness.

Training

The District will ensure that:

a) All Title IX Coordinators, investigators, decision-makers, or persons who facilitate an informal resolution process receive training on:

1. The definition of sexual harassment as defined in Title IX;

2. The scope of the District's education program or activity;

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

b) All decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.

c) All investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

d) All District employees receive training on 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, 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, 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.

Recordkeeping

For a period of seven years, the District will retain the following:

a) Records of each sexual harassment investigation including any:

1. Determination regarding responsibility;

2. Audio or audiovisual recording or transcript required under law or regulation;

3. Disciplinary sanctions imposed on the respondent; and

(Continued)

SUBJECT: TITLE IX AND SEX DISCRIMINATION (Cont'd.)

4. Remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.

b) Any appeal and its result.

c) Any informal resolution and its result.

d) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

e) For each response to sexual harassment where the District had actual knowledge of sexual harassment in its education program or activity against a person in the United States, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

20 USC Section 1092(f)(6)(A)(v)
20 USC Section 1681, et. seq.
34 USC Section 12291(a)(8, 10, and 30)
34 CFR Part 106
Education Law Section 13
8 NYCRR Section 100.2

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#6121 -- Sexual Harassment in the Workplace
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
District *Code of Conduct*

Adoption Date

SUBJECT: PROHIBITION OF UNMANNED AERIAL VEHICLES (DRONES)

Understanding that airborne unmanned aerial vehicles (also known as "drones") (hereinafter, "UAV") pose a safety hazard and threatens the security and privacy of students, employees and visitors. The Victor Central School District forbids anyone from flying a UAV or any remote-controlled aircraft in the skies over any of its school campus, on any school properties or during any school functions including, but not limited to, individual schools within the District, stadium, athletic fields and any extracurricular activities without:

a) Obtaining prior written permission from the District's Superintendent or his or her designee;

b) Demonstrating compliance with any and all applicable Federal Aviation Administration rules and regulations; and

c) Fulfilling the District's insurance requirements for such use, to the satisfaction of the District's insurance agent and/or broker.

For the purposes of this policy, a UAV is any aircraft or device without a human pilot aboard the device. An exception to this policy may be made in specific cases where circumstances warrant, but must be approved in writing in advance by the Superintendent or his or her designee.

The Superintendent or his or her designee shall report any unauthorized operation of a UAV over school property or during school functions to law enforcement authorities and/or the FAA.

Any person or visitor violating this policy could be subject to immediate removal from school property and further action in accordance with the District's *Code of Conduct*.

Any student violating this policy shall also be dealt with in accordance with the District's *Code of Conduct*. Any School District employee violating this policy may also be subject to formal disciplinary action.

NOTE: Refer also to Policy #3410 -- Code of Conduct

Adoption Date

SUBJECT: EMERGENCY SCHOOL CLOSINGS

In the event it is necessary to close school for the day, activate a delayed starting time or early dismissal (as well as information relating to cancellation of after-school activities/late bus runs), due to inclement weather, impassable roads, or other emergency reasons, announcements will be made over local radio and television stations, auto dialing, or the Internet or District website.

When school is closed, all related activities, including athletic events and student activities, will be canceled for that day and evening.

The attendance of personnel will be governed by their respective contracts.

Education Law Section 3604(7)

Adoption Date

Victor Central School District **NUMBER**

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CENTRAL OFFICE AND BUILDING ADMINISTRATION

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SUBJECT: ADMINISTRATIVE PERSONNEL

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

These employees must meet all certification or Civil Service requirements as outlined in New York State Civil Service Law and the Commissioner's regulations. Administrative and supervisory staff must be eligible to meet these requirements at the time of employment.

Abolishing an Administrative Position

Existing administrative positions will not be abolished by the Board without previous written notification of the impending abolition. This written notification must be served to the individual currently holding that position. In all cases, the individual currently holding the position should receive as much advance notice as possible.

Education Law Sections 1709, 2503(5), and 3013

Adoption Date

SUBJECT: EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF

Superintendent

The Board will conduct annually a formal performance evaluation of the Superintendent. The formal procedures used to complete the evaluation are to be filed in the District Office, and will be made available for review by any individual, no later than September 10 of each year.

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

Evaluation of Administrative Staff

The Board will direct the Superintendent to conduct an evaluation of all administrative personnel.

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.

8 NYCRR Section 100.2(o)(1)(v), (vi)
Education Law Section 3012-d

Adoption Date

SUBJECT: SUPERINTENDENT OF SCHOOLS

The Superintendent is the chief administrative officer of the District who is responsible for carrying out Board policy and for keeping it informed of matters which should be weighed by the Board in reaching decisions.

The Superintendent shall be accountable to the Board, and shall have the rights and powers and shall perform such other duties as are or hereafter shall be enjoined upon him or her by the Board, including, but not limited to:

a) Administering and supervising the Victor Central School System within the framework of the policies of the Board;

b) Making recommendations on curriculum planning, or revision of curriculum to the end that policies and procedures of the Board may be implemented;

c) Keeping the Board advised of all significant matters concerning the administration of the District with particular emphasis on matters relating to discipline, personnel relations, and finances;

d) Making recommendations to the Board as to organization and/or reorganization of the administration of instructional programs, business affairs, and administrative staff of the District;

e) Being responsible for recruiting both teaching and non-teaching personnel for vacancies, and for oversight of interviews and investigations of applicants for such positions;

f) Recommending to the Board instructional, administrative and non-instructional personnel for appointment, tenure, dismissal, and the placement and transferring of personnel;

g) Preparing the notice of an agenda for all meetings of the Board and committees thereof, together with information, comments, and recommendations when requested by the Board, or committees thereof, and when deemed appropriate in the judgement of the Superintendent of Schools;

h) Attending and participating in all Board meetings and /executive sessions of said meetings, except for those Executive Sessions, or portions thereof, which relate to Board deliberations concerning the Superintendent's actions or inactions relating to threatened or potential litigation or those deliberations relating to evaluation of the Superintendent's performance and/or salary adjustments for the Superintendent. The Superintendent will have the right to attend any Board or Citizens' Committee meetings;

(Continued)

SUBJECT: SUPERINTENDENT OF SCHOOLS (Cont'd.)

i) Carrying out the duties set forth in Section 1711 of the New York State Education Law, as amended or superseded, and, consistent with Section 211-b of the Education Law shall cooperate fully with any distinguished educator appointed by the Commissioner pursuant to Section 211-c of the Education Law.

Education Law Sections 1711, 2508, and 3003
8 NYCRR Section 100.2(m)

Adoption Date

SUBJECT: SUPERINTENDENT-BOARD RELATIONS

The Board is accountable for all pursuits, achievements, and duties of the District. The Board's specific role is to deliberate and to establish policies for the District. The Board delegates the necessary authority to the Superintendent who, acting as Chief Executive Officer of the District, is held accountable to the Board for compliance with its policies.

a) With respect to District goals and objectives, the Board will establish broad guidelines to 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; to 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, that violates commonly accepted business and professional ethics, that violates any contract into which the Board has entered, or that violates policies adopted by the Board that limit the Superintendent's authority.

d) Should the Superintendent or designee consider it unwise, impossible, or impractical to comply with an explicit Board policy, the Superintendent will inform the Board. The Board will then evaluate the Superintendent's or designee's decision.

Education Law Sections 1711, 2503, and 2508

Adoption Date

Victor Central School District **NUMBER**

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SUBJECT: BUDGET PLANNING AND DEVELOPMENT

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

The Superintendent has overall responsibility for budget preparation, including the construction of and adherence to a budget calendar. Buildings and departments 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 and 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 District's educational priorities.

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

In accordance with Commissioner's regulations, the budget will be presented in three components which are to be voted upon as one proposition. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in the component.

a) A program component which will include, but need not be limited to, all program expenditures of the 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;

b) A capital component which will 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 District, including facilities lease expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget will include a rental, operations, and maintenance section that

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

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 will include, but need not be limited to, office and central administrative expenses, traveling expenses and all compensation, including salaries and benefits of all school administration and supervisors, business administrators, superintendents of schools and deputy, assistant, associate or other superintendents under all existing employment contracts or collective bargaining, any and all expenditures associated with the operation of the Office of the Board, the Office of the Superintendent, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

Additionally, the Board will append to the proposed budget the following documents:

a) A detailed statement of the total compensation to be paid to the Superintendent, and any Assistant or Associate Superintendent in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;

b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified;

c) A School District Report Card, prepared pursuant to Commissioner's regulations, which includes measures of the academic performance of the District, on a school by school basis, and measures of the fiscal performance of the District (see subheading School District Report Card);

d) A Property Tax Report Card prepared in accordance with law and Commissioner's regulations (see subheading Property Tax Report Card); and

e) A Tax Exemption Report prepared in accordance with law (see subheading Tax Exemption Report).

The Board will ensure that unexpended surplus funds (i.e., operating funds in excess of 4% of the current school year budget, not including funds properly retained under other sections of law) have been applied in determining the amount of the school tax levy.

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

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

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

School District Report Card

Each year the District will supply data as required by the State Education Department (SED) and will receive a School District Report Card, sometimes referred to as a New York State Report Card. These provide enrollment, demographic, attendance, suspension, dropout, teacher, assessment, accountability, graduation rate, post-graduation plan, career and technical education, and fiscal data for public and charter schools, districts, and the state. The School District Report Cards consist of three parts:

a) Accountability and Overview Report - shows District or school profile data, accountability statuses, data on accountability measures such as ELA, Math, and Science scores, and graduation rates.

b) Comprehensive Information Report - shows non-accountability data such as annual Regents examination results and post-graduate plans of students completing high school.

c) Fiscal Accountability Supplement - shows expenditures per pupil and some information about placement and classification of students with disabilities.

School District Report Cards are also available online at the SED website.

Property Tax Report Card

Each year, the Board will prepare a Property Tax Report Card, pursuant to Commissioner's regulations, and will make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting, and otherwise disseminating it as required by the Commissioner.

The Property Tax Report Card will include:

a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the District budget for the preceding school year; and

b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

c) The percentage increase in the average of the Consumer Price Indexes from January first of the prior school year to January first of the current school year as defined in Education Law; and

d) The projected amount of the adjusted unrestricted fund balance that will be retained if the proposed budget is adopted; the projected amount of the adjusted restricted fund balance; the projected amount of the assigned appropriated fund balance; the percentage of the proposed budget that the adjusted unrestricted fund balance represents; the actual adjusted unrestricted fund balance retained in the District budget for the preceding school year; the percentage of the District budget for the preceding school year that the actual adjusted unrestricted fund balance represents; and a schedule of reserve funds setting forth the name of each reserve fund, a description of its purpose, the balance as of the close of the third quarter of the current fiscal year, and a brief statement explaining any plans for the use of each reserve fund for the ensuing fiscal year; and

e) The District's school tax levy limit calculation. The District will submit its school tax levy limit calculation to the Office of the State Comptroller, SED, and the Office of Taxation and Finance by March 1 annually. If a voter override of the tax levy limit is necessary, the budget vote must be approved by 60% of the District's qualified voters present and voting.

A copy of the Property Tax Report Card prepared for the Annual District Meeting will be submitted to SED in the manner prescribed by the Department by the end of the business day next following approval of the Property Tax Report Card by the Board, but no later than 24 days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

SED will compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and will make this compilation available electronically at least ten days prior to the statewide uniform voting day. Links to each school year's Property Tax Report Card can be found on SED's official website.

Tax Exemption Report

A Tax Exemption Report will be annexed to any tentative or preliminary budget and will become part of the final budget. This report will be on the form as prescribed by the State Board of Real Property Services and will show the following:

a) How much of the total assessed value of the final assessment roll(s) used in the budgetary process is exempt from taxation;

b) Every type of exemption granted as identified by statutory authority;

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

c) The cumulative impact of each type of exemption expressed either as a dollar amount of assessed value or as a percentage of the total assessed value on the roll;

d) The cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services; however, individual recipients are not to be named; and

e) The cumulative impact of all exemptions granted.

Notice of this report will be included in any notice of the preparation of the budget required by law and will be posted on any bulletin board maintained by the District for public notices as well as on any website maintained by the District.

Education Law Sections 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3), and 2601-a(7)
General Municipal Law Section 36
Real Property Tax Law Sections 495 and 1318(l)
8 NYCRR Sections 170.8, 170.9, and 170.11
State Education Department Handbook No. 3 on Budget

Adoption Date

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board 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 nor more than 14 days prior to the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven days prior to the budget hearing at which it is to be presented.

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

Dissemination of Budget Information

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident. Requests for copies of the proposed budget should be made at least seven days before the budget hearing. Copies will be prepared and made available at the Superintendent's Office, public or associate libraries within the District, and on the District website, if one exists. Copies will be available to District residents during the 14-day period immediately preceding the Annual Meeting and Election or Special District Meeting at which the budget vote will occur. 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.

Budget Notice

The District Clerk will mail a School Budget Notice to all qualified voters of the District after the date of the Budget Hearing, but no later than six days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The Budget Notice will compare the percentage increase or decrease in total spending under the proposed budget over total spending under the District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

The District will also include in the notice:

a) The school tax levy limit;

b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);

(Continued)

SUBJECT: SCHOOL DISTRICT BUDGET HEARING (Cont'd.)

c) The total permissible exclusions; and

d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

The Notice will also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of $100,000 under the existing District budget as compared with savings under the proposed budget.

The Notice will also set forth the date, time, and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice will be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement:
Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), 2023-a, and 2601-a(2)
Election and Budget Vote:
Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5), 2017(6), 2022(1), 2023-a, and 2601-a(2)
Budget Development and Attachments:
Education Law Sections 1608(3), 1608(4), 1608(5), 1608(6), 1608(7), 1716(3), 1716(4), 1716(5), 1716(6), 1716(7), 2022(2-a), 2023-a, and 2601-a(3)
8 NYCRR Sections 100.2(bb), 170.8, and 170.9

Adoption Date

SUBJECT: ADMINISTRATION OF THE BUDGET

The Superintendent, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget. This includes, but is not limited to:

a) Acquainting District employees with the final provisions of the program budget and guiding them in planning to operate efficiently and economically within these provisions.

b) Providing direction to the District in maintaining those records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board, and other procedures, as are deemed necessary.

c) Keeping the various operational units informed through periodic reports as to the status of their individual budgets.

Unless otherwise provided by law, no claim against the District will be paid unless such claims have been audited and approved by the Board/Claims Auditor.

Budget Transfers

The transfer of funds between and within functional unit appropriations of the General Fund is commonly required during the school year. The Superintendent of Schools, in accordance with the Regulations of the Commissioner of Education, is authorized to make budget transfers between line-item accounts, so long as the transfer for any one item does not exceed $50,000. All transfers in excess of $50,000 require prior Board of Education approval. The Superintendent will report any transfers to the Board as an information item at its next meeting.

Education Law Sections 1604(35), 1709(20-a), 1711, 1718, 1724, 1950(4)(k), 2508, 2523-2526, and 2554(2-a)
8 NYCRR Sections 170.12(c) and 170.2(l)

Adoption Date

SUBJECT: REVENUES

The 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 1604(a) and 1723(a)

Adoption Date

SUBJECT: DISTRICT INVESTMENTS

Whenever the District has funds (including operating funds, reserve funds, and proceeds of obligations) that exceed those necessary to meet current expenses, the Board will authorize the Treasurer to invest these funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

Objectives

The objectives of this investment policy are four-fold:

a) Investments will be made in a manner so as to safeguard the funds of the District.

b) Bank deposits will be made in a manner so as to safeguard the funds of the District.

c) Investments will be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the District.

d) Funds will be invested in such a way as to earn the maximum yield possible given the first three investment objectives.

Authorization

The authority to deposit and invest funds is delegated to the Treasurer. These functions will be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The Treasurer may invest funds in the following eligible investments:

a) Obligations of the State of New York.

b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.

c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. (Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.)

d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.

1. Deposits in excess of the amount insured by the Federal Deposit Insurance Corporation will be secured in accordance with subdivision 3 of the General Municipal Law Section 10.

2. The District may, in its discretion, authorize the bank designated for the deposit of District funds to arrange for the redeposit of such funds in one or more banking institutions, for the account of the District, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).

f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

Implementation

Using the policy as a framework, regulations and procedures shall be developed which reflect:

a) A list of authorized investments;

b) Procedures including a signed agreement to ensure the District's financial interest in investments;

c) Standards for written agreements consistent with legal requirements;

d) Procedures for the monitoring, control, deposit and retention of investments and collateral which will be done at least once a month;

e) Standards for security agreements and custodial agreements consistent with legal requirements;

f) Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the District transacts business; and

g) Standards for qualification of investment agents which transact business with the District including, at minimum, the Annual Report of the Trading Partner.

This policy will be reviewed and re-adopted at least annually or whenever new investment legislation becomes law, as staff capabilities change, or whenever external or internal issues warrant modification.

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

Education Law Sections 1604-a, 1723-a, 2503(1), and 3652
General Municipal Law Sections 10, 11, and 39
Local Finance Law Section 165.00
Public Authorities Law Section 2925

Adoption Date

SUBJECT: ACCEPTANCE OF GIFTS, GRANTS, AND BEQUESTS TO THE DISTRICT

The Board may accept gifts, donations, grants, or bequests (collectively "gifts") of money, real property, or personal property, as well as other merchandise, that add to the overall welfare of the District provided that acceptance is in accordance with existing laws and regulations. Donations to the District are fully tax deductible so long as the gift is used exclusively for public purposes. The Board may refuse any gift that constitutes a conflict of interest, gives an appearance of impropriety, or is not in its best interests. The Board will safeguard the District, the staff, and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District. The Board may, if it deems it necessary, request that gifts of equipment, facilities, or any item that requires upkeep and maintenance include funds to carry out maintenance for the foreseeable life of the donation.

The Board will not formally consider the acceptance of gifts until and unless it receives the offer in writing from the donor or grantor or their attorney or financial advisor. Any gifts donated to the Board and accepted on behalf of the District must be by official action and resolution passed by Board majority. The Board suggests that donors or grantors work first with school administrators in determining the nature of their gift prior to formal consideration for acceptance by the Board.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts or charitable contributions with District funds.

Gifts to the District will be annually accounted for as required by Generally Accepted Accounting Principles (GAAP).

All gifts become District property. A letter of appreciation, signed by the President of the Board and the Superintendent, will be sent to donors or grantors in recognition of their contribution to the District. Letters will be sent in a timely manner and will acknowledge the possible tax deduction available to donors whose gifts qualify under IRS regulations.

New York State Constitution Article 8, Section 1
Education Law Sections 404(1), 1604(44), 1709(12), 1709(12-a), 1709(12-b), 1718(2), 3701, and 3703
Real Property Tax Law Section 980-a(3)

Adoption Date

SUBJECT: SALE AND DISPOSAL OF DISTRICT PROPERTY

Sale of School Property

No school property will be sold without prior approval of the Board. However, the responsibility for these sales may be delegated. The net proceeds from the sale of school property will be deposited in the General Fund or the corresponding fund the purchase was made from.

Disposal of District Personal Property

Equipment

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

The Superintendent or designee will be responsible for selling the equipment in such a way so as to maximize the net proceeds of 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 those attempts have not produced an adequate return, the Superintendent or designee may dispose of the equipment in any manner which he or she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or because they contain outdated material or are in poor condition. If textbooks are no longer useful or usable, the procedures for disposal will 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 District; then

b) Donation to charitable organizations; or

c) Recycle through appropriate means.

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.

Adoption Date

SUBJECT: DISTRICT CREDIT CARD USE

The District will issue a credit card in its name to the Purchasing Agent for the use of its officers and designated employees for authorized expenses. However, authorized personnel must submit purchase orders for those school business related expenses, prior to the use of the credit card.

This credit card will only be for those purchases of goods and services that require a credit card and do not accept other payment methods. Any other reason for credit card use must be approved by the Assistant Superintendent for Business, prior to use.

Expenses incurred on each credit card will be paid in such a manner as to avoid interest charges.

The credit cards will be locked in a secure place in the Business Office.

Any individual who makes an unauthorized purchase with a District credit card will be required to reimburse the District for the purchase.

Adoption Date

SUBJECT: DISTRICT CELL PHONE USE

The Board of Education recognizes that certain District employees will be required to carry District-owned cell phones in order to meet their job responsibilities. Such phones should be provided only when a less costly alternative is not available or is not appropriate in the circumstances.

A list of job titles requiring District-owned cell phones shall be maintained in the Business Office and reported to the Board for its approval each year at its organizational meeting in July. All cellular telephone contracts shall be secured through the appropriate purchasing process and shall be subject to review and approval by the Board.

Cell phones are to be used for School District business purposes only and anything other than incidental private use is prohibited. Failure to follow these guidelines may result in revocation of the phone and discipline of the employee. In addition, since employees are issued District-owned cell phones in connection with their work responsibilities, employees should not have an expectation of privacy with respect to information contained on the device (e.g., text messages, records of phone calls).

As with any District-owned equipment, employees much take proper care of cell phones and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office. Since employees are responsible for the safe return of District-owned cell phones, employees who use District-owned cell phones may be liable for damages or loss which occur during the period of its use.

Adoption Date

SUBJECT: REIMBURSEMENT FOR MEALS/REFRESHMENTS

Travel Outside of District/Emergency Meetings

District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, meals of public officers and employees generally should not be reimbursed or paid by the District unless the officer or employee is traveling outside his or her regular work area on official business for an extended period of time, or where events prevent them from taking off during mealtime for food consumption because of a pressing need to complete business. All requests for reimbursement must document who attended the meetings and how the meetings fit these conditions.

Staff or Board Meetings and District Events

The Board recognizes that at certain times it may be appropriate to provide meals and/or refreshments at District meetings and/or events which are being held for an educational purpose. Prior approval of the Superintendent or designee must be obtained for food and beverages provided at meetings or activities which will be charged to the District.

Any such expenditures must be appropriately documented with an itemized receipt and information showing the date and purpose of the meeting, food served, who attended the meetings and why the attendees needed food and/or refreshments to conduct District business. These requirements must be met for meals/refreshments provided by the school lunch fund or local vendors, charged to District credit cards, and/or reimbursed to a District official.

In no case will the costs for meals exceed the current federal per diem meal rates for the geographic area.

NOTE: Refer also to Policy #6161 -- Conference/Travel Expense Reimbursement

Adoption Date

SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING

Except as otherwise provided by law, all contracts for public work involving an expenditure of more than $35,000 and all purchase contracts involving an expenditure of more than $20,000 will be awarded by the District to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. However, the District may, in its discretion, award purchase contracts on the basis of "best value" to a responsive and responsible bidder or offerer, provided the Board has authorized this action by rule, regulation, or resolution adopted at a public meeting.

No bid or offer will be accepted that does not conform to specifications furnished unless those specifications are waived by Board action. The District may, in its discretion, reject all bids or offers and readvertise for new bids or offers in a manner consistent with New York State law.

All contracts requiring public advertising and competitive bidding or offering will be awarded by resolution of the Board.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

Standardization

Upon the adoption of a standardization resolution by a vote of at least 3/5 of all Board members, purchase contracts for a particular type or kind of equipment, materials, or supplies of more than $20,000 may be awarded by the Board to the lowest responsible bidder or offerer furnishing the required security after advertisement for sealed bids in the manner provided in law. This resolution must state that, for reasons of efficiency or economy, there is a need for standardization and must contain a full explanation of those reasons. Upon the adoption of a valid standardization resolution, the District may provide in its specifications for a particular make or brand to the exclusion of others.

"Piggybacking" Exception to Competitive Bidding

The District may, in its discretion, purchase certain goods and services (apparatus, materials, equipment, and supplies) at costs beyond the above-referenced thresholds through the use of contracts let by the United States or any agency thereof, any state, and any county, political subdivision, or district of any state.

This method of procurement is permitted on contracts issued by other governmental entities, provided that the original contract:

a) Has been let by the United States or any agency thereof, any state (including New York State) or any other political subdivision or district;

(Continued)

SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING (Cont'd.)

b) Was made available for use by other governmental entities and agreeable with the contract holder; and

c) Was let in a manner that constitutes competitive bidding consistent with New York State law, or was awarded on the basis of best value, and is not in conflict with other New York State laws.

Annual Review

Periodically, comments concerning the District's bidding and purchasing policies and procedures will be solicited from those District employees involved in the procurement process.

The Board will annually review its bidding and purchasing policies and procedures. The Assistant Superintendent for Business will be responsible for conducting an annual review of such policies and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

General Municipal Law Articles 5-A and 18
State Finance Law Sections 162, 163, and 163-b
Education Law Section 305(14)(g)

NOTE: Refer also to Policies #5411 -- Procurement of Goods and Services
#5412 -- Alternative Formats for Instructional Materials
#5413 -- Procurement: Uniform Grant Guidance for Federal Awards

Adoption Date

SUBJECT: PROCUREMENT OF GOODS AND SERVICES

Purchasing Authority

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board. The Purchasing Agent is authorized to enter into cooperative bidding and cooperative purchasing arrangements to meet the various needs of the District. No contracts for goods and services will be made by individuals or organizations in the school that involve expenditures without first securing approval for the contract from the Purchasing Agent.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

Purchasing Process

The Board 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. These goods and services will be procured in a manner so as to:

a) Assure the prudent and economical use of public moneys in the best interests of the taxpayer;

b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and

c) Guard against favoritism, improvidence, extravagance, fraud, and corruption.

These procedures will contain, at a minimum, provisions which:

a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;

b) With certain exceptions, provide that alternative proposals or quotations for goods and services will be secured by use of written request for proposals, written quotations, verbal quotations, or any other method of procurement which furthers the purposes of General Municipal Law Section 104-b;

c) Set forth when each method of procurement will be utilized;

d) Require adequate documentation of actions taken with each method of procurement;

e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;

(Continued)

SUBJECT: PROCUREMENT OF GOODS AND SERVICES (Cont'd.)

f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and

g) Identify the individual or individuals responsible for purchasing and their respective titles. This information will be updated biennially.

Any unintentional failure to fully comply with these provisions will not be grounds to void action taken or give rise to a cause of action against the District or any District employee.

The District will develop administrative regulations to establish procedures for the procurement of goods and services.

Professional Services

Professional services are generally those services that require specialized skills, training, professional judgment, expertise, and creativity. Examples include attorneys, architects, and engineers. The procurement of professional services falls within an exception to competitive bidding. In order to procure professional services, the District will use the request for proposals (RFP) process as set forth in General Municipal Law in order to protect the District's interests and to avoid the appearance of favoritism or impropriety. Although not necessarily bound to select the lowest bidder in response to its RFP, the District will adequately document its selection process to demonstrate its economical and prudent use of public monies and to ensure fair competition.

Education Law Sections 1604, 1709, 1950, 2503, 2554, and 3602
General Municipal Law Articles 5-A and 18
General Municipal Law Sections 104-b and 119-o

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering
#5412 -- Alternative Formats for Instructional Materials
#5413 -- Procurement: Uniform Grant Guidance for Federal Awards

Adoption Date

SUBJECT: ALTERNATIVE FORMATS FOR INSTRUCTIONAL MATERIALS

Preference in the purchase of instructional materials will be given to vendors who agree to provide materials in a usable alternative format (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for each student with a disability, including students requiring Section 504 Accommodation Plans, enrolled in the District). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio, or an electronic file in an approved format as defined in Commissioner's regulations.

The District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. The District will ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards.

The District will establish a plan to ensure that instructional materials in a usable alternative format for each student with a disability (including students requiring Section 504 Accommodation Plans) are based upon the student's educational needs and course selections, and will be available at the same time as those instructional materials are available to non-disabled students.

The Plan will:

a) Specify that the District gives a preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;

b) Specify when an electronic file is provided, how the format will be accessed by students and/or how the District will convert to an accessible format;

c) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the District for alternative format materials;

d) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and

e) Include procedures so that when students with disabilities move into the District during the school year, the process to obtain needed materials in alternative formats for those students is initiated without delay.

20 USC Section 1474(e)(3)(B)
8 NYCRR Sections 200.2(b)(9), 200.2(c)(2) and 200.2(i)

Adoption Date

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

The District will follow all applicable requirements in the Uniform Grant Guidance (2 CFR Part 200) whenever it procures goods or services using federal grant funds awarded through formula and/or discretionary grants, including funds awarded by the United States Department of Education as grants or funds awarded to a pass-through entity, such as the New York State Education Department, for subgrants.

Uniform Grant Guidance Requirements

Under the Uniform Grant Guidance, the District will, among other things:

a) Use its own documented procurement procedures which reflect applicable state, local and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Grant Guidance.

b) Establish and maintain effective internal controls that provide reasonable assurance that the District is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Internal controls means a process, implemented by the District, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations;

2. Reliability of reporting for internal and external use; and

3. Compliance with applicable laws and regulations.

c) Comply with federal statutes, regulations, and the terms and conditions of the federal awards.

d) Evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of federal awards.

e) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

f) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

g) Maintain oversight to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(Continued)

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd.)

h) Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.

i) Have procurement procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.

j) Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

k) Maintain records that sufficiently detail the history of the procurement including, but not limited to:

1. Rationale for the method of procurement;

2. Selection of contract type;

3. Contractor selection or rejection; and

4. The basis for the contract price.

l) Use time and material contracts, only after a determination that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.

m) Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance.

n) Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.

o) Have written procedures for procurement to ensure that all solicitations:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and

2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.

(Continued)

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd.)

p) Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.

q) Use one of the following methods of procurement, which include:

1. Micro-purchases;

2. Small purchase procedures;

3. Sealed bids;

4. Competitive proposals; and

5. Noncompetitive proposals.

r) Have a written method for conducting technical evaluations of the proposals received and for selecting recipients.

s) Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

t) Include in all contracts made by the District the applicable provisions contained in Appendix II of the Uniform Grant Guidance -- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

u) Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications.

v) Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.

w) Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

2 CFR Sections 200.61, 200.303, 200.318, 200.319, 200.320, 200.321, 200.323, and 200.326
2 CFR Part 200, App. II

(Continued)

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd.)

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering
#5411 -- Procurement of Goods and Services
#5570 -- Financial Accountability
#5670 -- Records Management
#6110 -- Code of Ethics for Board Members and All District Personnel
#6161 -- Conference/Travel Expense Reimbursement

Adoption Date

SUBJECT: ACCOUNTING OF FUNDS

Accounting and reporting procedures will be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts. Books and records of the District will be maintained in accordance with statutory requirements. Provision will be made for the adequate storage, security, and disposition of all financial and inventory records.

Online Banking

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. Online transactions must be authorized by the District's Assistant Superintendent for Business. The District Treasurer, with a separate established username and password, will have the authority to process online banking transactions. The Business Office Clerk or Deputy Treasurer, with a separate established username and password, will be responsible for online banking transactions in the event the District Treasurer is not available, or as a job responsibility delegated to him or her by the District Treasurer. A monthly report of all online banking activity will be reviewed by staff independent of the online banking process and reconciled with the bank statement. Online banking will only take place on secure District computers located inside the Treasurer's or Business Office.

Electronic Transactions and Wire Transfers

Procedures will be implemented specifying who is authorized to initiate, approve, transmit, record, review, and reconcile electronic transactions. At least two individuals will be involved in each transaction. Authorization and transmitting functions will be segregated and, whenever possible, the recording function will be delegated to a third individual.

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders. All wire transfers must be authorized by the District Treasurer or his or her designee. Dual approval controls will be established for non-routine wire transfer orders. The Internal Auditor will periodically confirm that wire transfers have appropriate signatures, verification and authorization of proper personnel.

Education Law Section 2116-a
General Municipal Law Sections 5, 5-a, 5-b, and 99-b
N.Y. UCC Section 4-A-201

Adoption Date

SUBJECT: MAINTENANCE OF FUND BALANCE

General Provisions

The Board recognizes that the maintenance of a fund balance is essential to the financial integrity of the District insofar as it helps mitigate current and future risks and assists in ensuring stable tax rates. Consistent with this understanding, the Board adopts the following standards and practices.

Classification of Funds

The District will ensure that funds are classified consistent with Governmental Accounting Standards Board (GASB) Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. Consequently, fund balance amounts will be categorized as non-spendable, restricted, committed, assigned, or unassigned.

Unassigned Fund Balance

Minimum Unassigned Fund Balance

In order to maintain financial stability and protect against cash flow shortfalls, the Board will strive to maintain an unassigned fund balance of at least 4% of the current year's budgeted expenses. In the event such balance falls below the 4% floor, the District will seek to replenish deficiencies through reducing expenses and/or increasing revenue.

Maximum Unassigned Fund Balance

In order to support normal operating costs and provide fiscal stability for the District, the Board will also strive to ensure that the unassigned fund balance does not exceed 4% of the current year's budgeted expenditures. If it is anticipated that such balance will exceed the 4% ceiling, the Board will evaluate current commitments and assignments in order to determine the final distribution of fund balance in any fiscal year. The District will ensure unexpended surplus funds are used to reduce taxpayer liability in conformance with Real Property Tax Law Section 1318.

Fund Balance and Budget Development

The District's ability to maintain its unassigned fund balance within the limits articulated above is contingent upon the development of a reasonable budget. Consequently, the District will develop and adopt budgets that, to the extent possible, reflect the anticipated revenues and expenditures.

Likewise, the District will ensure that appropriate reserve funds are established and utilized, consistent with applicable law and District policy, to ensure the fund balance is sufficient to meet District needs.

(Continued)

SUBJECT: MAINTENANCE OF FUND BALANCE (Cont'd.)

Compliance

The District will adhere to the reporting requirements of Article 3 of the General Municipal Law of the State of New York, and the practices set forth in GASB Statement Number 54.

NOTE: Refer also to Policies #5110 -- Budget Planning and Development
#5512 -- Reserve Funds

Adoption Date

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 will 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 will 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 Board will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board. The annual report will include the following information for each reserve fund:

a) The type and description of the reserve fund;

b) The date the reserve fund was established and the amount of each sum paid into the fund;

c) The interest earned by the reserve fund;

d) Capital gains or losses resulting from the sale of investments of the reserve fund;

e) The total amount and date of each withdrawal from the reserve fund;

f) The total assets of the reserve fund showing cash balance and a schedule of investments; and

g) An analysis of the projected needs for the reserve fund in the upcoming fiscal year and a recommendation regarding funding those projected needs.

The Board will 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 public funds.

Education Law Section 3653

Adoption Date

SUBJECT: EXTRACLASSROOM ACTIVITY FUND

Any organization within the District whose activities are conducted by students, and whose financial support is raised other than by taxation or through charges of the Board, is an extraclassroom activity (ECA). The money raised by these organizations are referred to as ECA funds. ECA fund management provides students with the opportunity to learn proper business practices and how to operate a successful business. The Board and designated District staff will protect and provide oversight of ECA funds. All ECAs will be approved by the Board.

The Board will appoint an ECA Deputy District Treasurer and a chief faculty counselor (appointed for each building in the District, typically the building principal). Each ECA will have a faculty advisor appointed by the chief faculty counselor. Additionally, each ECA will have a student activity treasurer elected by the members of the ECA.

All ECA funds will generally be handled in accordance with the financial procedures set forth in The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019, published by the New York State Education Department. All money received from the conduct, operation, or maintenance of any ECA will be deposited with the ECA Deputy District Treasurer. Two separate and independent sets of records of receipts and expenditures will be maintained, one by the ECA Deputy District Treasurer and one by the ECA's student activity treasurer. On a monthly basis, the ECA Deputy District Treasurer will submit to the Board a financial report relating to the receipts and expenditures for all ECA accounts. The authority to expend money will be distinct and separate from the custody of these monies. The District will invest ECA funds in accordance with its investment policy.

ECAs are prohibited from using the District's New York State sales tax exemption. The ECA Deputy District Treasurer is responsible for filing the periodic sales tax returns for ECA funds.

All commitments and contracts will be the sole responsibility of the ECA incurring the transaction, regardless of a change in faculty advisors, membership, or officers.

In conjunction with the annual audit of District records, the Independent Auditor will audit all ECA funds. This audit will include a statement of receipts, disbursements, and balances for each ECA, together with a reconciliation of cash.

When an ECA becomes inactive or is discontinued, the ECA Deputy District Treasurer is directed to expend the leftover ECA funds as voted by the organization controlling these funds. If this designation does not exist, then leftover funds of inactive or discontinued ECAs and of graduating classes will automatically revert to the account of the general student organization or student council. To reactivate, inactive or discontinued ECAs must follow the start-up procedures for new ECAs.

(Continued)

SUBJECT: EXTRACLASSROOM ACTIVITY FUND (Cont'd.)

8 NYCRR Part 172
NYSED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#1334 -- Duties of the External (Independent) Auditor
#1336 -- Duties of the Extraclassroom Activity Fund Deputy District Treasurer
#3280 -- Use of School Facilities, Materials, and Equipment
#5220 -- District Investments
#5530 -- Petty Cash Funds and Cash in School Buildings
#5620 -- Fixed Asset Inventories, Accounting, and Tracking
#7410 -- Extracurricular Activities
#7450 -- Fundraising by Students

Adoption Date

SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS

Petty Cash Funds

A petty cash fund of not more than $100 will be maintained in the District Office and in each school building in a secure location. The office staff within each building shall administer and be responsible for such fund. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, must be submitted. These accounts will be authorized by Board resolution at its annual meeting. Each fund will be reconciled when replenished and at the end of each fiscal year.

Cash in School Buildings

District or extraclassroom funds will be held in the vault in the main office of each District school building. Under no circumstances will cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extraclassroom funds, shall be deposited in a timely manner. Only authorized personnel designated by the building administrator will be allowed in the main office vault.

Education Law Sections 1604(26), 1709(29) and 2503(1)
8 NYCRR Section 170.4

Adoption Date

SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)

As a Local Educational Agency (LEA), the District may receive its full allocation of Title I funds if its combined fiscal effort per student or the aggregate expenditures of state and local funds with respect to the provision of free public education in the District for the preceding fiscal year was not less than 90% of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

In determining the District's compliance with the maintenance of effort requirement, the State Educational Agency (SEA) will consider its expenditures from state and local funds for free public education. These include expenditures for administration, instruction, attendance, health services, student transportation services, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food services and student body activities.

The SEA will not consider the following expenditures in determining the District's compliance with the maintenance of effort requirements:

a) Any expenditures for community services, capital outlay, and debt service;

b) Any expenditures made from funds provided by the federal government for which the District is required to account to the federal government directly or through the SEA.

The Assistant Superintendent for Business will review, as part of the budgeting process, this combined fiscal effort to ensure compliance.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015
34 CFR Part 200

Adoption Date

SUBJECT: ALLOCATION OF TITLE I, PART A FUNDS IN THE DISTRICT

Allocation of Funds

The District allocates the Title I, Part A funds it receives to District school buildings on the basis of the total number of students from low-income families in each eligible school attendance area or eligible school, as defined in law. Unless the District school building is participating in a school wide program, the District school building will only use Title I, Part A funds for programs that provide services to eligible children, as defined in law, identified as having the greatest need for special assistance.

The District will reserve from its allocation of Title I, Part A funds, such funds as are necessary to provide services comparable to those provided to students in District school buildings that receive Title I, Part A funds in order to serve:

a) Homeless children and youths, including educationally related support services to children in shelters and other locations where children may live;

b) Children in local institutions for neglected children; and

c) If appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

Funds Will Supplement Not Supplant

The District will ensure that Title I, Part A funds only supplement, not supplant, the funds that would, in the absence of such federal funds, be made available from state and local sources for the education of students participating in programs assisted by Title I, Part A funds.

Allocation Methodology

The District has developed an allocation methodology that is consistent with Title I guidelines.

20 USC Sections 6312-6315 and 6321

NOTE: Refer also to Policies #5110 -- Budget Planning and Development
#5550 -- Maintenance of Fiscal Effort (Title I Programs)
#8260 -- Title I Parent and Family Engagement

Adoption Date

SUBJECT: FINANCIAL ACCOUNTABILITY

The District has internal controls in place to ensure that:

a) The goals and objectives of the District are accomplished;

b) Laws, regulations, policies, and good business practices are complied with;

c) Audit recommendations are considered and implemented;

d) Operations are efficient and effective;

e) Assets are safeguarded; and

f) Accurate, timely, and reliable data are maintained.

The 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.

b) The Board requires corrective action for issues reported in the Certified Public Accountant's (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. Quarterly 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.

(Continued)

SUBJECT: FINANCIAL ACCOUNTABILITY (Cont'd.)

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.

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) Digital files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site or in a secure fireproof location.

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

k) The District requires all staff to take leave time during which time another staff member performs the duties of the staff on leave. Staff may also schedule transactions and other responsibilities to occur electronically before taking a leave.

Audit Response

Periodically, the District receives audit reports from the External (Independent) Auditor and/or the Office of the New York State Comptroller. The Board will review all audit recommendations in consultation with the Audit Committee and respond appropriately. Independent and Comptroller audit reports and the accompanying management letters will be made available for public inspection. 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. Notice of the availability of independent and Comptroller audit reports will be published in the District's official newspaper or one having general circulation in the District. If there is no newspaper, notice must be placed in ten public places within the District.

Education Law Section 2116-a(3-b)
8 NYCRR Section 170.12
General Municipal Law Sections 33(2)(e) and 35(1), (2)

NOTE: Refer also to Policy #5572 -- Audit Committee

Adoption Date

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 course 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 District should disclose this 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 described 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 External (Independent) Auditor, or the School Attorney, or the Board. 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 the conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated confidentially and privately. 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 as warranted and in compliance with law. The application of disciplinary measures by the District does not preclude the filing of civil and/or criminal charges. 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).

(Continued)

SUBJECT: ALLEGATIONS OF FRAUD (Cont'd.)

Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices

Any employee of the District who has reasonable cause to believe that the fiscal practices or actions of an employee or officer of the District violates any local, state, federal law or rule and regulation relating to the financial practices of the District, and who in good faith reports such information to an official of the District, or to the Office of the State Comptroller, the Commissioner of Education, or to law enforcement authorities, will have immunity from any civil liability that may arise from the making of the report. Further, neither the District, nor any employee or officer of the District will take, request, or cause a retaliatory action against any employee who makes such a report.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board also prohibits any retaliatory behavior against any witnesses and/or any other individuals who participate in the investigation of an allegation of illegal or inappropriate fiscal practices or actions. Follow-up inquiries will be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation will be 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 or fraud may also face appropriate disciplinary action.

Civil Service Law Section 75-B
Education Law Section 3028-d

Adoption Date

SUBJECT: AUDIT COMMITTEE

An audit committee has been established by Board resolution. The audit committee may consist of:

a) The Board as a whole;

b) A subcommittee of the Board; 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, membership is advisable to provide accounting and auditing expertise.

Persons other than Board members who serve on the advisory committee will be independent, and will not be:

1. Employed by the District;

2. An individual who, within the last two years, provided or currently provides, services or goods to the District;

3. The owner of, or have a direct and material interest in a company providing, goods or services to the District; or

4. A close or immediate family member of an employee, officer, or contractor providing services to the District.

The audit committee will consist of at least three members who should collectively possess knowledge in accounting, auditing, financial reporting, and District finances. They will serve without compensation, but will 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 will be deemed District Officers, but will not be required to be residents of the District.

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

The audit committee will develop and submit to the Board for approval a formal, written charter which includes, but is not limited to, provisions regarding the committee's purpose, mission, duties, responsibilities, and membership requirements.

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

The audit committee will hold regularly scheduled meetings and report to the Board on its activities on an as-needed basis, but not less than annually. The report will address or include at a minimum:

a) The activities of the audit committee;

b) A summary of the minutes of the meeting;

c) Significant findings brought to the attention of the audit committee;

d) Any indications of suspected fraud, waste, or abuse;

e) Significant internal control findings; and

f) Activities of the internal audit function.

The responsibilities of the audit committee include the following:

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

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

c) Reviewing and discussing 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) Receiving and reviewing the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assisting the Board in interpreting such documents;

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

f) Discussing and analyzing every corrective action plan developed by the District in response to any audit and assisting the Board in its implementation.

Corrective Action Plan

Within 90 days of receipt of the report or management letter, the Superintendent will prepare a corrective action plan approved by the Board in response to any findings contained in:

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

a) The annual external audit report or management letter;

b) A final audit report issued by the District's Internal Auditor;

c) A final report issued by the State Comptroller;

d) A final audit report issued by the State Education Department (SED); or

e) A final audit report issued by the United States or an office, agency, or department thereof.

The audit committee will review every corrective action plan developed by the Superintendent and Assistant Superintendent for Business and assist in the implementation of the plans. The corrective action plan must be filed with the SED, and if appropriate, must include the expected date(s) of implementation. The District will also timely post a copy of this plan on its website. To the extent practicable, implementation of the corrective action plan should begin no later than the end of the next fiscal year.

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 District's implementation of these recommendations; and participating in the evaluation of the performance of the internal audit function.

The audit committee may conduct an Executive Session 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 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, including an executive session, if authorized by a Board resolution. However, if the 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.

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

Education Law Sections 2116-a, 2116-c, and 3811-3813
Public Officers Law Sections 105(b), 105(c), and 105(d)
8 NYCRR Section 170.12

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#1335 -- Appointment and Duties of the Claims Auditor
#2210 -- Committees of the Board

Adoption Date

SUBJECT: INTERNAL AUDIT FUNCTION

The District has established an internal audit function which includes:

a) Development of a risk assessment of District operations including, but not limited to, a review of financial policies, procedures, and practices;

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

c) Annual testing and evaluation of one or more of the District's internal controls, taking into account risk, control weaknesses, size, and complexity of operations;

d) Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings, recommend changes for strengthening controls and reducing identified risks, and specify timeframes for implementation of these recommendations.

The District is permitted to utilize existing District personnel to fulfill the internal audit function, but these individuals will not have any responsibility for other business operations of the District while performing internal audit functions. The District will 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 serving as the Internal Auditor and performing the internal audit function will report directly to the Board. The audit committee will assist in the oversight of the internal audit function on behalf of the Board.

Education Law Sections 1950, 2116-b, and 2116-c
8 NYCRR Section 170.12

NOTE: Refer also to Policy #1339 -- Duties of the Internal Auditor

Adoption Date

SUBJECT: INSURANCE

The objective of the Board is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus, and student accident insurance.

The Board will carry insurance to protect the District's real and personal property against loss or damage. This property includes school buildings, the contents of such buildings, school grounds, and vehicles.

The Board may also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent, or their designee, will review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Education Law Sections 1709(8), 1709(26), 1709(34-b), 2503(10), 2503(10-a), 2503(10-b), 3023, 3028 and 3811
General Municipal Law Sections 6-n and 52
Public Officers Law Section 18

Adoption Date

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING

The Superintendent or designee will maintain a continuous and accurate inventory of fixed assets owned by the District in accordance with applicable rules, standards, procedures, and best practices. Fixed assets are, generally, long-term, tangible resources intended to be continuously held or used, and may include land, buildings, improvements, machinery, and equipment.

All fixed assets purchased and received by the District will be checked, logged, and stored through an established procedure.

The Assistant Superintendent for Business will account for assets on an annual basis according to applicable rules, standards, procedures, and best practices. These accounts will serve to:

a) Maintain an inventory of assets;

b) Establish accountability;

c) Determine replacement costs; and

d) Determine and provide appropriate insurance coverage.

The Board will establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. This threshold will ensure that at least 80% of the value of these assets is reported. The threshold will not be greater than $5,000. Standard methods and averaging conventions will be used in assessing, capitalizing, and depreciating fixed assets.

Fixed assets will be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets will be recorded at estimated fair value at the time of the gift. A property record will be maintained for each fixed asset and will contain, where possible, the following information:

a) Date of acquisition;

b) Description;

c) Serial or other identification number;

d) Any funding source and percentage contributed by the source;

e) Vendor;

f) Cost or value;

g) Location and use;

(Continued)

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING (Cont'd.)

h) Asset type;

i) Condition and estimated useful life;

j) Replacement cost;

k) Current value;

l) Salvage value;

m) Sale price and date and method of disposition; and

n) Responsible official.

All fixed assets will be labeled. Any discrepancies between an inventory and the District's property records should be traced, explained, and documented.

Management of Assets Acquired Under a Federal Government Grant or Subgrant

Inventories will be maintained for assets acquired with funds obtained through federal grant programs. A separate inventory will be maintained for each program. Each inventory will record assets in the same manner as the District's fixed asset inventory. Assets will be labeled to specify the source of funds used to purchase the item. All Title I assets will include "Title I" on the label. These inventories will track assets for at least five years from the date of receipt.

When original or replacement assets acquired under a federal grant or subgrant are no longer needed for the original project or for other activities currently or previously supported by a federal agency, the District will dispose of the assets as follows:

a) Assets with a current per-unit fair market value of less than $5,000 may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.

b) Assets with a current per-unit fair market value of greater than $5,000 may be retained or sold and the awarding agency will have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the assets.

c) No federal approval is necessary to dispose of an asset costing over $5,000 but approval from the New York State Education Department (SED) is necessary. Once SED has determined that it has no other need for the use of the asset, the District may proceed with selling it.

(Continued)

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING (Cont'd.)

The District will comply with the U.S. Department of Education regulations governing the use, management, and disposition of all equipment acquired through a federal government grant.

Equipment Purchased with Extraclassroom Funds

Title to all equipment acquired with extraclassroom activity funds will reside with the District and be carried as an insurable asset on its list of insurable values. This equipment will be tagged as District property but is available for exclusive use by the extraclassroom activity club acquiring it.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015
34 CFR Parts 74-99, 200
NYSED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, 2019
Uniform System of Accounts for School Districts (Fiscal Section)

Adoption Date

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE

Overview

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

Construction and Remodeling of School Facilities

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

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

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

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

Carbon Monoxide Detection

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

Asbestos Inspections

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

(Continued)

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

Lead Testing

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

Legionella Testing

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

Comprehensive Long-Range Plan

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

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

b) Present and projected student enrollments;

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

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

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

f) The provision of additional facilities.

(Continued)

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

Comprehensive Public School Building Safety Program

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

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

a) Building Condition Surveys

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

b) Visual Inspections

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

c) Five-Year Capital Facilities Plan

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

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

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

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

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

(Continued)

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

(d) Major repairs ranked in priority order;

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

(f) Energy consumption.

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

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

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

(c) The energy sources for the buildings;

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

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

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

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

d) Monitoring System

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

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

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

(Continued)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Continued)

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

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

Adoption Date

SUBJECT: HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES

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

Hazard Communication Standard

All personnel will be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard. Both the "Right to Know" poster and the "Labor Law Information Relating to Public Employees" poster must be posted in common areas informing workers of relevant work hazards and associated rights.

The Superintendent or designee will maintain a current record of the contact information of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.

Environmental Protection Agency, 40 CFR Parts 261 and 262
Occupational Safety and Health Administration (OSHA), 29 CFR Section 1910.1200
Labor Law Sections 875-883
Public Health Law Sections 4800-4808
6 NYCRR Part 371
12 NYCRR Part 820

Adoption Date

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE

The Board is committed to maintaining the integrity of school buildings and grounds while protecting the health and safety of students and staff and maintaining a productive learning environment.

Structural and landscape pests can pose significant problems for people and property. Weeds and infestations can destroy playing fields and playgrounds and more importantly, cause severe allergic reactions. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of the District to incorporate Integrated Pest Management (IPM) procedures for control of weeds, structural, and landscape pests. The objective of this program is to provide necessary pest control while using the least toxic approach to all pests, weeds, and infestations.

Pest/Pesticide Management Plan

The District will manage weeds and pests to:

a) Reduce any potential human health hazard or threat to public safety;

b) Prevent loss or damage to school structures or property;

c) Prevent pests from spreading into the community, or to plant and animal populations beyond the site; and

d) Enhance the quality of life for students, staff, and others.

Integrated Pest Management (IPM) Coordinator

An IPM Coordinator will be appointed by the Superintendent. The Coordinator will be responsible for implementing the IPM policy and plan. The coordinator's responsibilities will include, but are not limited to, the following:

a) Recording all pesticide use and utilizing the least toxic approach;

b) Meeting with a local pest control expert, such as a pesticide contractor to share information on what pest problems are present in the school;

c) Ensuring that all of the expert's recommendations on maintenance and sanitation are carried out where feasible;

d) Ensuring that pesticide use is done when school is not in session or when the area can be completely secured against access by school staff and students for a standard 72 hours, or as required by the pesticide being used;

e) Evaluating the school's progress in the IPM plan; and

(Continued)

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)

f) Notifying parents, staff and neighbors of any applications of pesticides 48 hours before they occur. The IPM Coordinator will serve as the District's Pesticide Representative.

Pesticide Use on Common Areas

Pesticides will not be used on playgrounds, turf, athletic or playing fields, in effect, all lawn areas of the school. In these common areas where children gather and play, pesticide alternatives will be used whenever possible and effective. The prohibition does not apply to indoor use or the application to building structures.

An exception may be made for emergency applications of pesticide only when approved in advance by the Board. The Board may consult with the local Health Department on public health related emergency determinations. They may also consult with the Department of Environmental Conservation (DEC) for environmental emergency determinations. Emergency determinations should only be sought for one-time pesticide application in a specific situation, which presents a true emergency. The guidance document from DEC provides clarification on emergency determinations and can be found on the official website of the DEC.

Some types of pesticides and alternatives, those deemed safe in federal regulation, may be allowable on playing fields and playgrounds in certain circumstances. The District will develop regulations governing the use of pesticides and their alternatives on school grounds.

Fertilizer Use

Phosphorous fertilizers will only be used on school grounds in compliance with the following requirements:

a) Fertilizer use is prohibited between December 1 and April 1 annually.

b) The use of fertilizers is prohibited within 20 feet of any surface water except:

1. Where a continuous natural vegetation buffer, at least ten feet wide, separates lawn and water.

2. Where a spreader guard, deflector shield or drop spreader is used, then the application may not occur within three feet of any surface water.

c) The use of phosphorus fertilizers is prohibited on lawns or other non-agricultural turf with the following exceptions:

1. The use of phosphorus fertilizers is needed to establish a new lawn; or

2. A soil test shows that phosphorus fertilizers are needed for growth.

(Continued)

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)

d) Fertilizer cannot be used on any impervious surfaces and if such an application occurs, it must be cleaned immediately and legally applied or placed in an appropriate container.

Notification

The District's IPM Coordinator or designated Pesticide Representative will give prior written notice of all pesticide applications to anyone who has asked to receive this notice. The District will also notify parents, students, and staff of periodic pesticide applications. The District will maintain a list of those people who wish to receive 48-hour notice before pesticide applications and will ensure that a system is developed to deliver such notice in a timely fashion to all affected. The notification system may be by mail or email, and will ensure that a back-up method is available to notify those for whom the regular system is unworkable. The name and contact information for the District Pesticide Representative will be made available to all requesting it.

The District must also provide additional written notification to all parents and staff three times per year to inform them of any pesticide applications that have occurred: within ten days of the end of the school year, within two school days of the end of winter recess and within two days of the end of spring recess.

Recordkeeping

Records of pesticide use will be maintained on-site for three years and will be completed on the day of pesticide use. In addition, pest surveillance records will be maintained to help verify the need for pesticide treatments. Annual reports of any applications must be sent to DEC.

Education Law Sections 409-k, 409-h
Environmental Conservation Law Sections 17-2103, 33-0303
40 CFR Part 152.25
7 USC Section 136(mm), 136q(h)(2) (FIFRA)
8 NYCRR Part 155.4(d)(2)

Adoption Date

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 Section 409-m
Public Buildings Law Section 145

NOTE: Refer also to Policy #7552 -- Student Gender Identity

Adoption Date

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

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

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

Exceptions may exist for authorized medical cannabis use.

Definitions

For purposes of this policy, the following definitions apply:

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

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

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

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

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

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

Notification

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

(Continued)

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

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

Prohibition of Tobacco Promotional Items/Tobacco Advertising

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

a) On school grounds;

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

c) At school functions;

d) In school publications;

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

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

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

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

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

Adoption Date

SUBJECT: ENERGY CONSERVATION IN THE SCHOOLS

The Board recognizes the importance of energy conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption, particularly in these times of declining levels of natural energy resources and increasing cost of these resources.

Environmental Conservation Law Sections 27-2101- 27-2117
General Municipal Law Section 120-aa
19 NYCRR Sections 1221-1228 and 1240
Energy Conservation Code of New York State 2007

Adoption Date

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

It is the District's goal to provide students with access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid meal charges is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal charges.

Unpaid meal charges place a large financial burden on the District. The purpose of this policy is to ensure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed, or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast, lunch and snack meals only. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

Access to Meals

a) Free meal benefit eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. A la carte items or other similar items must be paid/prepaid.

b) Reduced meal benefit eligible students will be allowed to receive a breakfast of their choice for $0.00 and lunch of their choice for $0.00 each day. A la carte items or other similar items must be paid/prepaid.

c) Full pay students will pay for meals at the District's published paid meal rate each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Ongoing Staff Training

a) Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the State Education Department (SED) Webinar or the District's training program.

b) Staff training will include ongoing eligibility certification for free or reduced-price meals.

Parent Notification

Parents/guardians will be notified that a student's meal card or account balance is exhausted and has accrued unpaid meal charges within five days of the charge and then every one week thereafter.

(Continued)

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

Parent Outreach

a) Staff will communicate with parents/guardians with five or more unpaid meal charges to determine eligibility for free or reduced-price meals.

b) Staff will make two documented attempts to reach out to parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment packet.

c) Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the student to have insufficient funds, offering any other assistance that is appropriate.

Minimizing Student Distress

a) Staff will not publicly identify or stigmatize any student in line for a meal or discuss any outstanding meal debt in the presence of any other students.

b) Students with unpaid meal charges will not be required to wear a wristband or handstamp, or to do chores or other work to pay for meals.

c) Staff will not throw away a meal after it has been served because of the student's inability to pay for the meal or because of previous unpaid meal charges.

d) Staff will not take any action directed at a student to collect unpaid meal charges.

e) Staff will deal directly with parents/guardians regarding unpaid meal charges.

Ongoing Eligibility Certification

a) Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload to maximize free eligibility. NYSED provides updated direct certification data monthly.

b) Staff will provide parents/guardians with free and reduced-price application and instructions at the beginning of each school year in the school enrollment packet.

c) If the District uses an electronic meal application, it will provide an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.

d) The District will provide at least two additional free and reduced-price applications throughout the school year to families identified as owing meal charges.

(Continued)

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

e) The District will use its administrative prerogative to complete an application on a student's behalf judiciously, and only after using exhaustive efforts to obtain a completed application from the student's parent/guardian. The District will complete the application using only available information on family size and income that falls within approvable guidelines.

f) The District will coordinate with the foster, homeless, migrant, and runaway coordinators to certify eligible students. School liaisons required for homeless, foster, and migrant students will coordinate with the nutrition department to make sure these students receive free school meals, in accordance with federal law.

Prepaid Accounts

Students/Parents/Guardians may pay for meals in advance via https://www.myschoolbucks.com/ver2/getmain.action?clientKey=&requestAction=home or with a check payable to VCS Lunch Fund. Further details are available on the District's webpage at https://www.schoolnutritionandfitness.com/index.php?sid=1502897812283. Funds should be maintained in accounts to minimize the possibility that a student may be without meal money on any given day. Any remaining funds for a particular student will be carried over to the next school year.

To obtain a refund for a withdrawn or graduating student, a written or e-mailed request for a refund of any money remaining in the student's account must be submitted. Students who are graduating at the end of the year will be given the option to transfer any remaining money to a sibling's account through a written request.

Unclaimed funds must be requested within one school year. Unclaimed funds will then become the property of the District Food Service Program.

Staff

Staff members are allowed to purchase food from the District's food services. However, all purchases must be paid for at the point of sale (cash, payment account).

42 USC Section 1758
7 CFR Sections 210.12 and 245.5
Education Law Section 908
8 NYCRR Section 114.5

Adoption Date

SUBJECT: WELLNESS

The District is committed to providing a school environment that promotes and protects students' health, well-being, and ability to learn, by fostering healthy eating and physical activity before, during, and after the school day. This wellness policy outlines the District's approach to ensuring that there are opportunities for all students and personnel to practice healthy eating and physical activity behaviors throughout the school day. The District will work to ensure that all students and personnel across the District have equitable access to health and wellness efforts. This wellness policy applies to all students, personnel, and schools in the District.

Definitions

For the purpose of this wellness policy:

a) "School campus" means all areas of property under the jurisdiction of the District that are accessible to students during the school day.

b) "School day" means the period from the midnight before, to 30 minutes after the end of the official school day.

Governance

District Wellness Committee

The District has established a wellness committee that meets at least four times per year to oversee and establish goals for school health and safety policies and programs, including the development, implementation, and periodic review and update of this District-level wellness policy. The District Wellness Committee will evaluate and make recommendations that reflect the specific needs of the District and its students.

The District will actively seek members for the District Wellness Committee through the use of email, newsletters, the District's website, the District's social media page(s), and/or advertisements.

The District Wellness Committee membership will represent all school levels, and include (to the extent possible), but not be limited to, representatives from the following groups:

a) Parents and caregivers, including leaders from different parent organizations;

b) Students;

c) Physical Education teachers;

d) School health professionals;

(Continued)

SUBJECT: WELLNESS (Cont'd.)

e) Specialized instructional support personnel such as school counselors, psychologists, or social workers;

f) District food service program representatives;

g) School Board;

h) Community health professionals such as dieticians, doctors, nurses, or dentists;

i) School administrators;

j) General Education teachers;

k) Supplemental Nutrition Assistance Program Education (SNAP-ED) coordinators; and

l) The general public.

District Wellness Leadership

The following District official is responsible for the implementation and oversight of this District-level wellness policy:

Assistant Superintendent for Personnel
Director of Food Service

The contact information for this individual is: wellness@victorschools.org.

These individuals will be referred to as District Wellness Coordinators throughout this wellness policy.

The District Wellness Coordinators will convene the District Wellness Committee, facilitate the development of and updates to this wellness policy, and serve as a liaisons with community agencies. The District Wellness Coordinators will also work to ensure each school's compliance with this wellness policy.

Wellness Policy Implementation, Monitoring, Accountability, and Community Engagement

The District will develop and maintain an implementation plan to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions, and timelines specific to each school. It also includes specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness. In developing these goals, the District will review and consider evidence-based strategies and techniques.

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SUBJECT: WELLNESS (Cont'd.)

Annual Notification of Policy

The District will inform families and the general public each year, via the District website and/or District-wide communications, of information about this wellness policy, including, but not limited to: its implementation status, its content, and any updates to the policy. The District will endeavor to share as much information as possible about its schools' nutrition environment, including a summary of school events or activities relative to this wellness policy implementation. Each year, the District will also publicize the name and contact information of the District official(s) leading and coordinating the District Wellness Committee, as well as information on how the community may get involved with the District Wellness Committee.

Triennial Assessments

At least once every three years, the District will assess its compliance with this wellness policy. The triennial assessment will measure the implementation of this wellness policy, and include an assessment of:

a) The extent to which schools in the District are in compliance with this wellness policy;

b) The extent to which this wellness policy compares to model local school wellness policies; and

c) A description of the progress made in attaining the goals of this wellness policy.

The District Wellness Coordinators are responsible for conducting the triennial assessment.

The District will publish the findings from the triennial assessment on the District website.

Revisions and Updating the Policy

This wellness policy will be assessed and updated, at a minimum, every three years based on the results of the triennial assessment. This wellness policy may also be updated as: District priorities change; community needs change; wellness goals are met; new health science, information and technology emerge; and/or new federal or state guidance or standards are issued.

Evaluation and feedback from interested parties are welcomed as an essential part of revising and updating this wellness policy.

Community Involvement, Outreach, and Communications

The District is committed to being responsive to community input, which begins with an awareness of this wellness policy. On an annual basis, the District will make this wellness policy available to families and the public. The District will also annually inform families and the public, in culturally and

(Continued)

SUBJECT: WELLNESS (Cont'd.)

linguistically appropriate ways, of its content and implementation status, as well as any updates to this wellness policy. The District will make this information available via the District website and/or District-wide communications. The District will use these same means to inform families and the public on how to become involved with and support this wellness policy, as well as about the results of the triennial assessment.

Recordkeeping

The District will retain records to document compliance with the requirements of this wellness policy in the District Office and/or on the District's central computer network. Documentation maintained at this location includes, but is not limited to:

a) The written wellness policy;

b) Documentation demonstrating that this wellness policy has been made available to the public;

c) Documentation of efforts to review and update this wellness policy, including an indication of who is involved in the update and methods the District uses to make stakeholders aware of their ability to participate on the District Wellness Committee;

d) Documentation demonstrating compliance with the annual public notification requirements;

e) The most recent triennial assessment on the implementation of this wellness policy; and

f) Documentation demonstrating that the most recent triennial assessment results have been made available to the public.

Nutrition

The District seeks to ensure all of its students obtain the knowledge and skills necessary to make nutritious food selections and enjoy life-long physical activity. To this end, the District sets forth the following goals relating to nutrition.

School Meals

The District is committed to promoting student health and reducing childhood obesity by:

a) Serving meals that meet or exceed nutrition requirements established by local, state, and federal laws and regulations;

b) Ensuring all students have a scheduled lunch period;

(Continued)

SUBJECT: WELLNESS (Cont'd.)

c) Providing all students with adequate time to consume meals;

d) Promoting healthy food and beverage choices;

e) Preparing meals that are appealing and attractive to students;

f) Serving meals in clean and pleasant settings;

g) Scheduling adequate time for both lunch and recess to support healthy eating, physical activity and learning; and

h) Encouraging student participation in federal Child Nutrition Programs.

Child Nutrition Programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in the following federal Child Nutrition Programs:

National School Lunch Program and the School Breakfast Program

The District also operates additional nutrition-related programs and activities, including: The Farm to School programs, school gardens, and Grab 'n' Go Breakfasts.

District food service staff will meet with students in grades 4 through 12 twice annually to solicit feedback on the school breakfast and/or school lunch program(s).

Staff Qualifications and Professional Development

All school nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education and training requirements as specified in the USDA Professional Standards for School Nutrition Professionals. In order to locate the training that best fits their learning needs, school nutrition personnel will refer to the USDA's Professional Standards for School Nutrition Standards website.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students and personnel throughout the school day and throughout every school campus. The District will make drinking water available where school meals are served during meal times.

(Continued)

SUBJECT: WELLNESS (Cont'd.)

Competitive Foods and Beverages

All competitive foods will meet, at a minimum, the USDA Smart Snacks in School nutrition standards. The Smart Snacks in School nutrition standards aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits.

Competitive foods include all food and beverages available for sale to students on the school campus during the school day other than meals reimbursed through programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966. This includes, but is not limited to, a la carte options in cafeterias, vending machines, school stores, and snack or food carts.

Foods and Beverages Provided, But Not Sold, to Students During the School Day

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages provided, but not sold, to students on the school campus during the school day (e.g., classroom parties, classroom snacks brought by parents) will meet the USDA Smart Snack in School nutrition standards; be low in saturated fat, and have zero grams of trans-fat per serving. Foods and beverages will be discouraged to be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

All foods and beverages available for sale to students through fundraisers on the school campus during the school day will meet, at a minimum, the USDA Smart Snacks in School nutrition standards.

School-sponsored fundraisers conducted outside of the school day will be encouraged to support the goals of this wellness policy by promoting the sale of healthy food items (fresh fruit and produce) and/or non-food items, such as water bottles, plants, etc., and by promoting events involving physical activity.

Foods and Beverages Available for Sale at Events Outside of the School Day

The District encourages the sale of foods and beverages available to students support healthy eating. The foods and beverages that are available for sale at school-sponsored events outside of the school day will are encouraged to be low in saturated fat, and have zero grams of trans-fat per serving.

(Continued)

SUBJECT: WELLNESS (Cont'd.)

Food and Beverages Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote students' health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Food advertising and marketing is defined as an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

a) Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.

b) Displays, such as on vending machine exteriors.

c) Corporate brand, logo, name, or trademark on school equipment, such as marquees, message boards, scoreboards, or backboards corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment; as well as on posters, book covers, pupil assignment books, or school supplies displayed, distributed, offered, or sold by the District.

d) Advertisements in school publications or school mailings.

e) Free product samples, taste tests, or coupons of a product, or free samples displaying advertising of a product.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors. The District will model and encourage healthy eating by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff and teachers, parents, students, and the community.

(Continued)

SUBJECT: WELLNESS (Cont'd.)

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least implementing evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques and foods and beverages that meet the USDA Smart Snacks in School nutrition standards. Additional possible promotion techniques that the District and individual schools may use are available at www.healthiergeneration.org/smartsnacks.

Nutrition Education

The District aims to teach, model, encourage, and support healthy eating by students. Schools will provide nutrition education and engage in nutrition promotion that:

a) Is designed to provide students with the knowledge and skills necessary to promote and protect their health;

b) Is part of not only health education classes, but also integrated into other classroom instruction. Promote fruits, vegetables, whole-grain products, and healthy food preparation methods;

c) Link with school meal programs, cafeteria nutrition promotion activities, and nutrition-related community services;

d) Teach media literacy with an emphasis on food and beverage marketing; and

e) Include nutrition education training for teachers and other staff.

In elementary schools, nutrition education will be offered at each grade level as part of a sequential, comprehensive, standards-based health education curriculum that meets state and national standards. Health education curriculum is integrated into classroom instruction, physical education, and building wide events.

Health education teachers will provide opportunities for students to practice or rehearse the skills taught through the health education curricula.

Physical Activity

Since physical activity affects students' emotional and physical well-being, as well as their cognitive development, the District is committed to ensuring that all students, including students with disabilities requiring adaptations or modifications, are provided the opportunity to participate in physical activity before, during, and after school. Physical activity opportunities will be in addition to, not in lieu of, physical education.

(Continued)

SUBJECT: WELLNESS (Cont'd.)

Recess, physical education, or other physical activity time will not be cancelled for instructional make-up time, nor will it be withheld for disciplinary action unless the student is a danger to themself or others. This does not include participation on athletic teams that may have specific academic requirements. Classroom teachers will be provided with a list of ideas for alternative ways to discipline students.

The District is committed to encouraging physical activity through the following:

a) Classroom Physical Activity Breaks (Elementary and Secondary)

All classroom teachers, and particularly those engaged in the instruction of K through 5 students, are strongly encouraged to incorporate into the school day short breaks for students that include physical activity, especially after long periods of inactivity.

b) Recess (Elementary)

All elementary students will be offered one daily period of recess for a minimum of 20 minutes. This requirement will not apply on days where students arrive late, leave early, or are otherwise on campus for less than a full day. Outdoor recess will be offered when weather permits.

Physical Education

The District will have a Board-approved Physical Education Plan on file with the New York State Education Department that meets or exceeds the requirements set forth in the Commissioner's regulations. All students will be required to fulfill the physical education requirements set forth in the Commissioner's regulations as a condition of graduating from the District's schools.

The District recognizes the importance of physical education classes in providing students with meaningful opportunities for physical exercise and development. Consequently, the District will ensure that:

a) All physical education classes are taught or supervised by a certified physical education teacher;

b) All physical education personnel receive professional development relevant to physical education on an annual basis;

c) Interscholastic sports, intramural sports, and recess do not serve as substitutes for a quality physical education program;

d) Students are afforded the opportunity to participate in moderate to vigorous activity for at least 50% of physical education class time;

(Continued)

SUBJECT: WELLNESS (Cont'd.)

e) It provides adequate space and equipment for physical education and conforms to all applicable safety standards;

f) An age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education is implemented, with a focus on students' development of motor skills, movement forms, and health-related fitness;

g) A physical and social environment is provided that encourages safety and life-long wellness; and

h) Activities or equipment are adapted or modified to meet the needs of students who are temporarily or permanently unable to participate in the regular program of physical education. In doing so, the District will abide by specific provisions in 504 Plans and/or individualized education programs (IEP). To that end, the Committee on Special Education (CSE) will ensure that a certified physical education teacher participates in the development of a student's IEP, if the student may be eligible for adapted physical education.

Other School-Based Activities that Promote Student Wellness

The District is committed to establishing a school environment that is conducive to healthy eating and physical activity for all. The District will, therefore, pursue the following:

Community Partnerships

The District will develop, enhance, and continue relationships with community partners in support of the implementation of this wellness policy. Existing and new community partnerships will be evaluated to ensure they are consistent with this wellness policy and its goals. The District will provide all community partners with a copy of this wellness policy so that they are aware of the District's requirements and goals.

Community Access to District Facilities for Physical Activities

School grounds and facilities will be made available to students, personnel, community members and organizations, and agencies offering physical activity and other programs consistent with District policy. Subject to provisions regarding conduct on school grounds and administrative approval of use by outside organizations.

Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom. Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into learning.

(Continued)

SUBJECT: WELLNESS (Cont'd.)

42 USC Sections 1758 and 1758b
7 CFR Sections 210.10, 210.11, 210.31, and 220.8
Education Law Section 915
8 NYCRR Section 135.4

NOTE: Refer also to Policies #5660 -- Meal Charging and Prohibition Against Meal Shaming
#7550 -- Dignity for All Students
#8240 -- Instruction in Certain Subjects

Adoption Date

SUBJECT: RECORDS MANAGEMENT

The Superintendent will designate a Records Management Officer, subject to Board approval, to develop and coordinate the District's orderly and efficient records management program. Among other aspects, this program includes the legal disposition or destruction of obsolete records and the storage and management of inactive records. The Records Management Officer will work with other District officials to develop and maintain this program.

The District may create a Records Advisory Board to assist in establishing and supporting the records management program. Members of this board may include the District's legal counsel, the fiscal officer, and the Superintendent or designee, among others.

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 for the life of any microform or electronic records that replace paper originals or micrographic copies.

Retention and Preservation of Electronic Records

The District will ensure that records 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 NYCRR Part 185

Adoption Date

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The District values the protection of private information of individuals in accordance with applicable law and regulations. 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) "Personal information" means any information concerning a person which, because of name, number, symbol, mark, or other identifier, can be used to identify that person.

b) "Private information" means either:

1. Personal information consisting of any information in combination with any one or more of the following data elements, when either the data element or the combination of personal information plus the data element is not encrypted or encrypted with an encryption key that has also been accessed or acquired:

   (a) Social security number;

   (b) Driver's license number or non-driver identification card number;

   (c) Account number, credit or debit card number, in combination with any required security code, access code, password, or other information which would permit access to an individual's financial account;

   (d) Account number, or credit or debit card number, if circumstances exist where the number could be used to access an individual's financial account without additional identifying information, security code, access code, or password; or

   (e) Biometric information, meaning data generated by electronic measurements of an individual's unique physical characteristics, such as fingerprint, voice print, retina or iris image, or other unique physical representation or digital representation which are used to authenticate or ascertain the individual's identity;

2. A username or email address in combination with a password or security question and answer that would permit access to an online 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.

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

c) "Breach of the security of the system" means 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.

Determining if a Breach Has Occurred

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 or control of an unauthorized person, such as a lost or stolen computer or other device containing information;

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

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

d) System failures.

Notification Requirements

a) For any computerized data owned or licensed by the District that includes private information, the District will 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, accessed or acquired by a person without valid authorization. The disclosure to affected individuals will 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 integrity of the data system. The District will consult with the New York State Office of Information Technology Services to determine the scope of the breach and restoration measures. Within 90 days of the notice of the breach, the New York State Office of Information Technology Services will deliver a report to the District on the scope of the breach and recommendations to restore and improve the security of the system.

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

b) Notice to affected persons under State Technology Law is not required if the exposure of private information was an inadvertent disclosure by persons authorized to access private information, and the District reasonably determines the exposure will not likely result in the misuse of the information, or financial or emotional harm to the affected persons. This determination must be documented in writing and maintained for at least five years. If the incident affected over 500 New York State residents, the District will provide the written determination to the New York State Attorney General within ten days after the determination.

c) If notice of the breach of the security of the system is made to affected persons pursuant to the breach notification requirements under certain laws and regulations, the District is not required to provide additional notice to those affected persons under State Technology Law. However, the District will still provide notice to the New York State Attorney General, the New York State Department of State, the New York State Office of Information Technology Services, and to consumer reporting agencies.

d) For any computerized data maintained by the District that includes private information which the District does not own, the District will 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, accessed or acquired by a person without valid authorization.

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

If the District is required to provide notification of a breach, including breach of information that is not private information, to the United States Secretary of Health and Human Services pursuant to the Health Insurance Portability and Accountability Act of 1996 or the Health Information Technology for Economic and Clinical Health Act, it will provide notification to the New York State Attorney General within five business days of notifying the United States Secretary of Health and Human Services.

Methods of Notification

The required notice will 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 notification is kept by the District when notifying affected persons in electronic form. However, in no case will the District require a person to consent to accepting the notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

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

d) Substitute notice, if the District demonstrates to the New York 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 will consist of all of the following:

1. Email notice when the District has an email 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 will include:

a) Contact information for the notifying District;

b) The telephone numbers and websites of the relevant state and federal agencies that provide information regarding security breach response and identity theft prevention and protection information; and

c) A description of the categories of information that were, or are reasonably believed to have been, accessed or 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, accessed or acquired.

In the event that any New York State residents are to be notified, the District will notify the New York State Attorney General, New York State Department of State, and New York State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons and provide a copy of the template of the notice sent to affected persons. This notice will 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 will also notify consumer reporting agencies as to the timing, content, and distribution of the notices and approximate number of affected persons. This notice will be made without delaying notice to affected New York State residents.

A list of consumer reporting agencies will be compiled by the New York State Attorney General and furnished upon request to any district required to make a notification in accordance with State Technology Law.

State Technology Law Sections 202 and 208
Adoption Date

SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION

The District will restrict the use and access to employee personal identifying information. As defined in law, "personal identifying information" includes social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District will not unless otherwise required by law:

a) Publicly post or display an employee's social security number;

b) Visibly print a social security number on any identification badge or card, including any time card;

c) Place a social security number in files with unrestricted access; or

d) Communicate an employee's personal identifying information to the general public.

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

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

Labor Law Section 203-d

Adoption Date

SUBJECT: DATA NETWORKS AND SECURITY ACCESS

The District values the protection of private information of individuals in accordance with applicable law, regulations, and best practice. Accordingly, District officials and Information Technology (IT) staff will plan, implement, and monitor IT security mechanisms, procedures, and technologies necessary to prevent improper or illegal disclosure, modification, or denial of sensitive information in the District Computer System (DCS). Similarly, IT mechanisms and procedures will also be implemented in order to safeguard District technology resources, including computer hardware and software. District network administrators may review District computers to maintain system integrity and to ensure that individuals are using the system responsibly. Users should not expect that anything stored on school computers or networks will be private.

In order to achieve the objectives of this policy, the Board entrusts the Superintendent or designee to:

a) Inventory and classify personal, private, and sensitive information on the DCS to protect the confidentiality, integrity, and availability of information;

b) Develop password standards for all users including, but not limited to, how to create passwords and how often passwords should be changed by users to ensure security of the DCS;

c) Ensure that the "audit trail" function is enabled within the District's network operating system, which will allow the District to determine on a constant basis who is accessing the DCS, and establish procedures for periodically reviewing audit trails;

d) Develop procedures to control physical access to computer facilities, data rooms, systems, networks, and data to only authorized individuals; these procedures may include ensuring that server rooms remain locked at all times and the recording of arrival and departure dates and times of employees and visitors to and from the server room;

e) Establish procedures for tagging new purchases as they occur, relocating assets, updating the inventory list, performing periodic physical inventories, and investigating any differences in an effort to prevent unauthorized and/or malicious access to these assets;

f) Periodically grant, change, and terminate user access rights to the overall networked computer system and to specific software applications and ensure that users are given access based on, and necessary for, their job duties;

g) Limit user access to the vendor master file, which contains a list of vendors from which District employees are permitted to purchase goods and services, to only the individual who is responsible for making changes to this list, and ensure that all former employees' access rights to the vendor master list are promptly removed;

(Continued)

SUBJECT: DATA NETWORKS AND SECURITY ACCESS (Cont'd.)

h) Determine how, and to whom, remote access should be granted, obtain written agreements with remote access users to establish the District's needs and expectations, as appropriate, and monitor and control remote access;

i) Verify that laptop computer systems assigned to teachers and administrators use full-disk encryption software to protect against loss of sensitive data;

j) Deploy software to servers and workstations to identify and eradicate malicious software attacks such as viruses and malware;

k) Develop a disaster recovery plan appropriate for the size and complexity of District IT operations to ensure continuous critical IT services in the event of any sudden, catastrophic event, including, but not limited to fire, computer virus, or deliberate or inadvertent employee action.

Adoption Date

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) "Building principal" means a building principal subject to annual performance evaluation review under the provisions of Education Law Section 3012-c.

c) "Classroom teacher" means a teacher subject to annual performance evaluation review under the provisions of Education Law Section 3012-c.

d) "Commercial or marketing purpose" means the sale of student data; or its use or disclosure for purposes of receiving remuneration, whether directly or indirectly; the use of student data for advertising purposes, or to develop, improve, or market products or services to students.

e) "Contract or other written agreement" means a binding agreement between an educational agency and a third-party, which includes, but is not limited to, an agreement created in electronic form and signed with an electronic or digital signature or a click-wrap agreement that is used with software licenses, downloaded, and/or online applications and transactions for educational technologies and other technologies in which a user must agree to terms and conditions prior to using the product or service.

f) "Disclose" or "disclosure" means to permit access to, or the release, transfer, or other communication of personally identifiable information by any means, including oral, written, or electronic, whether intended or unintended.

g) "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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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

i) "Eligible student" means a student who is 18 years or older.

j) "Encryption" means methods of rendering personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons through the use of a technology or methodology specified or permitted by the Secretary of the United States Department of Health and Human Services in guidance issued under 42 USC Section 17932(h)(2).

k) "FERPA" means the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.

l) "NIST Cybersecurity Framework" means the U.S. Department of Commerce National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1). A copy of the NIST Cybersecurity Framework is available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234.

m) "Parent" means a parent, legal guardian, or person in parental relation to a student.

n) "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).

o) "Release" has the same meaning as disclosure or disclose.

p) "Student" means any person attending or seeking to enroll in an educational agency.

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

r) "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.

s) "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

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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.

t) "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.

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.

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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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. In Victor Central Schools, the chief privacy officer is the Director of Technology.

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.

The Chief Privacy Officer has the power, among others, to:

a) Access all records, reports, audits, reviews, documents, papers, recommendations, and other materials maintained by the District that relate to student data or teacher or principal data, which includes, but is not limited to, records related to any technology product or service that will be utilized to store and/or process PII; and

b) Based upon a review of these records, require the District to act to ensure that PII is protected in accordance with laws and regulations, including but not limited to requiring the District to perform a privacy impact and security risk assessment.

Data Protection Officer

The District has designated a District employee to serve as the District's Data Protection Officer. The Data Protection Officer for the Victor Central School District is the Director of Technology.

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. Additionally, some aspects of this role may be outsourced to a provider such as a BOCES, to the extent available.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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 Framework is a risk-based approach to managing cybersecurity risk and is composed of three parts: the Framework Core, the Framework Implementation Tiers, and the Framework Profiles. The Framework provides a common taxonomy and mechanism for organizations to:

a) Describe their current cybersecurity posture;

b) Describe their target state for cybersecurity;

c) Identify and prioritize opportunities for improvement within the context of a continuous and repeatable process;

d) Assess progress toward the target state; and

e) Communicate among internal and external stakeholders about cybersecurity risk.

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:

   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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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 of 8 NYCRR Section 121.3(c);

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;

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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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

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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

Cooperative Educational Services through a BOCES

The District may not be required to enter into a separate contract or data sharing and confidentiality agreement with a third-party contractor that will receive student data or teacher or principal data from the District under all circumstances.

For example, the District may not need its own contract or agreement where:

a) It has entered into a cooperative educational service agreement (CoSer) with a BOCES that includes use of a third-party contractor's product or service; and

b) That BOCES has entered into a contract or data sharing and confidentiality agreement with the third-party contractor, pursuant to Education Law Section 2-d and its implementing regulations, that is applicable to the District's use of the product or service under that CoSer.

To meet its obligations whenever student data or teacher or principal data from the District is received by a third-party contractor pursuant to a CoSer, the District will consult with the BOCES to, among other things:

a) Ensure there is a contract or data sharing and confidentiality agreement pursuant to Education Law Section 2-d and its implementing regulations in place that would specifically govern the District's use of a third-party contractor's product or service under a particular CoSer;

b) Determine procedures for including supplemental information about any applicable contracts or data sharing and confidentiality agreements that a BOCES has entered into with a third-party contractor in its Parents' Bill of Rights for Data Privacy and Security;

c) Ensure appropriate notification is provided to affected parents, eligible students, teachers, and/or principals about any breach or unauthorized release of PII that a third-party contractor has received from the District pursuant to a BOCES contract; and

d) Coordinate reporting to the Chief Privacy Officer to avoid duplication in the event the District receives information directly from a third-party contractor about a breach or unauthorized release of PII that the third-party contractor received from the District pursuant to a BOCES contract.

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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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 contain all required elements including 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 supplemental information must be developed by the District and include the following information:

a) The exclusive purposes for which the student data or teacher or principal data will be used by the third-party contractor, as defined in the contract;

b) How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the student data or teacher or principal data, if any, will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable laws and regulations (e.g., FERPA; Education Law Section 2-d);

c) The duration of the contract, including the contract's expiration date, and a description of what will happen to the student data or teacher or principal data upon expiration of the contract or other written agreement (e.g., whether, when, and in what format it will be returned to the District, and/or whether, when, and how the data will be destroyed);

d) If and how a parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected;

e) Where the student data or teacher or principal data will be stored, described in a manner as to protect data security, and the security protections taken to ensure the data will be protected and data privacy and security risks mitigated; and

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

f) Address how the data will be protected using encryption while in motion and at rest.

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.

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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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:

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.

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.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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:

a) Order the third-party contractor be precluded from accessing PII from the affected educational agency for a fixed period of up to five years;

b) Order that a third-party contractor or assignee who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data be precluded from accessing student data or teacher or principal data from any educational agency in the state for a fixed period of up to five years;

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

c) Order that a third-party contractor who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data will not be deemed a responsible bidder or offeror on any contract with an educational agency that involves the sharing of student data or teacher or principal data, as applicable for purposes of General Municipal Law Section 103 or State Finance Law Section 163(10)(c), as applicable, for a fixed period of up to five years; and/or

d) Require the third-party contractor to provide additional training governing confidentiality of student data and/or teacher or principal data to all its officers and employees with reasonable access to this data and certify that the training has been performed at the contractor's expense. This additional training is required to be performed immediately and include a review of laws, rules, and regulations, including Education Law Section 2-d and its implementing 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.

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;

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

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.

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 Section 2-d
8 NYCRR Part 121

Adoption Date

SUBJECT: SCHOOL SAFETY PLANS

The District considers the safety of its students and personnel to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-Wide School Safety Plan and the Building-Level Emergency Response Plan(s) will be designed to prevent or minimize the effects of violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies. These plans will be reviewed and updated by the appropriate team on at least an annual basis and adopted by the Board by September 1 of each school year.

The Board will make the District-Wide School Safety Plan available for public comment at least 30 days prior to its adoption. The District-Wide School Safety Plan may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. The District-Wide School Safety Plan and any amendments must be submitted to the Commissioner, in a manner prescribed by the Commissioner, within 30 days of adoption, but no later than October 1 of each school year.

Building-Level Emergency Response Plan(s) and any amendments must be submitted to the appropriate local law enforcement agency and the state police within 30 days of adoption, but no later than October 1 of each school year. Building-Level Emergency Response Plan(s) will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

The District will provide pertinent written information to all students and personnel about emergency procedures by October 1 of each school year.

District-Wide School Safety Plan

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

The District-Wide School Safety Plan will be developed by the district-wide school safety team appointed by the Board. The district-wide school safety team will include, but not be limited to, representatives of the Board, teacher, administrator, and parent organizations, school safety personnel, and other school personnel including bus drivers and monitors. The district-wide school safety team will consider, as part of their review of the comprehensive District-Wide School Safety Plan, the installation of a panic alarm system.

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

The District-Wide School Safety Plan will include, but not be limited to:

a) Policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including threats by students against themselves, which includes suicide;

b) Policies and procedures for responding to acts of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including consideration of zero-tolerance policies for school violence;

c) Appropriate prevention and intervention strategies, which may include:

1. Collaborative arrangements with state and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;

2. Nonviolent conflict resolution training programs;

3. Peer mediation programs and youth courts;

4. Extended day and other school safety programs; and

5. If the District has a multi-disciplinary behavioral assessment team, behavioral assessment team, or a county or regional threat assessment team, the establishment and/or participation of district personnel in a multi-disciplinary behavioral assessment team to assess whether certain exhibited behaviors or actions need intervention or other support, including a school or district-level behavioral assessment team or, if available, a county or regional threat assessment team. When these teams are utilized, the District will:

(a) Describe the school, district, or county team and its purpose in the District-Wide School Safety Plan; and

(b) Include information regarding the purpose and procedures of these teams in the District's annual personnel training on safety and emergency procedures.

d) Policies and procedures for contacting appropriate law enforcement officials in the event of a violent incident;

e) A description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

f) Procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of Executive Law Article 2-B, State and Local Natural and Man-Made Disaster Preparedness;

g) The identification of district resources which may be available for use during an emergency;

h) A description of procedures to coordinate the use of district resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the personnel assigned to provide assistance during emergencies;

i) Policies and procedures for contacting parents, guardians, or persons in parental relation to district students in the event of a violent incident or an early dismissal or emergency school closure;

j) Policies and procedures for contacting parents, guardians, or persons in parental relation to an individual district student in the event of an implied or direct threat of violence by the student against themselves, which includes suicide;

k) Policies and procedures relating to school building security, including, where appropriate: the use of school safety officers, school security officers, and/or school resource officers; and security devices or procedures;

l) Policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including, but not limited to, the identification of family, community, and environmental factors to teachers, administrators, school personnel including bus drivers and monitors, parents or other persons in parental relation to students of the District or Board, students, and other persons deemed appropriate to receive the information;

m) Policies and procedures for annual multi-hazard school safety training for personnel and students, provided that the District must certify to the Commissioner that all personnel have undergone annual training by September 15 on the Building-Level Emergency Response Plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year will receive training within 30 days of hire or as part of the District's existing new hire training program, whichever is sooner. The training will include:

1. A description of the roles and responsibilities of the building-level emergency response team, the building-level incident command system including the roles and responsibilities of designated personnel, and the Building Level-Emergency Response Plan procedures for implementing the following required emergency response terms: shelter/shelter-in place, hold/hold-in place, evacuate/evacuation, secure lockout, and lockdown.

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

2. The procedures for conducting drills, including whether classrooms will be released from lockdown by law enforcement or school or district administrators during drills, and the district and building policies, procedures, and programs related to safety.

n) Procedures for the review and conduct of drills, tabletop exercises, and information about emergency procedures and drills, including information about procedures and timeframes for notification of parents or persons in parental relation regarding drills and other emergency response training(s) that include students. At its discretion, the District may participate in full-scale exercises in coordination with local and county emergency responders and preparedness officials. These procedures must ensure that:

1. Drills conducted during the school day with students present will be conducted in a trauma-informed, developmentally, and age-appropriate manner and will not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency;

2. When drills are conducted, students and personnel will be informed that the activities are a drill. Students and personnel will not be informed in advance of evacuation drills;

3. When utilized as a training resource, tabletop exercises may include a discussion-based activity for personnel in an informal classroom or meeting-type setting to discuss their roles during an emergency and their responses to a sample emergency situation;

4. If the District opts to participate in full-scale exercises in conjunction with local and county emergency responders and preparedness officials that include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency, the District will not conduct these exercises on a regular school day or when school activities such as athletics are occurring on district grounds. These exercises will not include students unless written consent from parents or persons in parental relation has been obtained;

o) The identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions, and kidnappings;

p) Strategies for improving communication among students, between students and personnel, and between administration and parents or persons in parental relation regarding reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence, and establishing anonymous reporting mechanisms for school violence;

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

q) A description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;

r) A system for informing all educational agencies within the District of a disaster or emergency school closure;

s) The designation of the Superintendent or designee as the district chief emergency officer whose duties will include, but not be limited to:

1. Coordinating the communication between school personnel, law enforcement, and other first responders;

2. Leading the efforts of the district-wide school safety team in the completion and yearly update of the District-Wide School Safety Plan and the coordination of the District-Wide School Safety Plan with the Building-Level Emergency Response Plan(s);

3. Ensuring personnel understanding of District-Wide School Safety Plan;

4. Ensuring the completion and yearly update of Building-Level Emergency Response Plans for each school building;

5. Assisting in the selection of security-related technology and development of procedures for the use of the technology;

6. Coordinating appropriate safety, security, and emergency training for district and school personnel, including required training in the District-Wide School Safety Plan and Building-Level Emergency Response Plan(s);

7. Ensuring the conduct of required evacuation and lockdown drills in a trauma-informed, developmentally, and age-appropriate manner that does not include props, actors, simulations, or other tactics intended to mimic a school shooting or other act of violence or emergency in all district buildings as required by law; and

8. Ensuring the completion and yearly update of Building-Level Emergency Response Plan(s) by the dates designated by the Commissioner;

t) Protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions in Labor Law Section 27-c;

u) An emergency remote instruction plan; and

v) Appropriate accommodations for students with life-threatening health conditions.

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

Building-Level Emergency Response Plan(s)

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

Building-Level Emergency Response Plan(s) will be developed by the building-level emergency response planning team. The building-level emergency response planning team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level emergency response planning team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel, community members, local law enforcement officials, local ambulance, fire officials, or other emergency response agencies, and any other representatives the Board deems appropriate.

Classroom door vision panels will not be covered except as outlined in the Building-Level Emergency Response Plan.

Education Law Sections 807 and 2801-a
Labor Law Section 27-c
8 NYCRR Section 155.17

Adoption Date

SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES

The District will provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator (AED) equipment as defined in Public Health Law Section 3000-b for use during emergencies. Each facility will have sufficient AED equipment available to ensure ready and appropriate access for use during emergencies in quantities and types as deemed by the Commissioner of Education, in consultation with the Commissioner of Health. Determination of the quantity and placement of AEDs must be made with consideration of at least the factors described in Commissioner's regulations. An instructional school facility means a building or other facility maintained by the District where instruction is provided to students in accordance with its curriculum.

Whenever an instructional school facility is used for a school-sponsored or school-approved curricular or extracurricular event or activity, and whenever a school-sponsored athletic contest is held at any location, the public school officials and administrators responsible for the school facility or athletic contest will ensure that AED equipment is provided on-site and that there is present during that event, activity, or contest at least one staff person who is trained in accordance with Public Health Law in the operation and use of an AED. School-sponsored or school-approved curricular or extracurricular events or activities mean events or activities of the District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school-sponsored athletic contest means an extraclass intramural athletic activity of instruction, practice, and competition for students in grades 4 through 12 consistent with Commissioner's regulations.

Where a school-sponsored competitive athletic event is held at a site other than a District facility, District officials will ensure that AED equipment is provided on-site by the sponsoring or host district and that at least one staff person who is trained in the operation and use of the AED, in accordance with Public Health Law, is present during the athletic event. A school-sponsored competitive athletic event means an extraclass interscholastic athletic activity of instruction, practice, and competition for students in grades 7 through 12 consistent with Commissioner's regulations.

The District will provide proper training requirements for District AED users to ensure the immediate calling of 911 or the community equivalent ambulance dispatch entity whenever the AED is used, to ensure ready identification of the location of the AED units as set forth in the District's Public Access Defibrillation Collaborative Agreement.

The District will provide for regular maintenance and checkout procedures of the AED unit(s) which meet or exceed manufacturer's recommendations. Appropriate documentation will be maintained in accordance with law and/or regulation. Further, the District will participate in the required Quality Improvement Program as determined by the Regional Emergency Medical Services Council.

The District will post a sign or notice at the main entrance to the facility or building in which the AED unit(s) is stored, indicating the exact location where the unit(s) is stored or maintained on a regular basis.

(Continued)

SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES (Cont'd.)

The District or any employee or other agent of the District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation, renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill, or injured, will not be liable for damages for injury or death unless caused by gross negligence.

Education Law Section 917
Public Health Law Sections 3000-a and 3000-b
8 NYCRR Sections 135.4 and 136.4

Adoption Date

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS

Evacuation, Lockdown, and Emergency Dismissal Drills

Overview

The purpose of drills is to practice personnel and student actions during an emergency. Except for evacuation drills, at the time that drills are conducted, students and personnel will be informed that it is a drill. All drills must:

a) Be conducted in a trauma-informed, developmentally, and age-appropriate manner and shall not include props, actors, simulations, or other tactics intended to mimic a school shooting, incident of violence, or other emergency;

b) Occur after annual training in emergency procedures has been provided to students and personnel; and

c) Be completed on different dates, days of the week, and during different times of the school day.

The administration of each school building will instruct and train students on appropriate emergency responses, through drills, in the event of a sudden emergency.

Definitions

For purposes of this section, the following definitions apply:

a) Trauma means an emotional response to a deeply distressing or disturbing experience such as, but not limited to, an act of violence, natural disaster, abuse, neglect, or loss.

b) Trauma-informed means an understanding of trauma and how it affects the physical, emotional, and mental health of students and adults.

c) Trauma-informed drills mean avoiding tactics in training or drills that may introduce or activate trauma, such as the use of props, actors, simulations, or other tactics intended to mimic a school shooting, incident of violence, or other emergency, or inclusion of developmentally or age-inappropriate content. Drills may inadvertently prompt a negative emotional or psychological response in personnel or students because of previous exposure(s) to trauma.

(Continued)

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS (Cont'd.)

Drill Requirements

The District will practice emergency response procedures under its District-Wide School Safety 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, such as through different corridors, hallways, stairways, and exit doors.

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.

(Continued)

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS (Cont'd.)

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.

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 at least one day, but no more than one week, before any drill. For emergency dismissal drills, the District will notify parents or persons in parental relation at least one week prior.

Bomb Threats

School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal act. No bomb threat should be treated as a hoax when it is first received. Upon receiving any bomb threat, the school has an obligation and responsibility to ensure the safety and protection of the students and other occupants of the school. This obligation takes precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat-location, if any; time of detonation; etc. Specific procedures as to appropriate responses as a result of a bomb threat can be located in the building-level emergency response plan, as required by relevant law and regulation.

Police Notification and Investigation

Appropriate law enforcement agencies must be notified by the building administrator or designee of any bomb threat as soon as possible after receiving the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

(Continued)

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS (Cont'd.)

Bus Emergency Drills

The administration will conduct a minimum of three emergency drills to be held on each school bus during the school year. The first drill will be conducted during the first seven days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30. No drills will be conducted when buses are on routes.

Students who ordinarily walk to school will also be included in the drills. Students attending public and nonpublic schools who do not participate in regularly scheduled drills will also be provided drills on school buses, or as an alternative, will be provided classroom instruction covering the content of these drills.

Each drill will include practice and instruction in the location, use, and operation of the emergency exits, fire extinguishers, first-aid equipment, and windows as a means of escape in the event of fire or accident. Similarly, students will be instructed on all topics mandated by relevant sections of the Education Law and Commissioner's Regulations, including, but not limited to, the following:

a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;

b) Advancing at least 15 feet in front of the bus before crossing the highway after disembarking;

c) Specific hazards encountered during snow, ice, rain, and other inclement weather, including, but not necessarily limited to, poor driver visibility, reduced vehicular control, and reduced hearing; and

d) Orderly conduct as bus passengers.

The administration of the drills will be in accordance with the New York State Education Department's Bus Safety Drill Guide and Compliance Form.

Instruction on Use of Seat Belts

When students are transported on school buses, the District will ensure that all students who are transported on any school bus owned, leased, or contracted for by the District will receive instruction on the use of seat safety belts. This instruction will be provided at least three times each year to both public and nonpublic school students who are so transported and will include, but not be limited to:

a) Proper fastening and release of seat safety belts;

b) Acceptable adjustment and placement of seat safety belts on students;

(Continued)

SUBJECT: EVACUATION, LOCKDOWN, AND EMERGENCY DISMISSAL DRILLS (Cont'd.)

c) Times at which the seat safety belts should be fastened and released; and

d) Acceptable placement of the seat safety belts when not in use.

Education Law Sections 807, 2801-a, 3623, and 3635-a
Penal Law Article 240
8 NYCRR Sections 100.2(gg), 155.17, and 156.3

NOTE: Refer also to Policy #5681 -- School Safety Plans

Adoption Date

SUBJECT: USE OF VIDEO OR AUDIO SURVEILLANCE IN THE DISTRICT AND ON SCHOOL BUSES

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

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Office space may or may not have cameras. 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.

The District prohibits individuals from creating audio and/or video recordings of school-related meetings without approval from the Superintendent or his/her designee, unless otherwise required by law.

Disciplinary Proceedings

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

Signage/Notification

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

Maintenance of Video Recordings

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

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

Adoption Date

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 temperatures of occupiable educational and support services spaces reach 82 degrees Fahrenheit. These actions may include, but are not limited to:

a) Turning off the overhead lights;

b) Pulling down shades or blinds;

c) Turning on fans;

d) Opening classroom doors and windows to increase circulation, if permitted;

e) Turning off unused electronics that produce heat; and

f) Providing water breaks.

Air conditioners, where available, may also be used to keep room temperatures from reaching 82 degrees Fahrenheit. The District may take the actions above earlier in the day or before school starts in an effort to keep the room temperature below 82 degrees Fahrenheit. This does not prohibit using air conditioning in response to a student's Individualized Education Plan, Section 504 Plan, or in response to a documented student medical need.

(Continued)

SUBJECT: MAXIMUM TEMPERATURE FOR SCHOOL BUILDINGS AND INDOOR FACILITIES (Cont'd.)

Implementation Plan When the Temperature Reaches Eighty-Eight Degrees Fahrenheit

The District will remove students and staff from educational and support services spaces when the room temperature reaches 88 degrees Fahrenheit where practicable. The Superintendent or designee may direct building principals to evacuate the space by:

a) Moving students and staff to cooler spaces within the school building(s); or

b) Closing school early and sending students and staff home according to the District's emergency school closing policy and/or procedure which include communicating with parents and persons in parental relation.

The Board will consider the anticipated number of extreme heat condition days when adopting or adjusting the District's school calendar. The District will also be mindful of collective bargaining agreements.

Education Law Section 409-n

NOTE: Refer also to Policy #3510 -- Emergency School Closings

Adoption Date

SUBJECT: TRANSPORTATION PROGRAM

The Board recognizes and assumes the responsibility for all aspects of the transportation of children where the health and safety of students are involved, in light of its legal obligation to safeguard the welfare of bus-riding children. The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

Scheduling and Routing

Bus routes are authorized by the Director of Transportation and any requests for a change must be submitted to the Superintendent or designee.

Transportation services will be provided to meet the needs of the students of the District within specified limits and areas established by the Board.

School Bus Schedules

The District may either mail schedules directly to parents or request that parents pick up schedules at the school. If the District posts school bus schedules online, access to the schedules will be password protected.

Use of Buses by Community Groups

Upon formal application to and approval by the Board, buses may be rented or leased to a municipal corporation; to any senior citizen center recognized and funded by the Office for the Aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Rentals or leases will be made only for times when vehicles are not needed for student transport and for a consideration acceptable to the Board which will not be less than the full amount of the costs and expenses resulting from the lease or rental.

Education Law Sections 1501-b, 1807, 3602(7), 3620-3628, 3635, and 3636

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date

SUBJECT: TRANSPORTATION OF STUDENTS

Requests for Transportation to and from Nonpublic Schools

The parent or person in parental relation of a parochial or private school child residing in the District who desires his or her child to be transported to a parochial, private, or charter school within or outside the District during the next school year, must submit a written request to the Director of Transportation no later than April 1 of the preceding year, or within 30 days of moving into the District. The District will publish the April 1 date in its school calendar and/or local newspaper as a reminder to parents of this deadline. Late requests will not be denied where a reasonable explanation is provided for the delay.

Transportation to Nonpublic Schools on Holidays

The District will share its calendar and start and dismissal times with nonpublic schools before the start of the school year. The District is not required to provide transportation to nonpublic schools on days on which the District's schools are not in session.

Transportation for Nonpublic School Students with Disabilities who are Parentally Placed

For students with disabilities, ages 5 through 21, who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the nonpublic school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services.

The district of residence remains responsible to provide transportation to parentally placed nonpublic school students from the student's home to the nonpublic school.

Transportation of Students with Disabilities

Transportation of students with disabilities in the District may not exceed 50 miles one way from the student's home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within 50 miles. In that event the Commissioner may then establish transportation arrangements.

Student Information

Upon written consent of the parent or person in parental relation, every school bus which is used to regularly transport students with disabilities will maintain the following information about each student with a disability being transported:

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

a) Student's name;

b) Nature of the student's disability;

c) Name of the student's parent, guardian, or person in parental relation and one or more telephone numbers where that person can be reached in an emergency; and/or

d) Name and telephone number of any other person designated by such parent, guardian, or person in parental relation who can be contacted in an emergency.

This information will be used solely for the purpose of contacting the student's parent, guardian, person in parental relation, or designee in the event of an emergency involving the student, will be kept in a manner which retains the privacy of the student, and will not be accessible to any person other than the driver or a teacher acting in a supervisory capacity. In the event that the driver or teacher is incapacitated, this information may be accessed by any emergency service provider.

This information will be updated as needed, but at least once each school year and will be destroyed if parental consent is revoked, the student no longer attends the school, or the disability no longer exists.

Transportation of Non-Resident Students

Non-resident families must provide their own transportation.

Transportation to School-Sponsored Events

Where the District has provided transportation to students enrolled in the District to a school-sponsored field trip, extracurricular activity, or any other similar event, it will also provide transportation back to either the point of departure or to the appropriate school in the District unless a student's parent or legal guardian has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for the student. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, and the parent has not authorized alternative return transportation, a representative of the District will remain with the student until the student's parent or legal guardian has been contacted and informed of the intervening circumstances and the student has been delivered to his or her parent.

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

Transportation in Personal Vehicles

Personal cars of teachers and staff will not be used to transport students except in the event of extenuating circumstances and authorized by the administration.

Education Law Sections 1604, 1709, 1804, 1807, 1903, 1950, 2503, 2554, 2590-e, 3242, 3602-c, 3621(15), 3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6
Vehicle and Traffic Law Section 375(20)(1) and 375(21-i)

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date

SUBJECT: SCHOOL BUS SAFETY

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 will be observed by drivers, students, and school personnel.

Use of Portable Electronic Devices Prohibited

For purposes of this policy, and in accordance with applicable law, the terms below will be defined as follows:

a) "Portable electronic device" means any mobile telephone (hand-held or "hands-free"), personal digital assistant (PDA), portable device with mobile data access, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, portable computing device, or any other electronic device when used to input, write, send, receive, or read text for present or future communication.

b) "Using" means holding a portable electronic device while viewing, taking or transmitting images, playing games, or for the purpose of present or future communication: performing a command or request to access a World Wide Web page, composing, sending, reading, viewing, accessing, browsing, transmitting, saving, or retrieving email, text messages, instant messages, or other electronic data.

c) "In operation" means that the bus engine is running, whether in motion or not.

The use of portable electronic devices by a school bus driver at times the vehicle is in operation on the roadway poses a potential safety risk. All school bus drivers are prohibited from using portable electronic devices while the bus is in operation.

All school bus drivers' personal portable electronic devices must be placed in the "off" position when in the possession of the school bus driver while the bus is in operation. Portable electronic devices, including cell phones, may be used in case of emergency.

Safety Rules and Inspections

The Director of Transportation, 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.

(Continued)

SUBJECT: SCHOOL BUS SAFETY (Cont'd.)

All buses and other vehicles owned and operated by the District will have frequent safety inspections, and will be serviced regularly. The Director of Transportation will maintain a comprehensive record of all maintenance performed on each vehicle.

Every bus driver is required to report promptly to the Director of Transportation any school bus accident, regardless of the severity, involving death, injury, or property damage.

Education Law Section 3623
Vehicle and Traffic Law Sections 509-a(7), 509-i(1-b), 1174, 1225-c, and 1125-d
8 NYCRR Section 156.3
17 NYCRR Sections 720.2, 721.1, and 721.2

NOTE: Refer also to Policies #5683 -- Evacuation, Lockdown, and Emergency Dismissal Drills
#5741 -- Drug and Alcohol Testing for School Bus Drivers

Adoption Date

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The District 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. The District will ensure that each driver of a school bus or other vehicle owned, leased, or contracted for by the District turns off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while the vehicle is parked or standing on school grounds or in front of or adjacent to any school. Rather than waiting for all buses to arrive before loading or unloading, individual buses will be promptly loaded and unloaded to minimize idling.

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;

b) To maintain an appropriate temperature for passenger comfort and/or safety; or

c) In emergency evacuations and/or where necessary to operate wheelchair lifts.

Education Law Section 3637
Vehicle and Traffic Law Section 142
8 NYCRR Section 156.3

Adoption Date

SUBJECT: QUALIFICATIONS OF BUS DRIVERS

A person will be qualified to operate a bus only if that person:

a) Is at least 21 years of age;

b) Has been issued an appropriate driver's license which is valid for the operation of a bus in New York State;

c) Has passed the annual bus driver physical examination administered in accordance with Commissioner of Education and Commissioner of Motor Vehicles regulations. In no case will the interval between physical examinations exceed a 13-month period;

d) Is not disqualified to drive a motor vehicle under any provision of law or regulation;

e) Has on file at least three statements from three different persons who are not related by either blood or marriage to the driver or applicant pertaining to the moral character and to the reliability of the driver or applicant;

f) Has completed, or is scheduled to complete, required New York State Education Department safety programs;

g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and controlled substance testing of bus drivers if and when applicable;

h) Has taken and passed a physical performance test approved by the Commissioner of Education at least once every two years and/or following a period of being unavailable for service for 60 or more consecutive days from their scheduled work duties. In no case will the interval between physical performance tests exceed 25 months; and

i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

Special Requirements for New Bus Drivers

Before employing a new bus driver, the Superintendent or designee will:

a) Require the person to pass a physical examination within eight weeks prior to the beginning of service;

b) Obtain a driving record from 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;

(Continued)

SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont'd.)

c) Investigate the person's employment record during the preceding three years;

d) Require the person to submit to the mandated fingerprinting procedures and criminal history background check;

e) Request the Department of Motor Vehicles to initiate a driving record abstract check; and

f) Require that newly hired bus drivers take and pass the physical performance test, as mandated by Commissioner's regulations, before they transport students.

Occasional Drivers

Under Commissioner's regulations, an occasional driver is defined as a certified teacher who is employed by a school district or Board of Cooperative Educational Services (BOCES) whose employment does not include serving as either a regular or substitute school bus driver. Occasional drivers used for other than regular routes are not required to fulfill the training required for regular school bus drivers.

Omnibus Transportation Employee Testing Act of 1991, (Public Law 102-143)
49 USC Section 521(b)
Education Law Section 3624
Vehicle and Traffic Law Article 19-A
8 NYCRR Section 156.3
15 NYCRR Part 6 and Section 3.2

NOTE: Refer also to Policy #5741 -- Drug and Alcohol Testing for School Bus Drivers

Adoption Date

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

In order to help prevent accidents and injuries resulting from the misuse of drugs and/or alcohol by school bus drivers, the Board adopts this policy in compliance with federal and state law and regulation.

The District has designated the following individual to answer driver questions about this policy and related materials: Assistant Superintendent for Personnel

Drug and Alcohol Testing Program

School bus drivers are subject to drug and/or alcohol testing in a variety of circumstances. The District will comply with all federal and state law and regulation regarding the implementation of a drug and alcohol testing program for school bus drivers.

The District will either establish and manage its own drug and alcohol testing program or by contract have a consortium/third-party administrator manage all, or part of, its drug and alcohol testing program for school bus drivers.

Under federal law and regulation, individuals who operate a Commercial Motor Vehicle (CMV) designed to transport 16 or more occupants (including the driver) and are subject to commercial driver's license (CDL) requirements established by the United States Department of Transportation are safety-sensitive employees and are subject to the following drug and/or alcohol testing:

a) **Pre-employment drug testing** which will be conducted after a conditional offer to hire has been extended, but before the actual performance of safety-sensitive functions for the first time. This pre-employment testing will also be required when employees transfer to a safety-sensitive position.

b) **Random drug and/or alcohol testing** which will be conducted on an unannounced basis.

c) **Reasonable suspicion drug and/or alcohol testing** which will be conducted when reasonable suspicion exists that a driver has engaged in prohibited use of drugs and/or alcohol. The required observation for reasonable suspicion drug and/or alcohol testing must be made by a supervisor or official who has been trained in accordance with federal law and regulation.

d) **Post-accident drug and/or alcohol testing** which will be conducted as soon as practicable following certain occurrences involving a CMV operating on a public road.

e) **Return-to-duty drug and/or alcohol testing** which will be conducted on a driver who has engaged in prohibited drug and/or alcohol conduct before the driver returns to perform a safety-sensitive function.

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

f) **Follow-up drug and/or alcohol testing** which will be conducted on a driver who has engaged in prohibited drug and/or alcohol conduct and has returned to performing a safety-sensitive function. This testing will be conducted on an unannounced basis in accordance with a written follow-up testing plan developed by a substance abuse professional (SAP).

All procedures used to test for the presence of drugs and/or alcohol will conform to the requirements outlined in federal law and regulation for protecting the driver and the integrity of the testing process, safeguarding the validity of the test results, and ensuring that all test results are attributed to the correct driver.

Under New York State law and regulation, all school bus drivers are subject to pre-employment and random drug and alcohol testing in accordance with the provisions and requirements of federal regulations, regardless of CDL endorsement. Every school bus driver will be included in the random testing pool and must submit to testing when selected.

Prohibitions and Consequences for School Bus Drivers

Under federal law and regulation, individuals who operate a CMV designed to transport 16 or more occupants (including the driver) and are subject to CDL requirements established by the United States Department of Transportation are prohibited from:

a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If testing shows an alcohol concentration of 0.02 or greater but less than 0.04, the employee must be removed from performing safety-sensitive functions for not less than 24 hours, but no punitive action will be taken by the employer;

b) Using alcohol while performing safety-sensitive functions;

c) Performing safety-sensitive functions within four hours after using alcohol;

d) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first;

e) Refusing to submit to a drug or alcohol test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements;

f) Refusing to submit to a pre-employment drug test;

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any drugs, as defined by federal law and regulation. This prohibition does not apply when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a CMV; or

h) Reporting for duty, remaining on duty, or performing a safety-sensitive function, if the driver tests positive for drugs.

Additionally, under New York State law, all school bus drivers are prohibited from:

a) Consuming a drug or intoxicating liquor, regardless of its alcoholic content, or be under the influence of a drug or intoxicating liquor, within six hours before going on duty or operating, or having physical control of a bus;

b) Consuming a drug or intoxicating liquor, regardless of its alcoholic content while on duty, or operating, or in physical control of a bus; or

c) Possessing a drug or intoxicating liquor, regardless of its alcoholic content while on duty, operating or in physical control of a bus. However, this paragraph does not apply to the possession of a drug or intoxicating liquor which is transported as part of a shipment or personal effects of a passenger or to alcoholic beverages which are in sealed containers.

It is the employer's responsibility to ensure that no school bus driver:

a) Violates any of the above listed provisions of New York State law; or

b) Be on duty or operate a school bus if, by a person's general appearance or by a person's conduct or by other substantiating evidence, a person appears to have consumed a drug or intoxicating liquor within the preceding eight hours.

Any violation of this policy, District procedures, and/or applicable federal and state law and regulation by a school bus driver will be grounds for disciplinary action and penalties including, but not limited to, fines, suspension, and/or discharge in accordance with the District's and/or the vendors' or contract bus companies' policies, collective bargaining agreements, and applicable law.

Drivers who are found to have engaged in prohibited conduct under federal law and regulation will be removed immediately from safety-sensitive functions and will not be allowed to return to perform safety-sensitive functions until they:

a) Are evaluated by a SAP;

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

b) Complete any requirements for rehabilitation as set by the employer and the SAP; and

c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a drug test with a verified negative result if the conduct involved drug use.

The Drug and Alcohol Clearinghouse

The Drug and Alcohol Clearinghouse ("Clearinghouse") is a secure online database that provides real-time information about CDL and commercial learner's permit holder's drug and alcohol program violations. The District will comply with all federal law and regulation regarding the Clearinghouse.

In accordance with 49 CFR Part 382, the following personal information will be collected, maintained, and reported to the Clearinghouse:

a) A verified positive, adulterated, or substituted drug test result;

b) An alcohol confirmation test with a concentration of 0.04 or higher;

c) A refusal to submit to any required test;

d) An employer's report of actual knowledge of:

1. On duty alcohol use;

2. Pre-duty alcohol use;

3. Alcohol use following an accident; and

4. Drug use;

e) A SAP's report of the successful completion of the return-to-duty process;

f) A negative return-to-duty test; and

g) An employer's report of completion of follow-up testing.

Employee Notification

The Superintendent or designee will ensure that each school bus driver receives a copy of educational materials that explain the requirements of drug and alcohol testing law and regulation and any policies, regulations, and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or designee will ensure that a copy of these materials is distributed to

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

each school bus driver, who will sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of any drug and/or alcohol testing as well as at the beginning of each school year or at the time of hire for any school bus driver. Representatives of applicable collective bargaining units will be notified of the availability of this information.

The Superintendent or designee will further ensure that each school bus driver receives educational materials concerning: the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management.

The Superintendent or designee will arrange for training of all supervisors who may be utilized to determine whether reasonable suspicion exists to test a driver for prohibited conduct involving drugs and/or alcohol.

Records Management and Retention

Employee records relating to drug and/or alcohol testing, as well as to substance abuse and/or alcohol prevention programs, will be maintained in accordance with law and regulation. All employee drug and/or alcohol testing will be kept confidential and will only be revealed as required or authorized by law or regulation.

49 USC Sections 31136 and 31306
49 CFR Parts 40, 382, and 383
Vehicle and Traffic Law Sections 142, 509-g, 509-l

Adoption Date

SUBJECT: ARTIFICIAL INTELLIGENCE (AI)

Overview

The emergence of artificial intelligence (AI) technologies, especially generative AI (GenAI), pose unique challenges and opportunities for learning environments. As these technologies integrate deeper into everyday life, the District must proactively address the implications of AI usage to ensure it enhances educational outcomes without compromising academic integrity or equity. This policy outlines the District's commitment to responsible AI integration in educational practices, balancing innovation with the core values of the District's educational mission. Further, it sets forth guidelines designed to evolve as new technologies and methodologies emerge, ensuring the District remains at the forefront of academic excellence and technological responsibility.

Scope and Application

This policy applies to all district students, personnel, volunteers, and contractors. It integrates with, and complements, existing policies on data privacy, acceptable use, and student conduct. This policy aims to provide clear guidelines on the use of AI within the District's schools, ensuring that its application supports the District's educational goals and adheres to its privacy and security standards.

Definitions

a) Generative AI (GenAI) represents a dynamic subset of AI technologies that can create new, human-like content from extensive data training sets. This content spans across text, images, audio, and more, often mimicking human creativity and adaptability.

b) Traditional AI refers to systems that operate on fixed algorithms and predefined rules without altering their behavior based on new data after their initial deployment.

Risks and Limitations

The use of GenAI comes with some risks and limitations which include, but are not limited to:

a) Hallucinations/Confabulations

GenAI can generate plausible, but false or inaccurate, information, a phenomenon known as a hallucination/confabulation.

b) Biases

GenAI tools learn from data created by people, which means any biases, prejudices, and stereotypes in that data can be reflected in the outputs produced by GenAI. For example, GenAI has been found to generate images and text that reinforce existing gender and racial biases. It is essential to recognize that these biases exist and to critically assess the outputs of GenAI tools to prevent the perpetuation of stereotypes and unfair treatment.

(Continued)

SUBJECT: ARTIFICIAL INTELLIGENCE (AI) (Cont'd.)

GenAI can also suffer from response bias, where the AI generates answers tailored to what it predicts the user wants to hear based on its training data or specific tuning.

c) Copyright

GenAI may pose copyright issues as it may have used copyrighted material within its training data without explicit permission from the copyright holders. As a result, there are unsettled legal questions about the ownership and copyright status of GenAI's outputs, which can closely mimic or incorporate elements of existing copyrighted works.

Data Privacy and Security

Information entered into GenAI may be accessible to others due to data sharing or breaches. All users should exercise caution when utilizing GenAI. Under no circumstances should any sensitive, copyrighted, confidential, or proprietary information be entered into GenAI or any other AI platform, consistent with relevant state and federal laws and district policy. This includes, but is not limited to, data protected by:

a) Family Educational Rights and Privacy Act (FERPA);

b) Education Law Section 2-d (Unauthorized Release of Personally Identifiable Information);

c) Labor Law Section 203-d (Employee Personal Identifying Information);

d) State Technology Law Section 208 (Notification of Security Breach of Private Information).

Further, if the information would not be disclosed in response to a Freedom of Information Law (FOIL) request, it should not be entered into GenAI.

Student Use

The District currently permits teachers to determine whether and how students may use Generative Artificial Intelligence (GenAI) tools for assignments and learning activities, consistent with curriculum goals and grade-level expectations. Educators are encouraged to explore the instructional potential of GenAI in alignment with course objectives, academic integrity, and equitable access.

If teachers allow their students to use GenAI, they are expected to communicate their expectations regarding the use of GenAI clearly to their students. Further, the teacher must discuss the appropriate and responsible use of GenAI with the students. This includes talking to students about the risks and limitations of GenAI, emphasizing how students are accountable for the accuracy of their work, and, when relevant, ensuring proper citation of sources.

(Continued)

SUBJECT: ARTIFICIAL INTELLIGENCE (AI) (Cont'd.)

Student use of GenAI that conflicts with teacher instruction, district policy, regulation, procedure, or the District's *Code of Conduct*, may result in investigation and/or disciplinary action.

The District also recognizes that instructional expectations and access to GenAI technologies will continue to evolve. Over time, as the District refines its curriculum, the use of GenAI may become an expected or integrated component of teaching and learning. In such cases, the District will provide educators with clear expectations, professional learning, and support to ensure consistent and equitable implementation of these tools within our curriculum.

District Personnel Use

District personnel may utilize GenAI in accordance with this policy. However, regardless of the tools used to enhance their work, personnel are ultimately responsible for the accuracy and integrity of all work they produce. AI is intended to support, not replace, an employee's responsibility for their own work.

Training, Awareness, and Support

The District will provide training, awareness, and support to teachers in navigating the evolving use of GenAI in the classroom. This may include professional learning opportunities, workshops, and resources to enhance teachers' proficiency and confidence in using GenAI to enrich student learning. The goal is to equip teachers with the knowledge to critically assess GenAI technologies and guide students in understanding the complexities associated with these tools. Additionally, the District may extend training, awareness, and support regarding GenAI to other District personnel who may benefit from understanding and utilizing GenAI in their roles.

Compliance with Other Documents

When using GenAI, all personnel and students must comply with all applicable laws, regulations, and District documents. This includes Education Law Section 2-d, which requires the District to 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.

Applicable District documents may include the District's policies on data security and acceptable use, as well as the District's *Code of Conduct*.

(Continued)

SUBJECT: ARTIFICIAL INTELLIGENCE (AI) (Cont'd.)

NOTE: Refer also to Policies #3310 -- Public Access to Records
#3320 -- Confidentiality of Computerized Information
#5672 -- Information Security Breach and Notification
#5673 -- Employee Personal Identifying Information
#5674 -- Data Networks and Security Access
#5676 -- Privacy and Security for Student Data and Teacher and Principal Data
#6410 -- Staff Acceptable Use Policy
#7240 -- Student Records: Access and Challenge
#7315 -- Student Acceptable Use Policy (AUP)
#7316 -- Use of Internet-Enabled Devices During the School Day
#8271 -- Internet Safety/Internet Content Filtering
#8350 -- Use of Copyrighted Materials
District *Code of Conduct*

Adoption Date

Victor Central School District **NUMBER**

PERSONNEL

1.1 Code of Ethics for Board Members and All District Personnel....6110
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SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL

General Provisions

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

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

Standards of Conduct

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

Gifts

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

Confidential Information

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

Conflicts of Interest

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

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

(Continued)

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

No employee, officer, or agent will participate in selecting, awarding, or administering a contract supported by a federal award if he or she has a real or apparent conflict of interest. These conflicts could arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in or a tangible personal interest benefit from a firm considered for a contract. Employees, officers, and agents will not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. The District may, however, set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value.

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

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

Representing Others in Matters Before the District

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

Disclosure of Interest in Contracts and Resolutions

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

(Continued)

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

Investments in Conflict with Official Duties

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

Private Employment

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

Future Employment

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

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

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

Penalties

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

Education Law Section 410
General Municipal Law Article 18 and Sections 800-809
2 CFR Section 200.318(c)(1)

Adoption Date

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses employment discrimination. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Consistent with this commitment and in accordance with law and regulation, the District is an equal opportunity employer that does not discriminate against any employee or applicant for employment in its programs and activities on the basis of any legally protected class or category including, but not limited to: age; race; creed; religion; color; national origin; sexual orientation; gender identity or expression; military status; sex; disability; predisposing genetic characteristics; familial status; marital status; status as a victim of domestic violence; and criminal arrest or conviction record.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of employment discrimination. The District will promptly respond to reports of employment 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, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)).

Reporting Allegations of Employment Discrimination

Any person may report employment discrimination regardless of whether they are the alleged victim or not. Reports of employment discrimination may be made orally or in writing to the District's CRCO or any other District employee including, but not limited to, a supervisor or building principal.

All District employees who witness or receive an oral or written report of employment discrimination must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

(Continued)

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

Grievance Process for Complaints of Employment Discrimination

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of employment discrimination and will promptly take appropriate action to protect individuals from further discrimination.

Various District policies and documents address employment discrimination. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff to determine which District policies and/or documents are applicable to the specific facts of the complaint.

If an investigation reveals that employment discrimination has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of employment discrimination.

Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Where appropriate, follow-up inquiries will be made to ensure that the discrimination has not resumed and that those involved in the investigation have not suffered retaliation.

8 USC Section 1324b
29 USC Section 206
42 USC Section 1981
Age Discrimination in Employment Act of 1967 (ADEA), 29 USC Section 621 et seq.
Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
Genetic Information Non-Discrimination Act (GINA), 42 USC Section 2000ff et seq.
National Labor Relations Act (NLRA), 29 USC Section 151 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 790 et seq.

(Continued)

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC Section 4301 et seq.
28 CFR Part 35
29 CFR Chapter I – National Labor Relations Board
29 CFR Chapter XIV – Equal Employment Opportunity Commission
34 CFR Parts 100, 104, and 106
45 CFR Part 86
Civil Rights Law Sections 40, 40-a, 40-c, 47-a, 47-b, and 48-a
Civil Service Law Sections 75-b and 115
Correction Law Section 752
Labor Law Sections 194-a, 201-d, 201-g, 203-e, 206-c, and 215
New York State Human Rights Law, Executive Law Section 290 et seq.
Military Law Sections 242, 243, and 318
9 NYCRR Section 466 et seq.

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#6121 -- Sexual Harassment in the Workplace
#6122 -- Employee Grievances

Adoption Date

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE

Overview

The District is committed to creating and maintaining an environment that is free from harassment and discrimination. This policy addresses sexual harassment and gender discrimination in the workplace. It is intended to inform covered individuals of: their right to work in an environment that is free from sexual harassment and discrimination; what sexual harassment and discrimination look like; how they can prevent and report sexual harassment and discrimination; how they are protected from retaliation after taking action; and the general process for investigating a claim of sexual harassment and discrimination that falls under this policy. This policy is just one component of the District's overall commitment to maintaining a harassment and discrimination-free educational and work environment.

Under New York State Human Rights Law (NYSHRL), it is illegal for an employer to discriminate based on age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, status as a victim of domestic violence, or criminal history. These different identities impact an individual's perception and understanding of the world. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the process for reporting and investigating discrimination based on other protected classes is generally the same. However, the exact process may vary depending on a number of factors including, but not limited to, who is involved. Other district policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* detail the specific process for reporting and investigating discrimination based on other protected identities.

Sexual harassment is a form of workplace discrimination that subjects individuals to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed as a form of gender-based discrimination, but the District recognizes that discrimination can be related to or affected by other identities beyond gender.

Discrimination of any kind, including sexual harassment, is unlawful, a violation of district policy, and may subject the District to liability for the harm experienced by targets of discrimination. All individuals are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace.

Harassers may also be individually subject to liability and supervisors who fail to report or act on harassment may be liable for aiding and abetting sexual harassment and discrimination. Employees at every level who engage in harassment or discrimination, including supervisory personnel who engage in harassment or discrimination or who allow such behavior to continue, will be subject to remedial and/or disciplinary action by the District.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sexual harassment in the workplace. The District will promptly respond to reports of sexual harassment in the workplace, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Title IX Coordinator(s).

Scope and Application

This policy applies to all instances of sexual harassment and gender discrimination perpetrated against a "covered individual" by anyone in the workplace, including: a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student. For purposes of this policy, a "covered individual" includes:

a) Employees;

b) Applicants for employment;

c) Paid or unpaid interns; and

d) Non-employees, which include anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace. These non-employees include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are non-employees providing equipment repair, cleaning services, or any other service through a contract with the District.

Other district policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* may address misconduct related to sexual harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved and where the alleged sexual harassment occurred. These documents must be read in conjunction with this policy.

The dismissal of a complaint under one policy or document does not preclude action under another related district policy or document.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

What Constitutes Sexual Harassment

Sexual harassment is a form of gender-based discrimination that 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. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating individuals differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Under NYSHRL, sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, NYSHRL specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which a covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of district policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

a) The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. The impacted individual does not need to be the intended target of the sexual harassment;

b) Employment depends implicitly or explicitly on accepting such unwelcome behavior; or

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

c) Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of the behavior. These decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

a) Hostile work environment which includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

b) Quid pro quo harassment which occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment.

Any covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some actions that may constitute unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any covered individual who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

a) Physical acts of a sexual nature, such as:

1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another individual's body, or poking another individual's body; or

2. Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy.

b) Unwanted sexual comments, advances, or propositions, such as:

1. Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

2. Subtle or obvious pressure for unwelcome sexual activities; or

3. Repeated requests for dates or romantic gestures, including gift-giving.

c) Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

d) Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:

1. Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or

2. Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

e) Sexual or discriminatory displays or publications anywhere in the workplace, such as:

1. Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;

2. This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.

f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:

1. Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;

2. Sabotaging an individual's work;

3. Bullying, yelling, or name-calling;

4. Intentional misuse of an individual's preferred pronouns; or

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

5. Creating different expectations for individuals based on their perceived identities:

   (a) Dress codes that place more emphasis on women's attire;

   (b) Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. This policy applies to all instances of sexual harassment perpetrated against a "covered individual" by anyone in the workplace, including a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student.

Sexual harassment does not happen in a vacuum and discrimination experienced by an individual can be impacted by biases and identities beyond an individual's gender. For example:

a) Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;

b) An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or

c) Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. Sexual harassment can occur on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state. It can occur while covered individuals are traveling for District business or at District or industry-sponsored events or parties. Calls, texts, emails, and social media usage by covered individuals can constitute unlawful workplace harassment, even if they occur away from school property, on personal devices, or during non-work hours. Accordingly, conduct or incidents of sexual harassment that create or foreseeably create a disruption within the District may be subject to this policy in certain circumstances.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

Sexual harassment can occur when covered individuals are working remotely. Any behaviors outlined above that leave a covered individual feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the covered individual is working remotely when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

a) Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;

b) Publicly releasing personnel files;

c) Refusing to provide a reference or providing an unwarranted negative reference;

d) Labeling an employee as "difficult" and excluding them from projects to avoid "drama";

e) Undermining an individual's immigration status; or

f) Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Retaliation is unlawful under federal, state, and (where applicable) local law. The NYSHRL protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

a) Made a complaint of sexual harassment or discrimination, either internally or with any government agency;

b) Testified or assisted in a proceeding involving sexual harassment or discrimination under the NYSHRL or any other anti-discrimination law;

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

c) Opposed sexual harassment or discrimination by making a verbal or informal complaint, or by simply informing a supervisor, building principal, other administrator, or the CRCO of suspected harassment;

d) Reported that a covered individual has been sexually harassed or discriminated against; or

e) Encouraged a covered individual to report harassment.

The District prohibits all retaliation. Any individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment or discrimination if they believe it has occurred. Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of sexual harassment or discrimination.

Any District employee who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All covered individuals who believe they have been subject to retaliation should inform a supervisor, building principal, other administrator, or the CRCO.

All employees and covered individuals who believe they have been a target of retaliation may also seek relief from government agencies, as explained in this policy.

Reporting Allegations of Sexual Harassment

Anyone who experiences, witnesses, or becomes aware of potential instances of sexual harassment is encouraged to report the behavior to a supervisor, building principal, other administrator, or the CRCO. Covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough or conversely because they do not want to see someone fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and could include education counseling, suspension, or termination.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is posted on the District's website if a covered individual would like to use it, but the complaint form is not required. Individuals who are reporting sexual harassment on behalf of another individual may use the complaint form and note that it is being submitted on another individual's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another individual is also acceptable.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

Reports may be made to a CRCO in person, by using the contact information for a CRCO, or by any other means that results in a CRCO receiving the person's verbal 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 a CRCO.

Reports of sexual harassment may also be made to any other District employee including a supervisor or building principal. All reports of discrimination and/or harassment must be immediately forwarded to the CRCO. Reports may also be forwarded to other District employees depending on the allegations.

District employees must comply with reporting requirements in any other applicable district policy or document.

Covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained in this policy.

Supervisory Responsibilities

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors, building principals, other administrators, and the CRCOs have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. All supervisors, building principals, and other administrators who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report the suspected sexual harassment to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Supervisors, building principals, and other administrators should not be passive and wait for a covered individual to make a claim of harassment. If they observe such behavior, they must act.

Supervisors, building principals, and other administrators can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors, building principals, and other administrators, can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

While supervisors, building principals, and other administrators have a responsibility to report harassment and discrimination, they must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors, building principals, and other administrators must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any individual witnessing harassment as a bystander is encouraged to report it. A supervisor, building principal, or other administrator that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

a) A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;

b) A bystander who feels unsafe interrupting on their own can ask a third-party to help intervene in the harassment;

c) A bystander can record or take notes on the harassment incident to benefit a future investigation;

d) A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and

e) If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace.

Grievance Process for Complaints of Sexual Harassment in the Workplace

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, equitable, and started and completed as soon as possible. Investigations will be kept confidential to the extent possible. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

The CRCO will generally oversee the District's investigation of all complaints of discrimination and/or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

District employees may be required to cooperate as needed in an investigation of suspected sexual harassment. The District recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize a covered individual. Individuals receiving claims and leading investigations will handle complaints and questions with sensitivity toward participants.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the CRCO:

a) Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate.

   If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

b) Will investigate all complaints of sexual harassment regardless of how those complaints are reported and treat all complaints with equal priority. For verbal complaints, the individual will be encouraged to complete, in writing, the complaint form. If the individual reporting prefers not to fill out the complaint form, a complaint form or equivalent documentation based on the verbal reporting will be prepared. The individual reporting the harassment will be provided a copy of the completed complaint form.

c) Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails, or phone records that may be relevant to the investigation. The CRCO will consider and implement appropriate document request, review, and preservation measures, including for electronic communications.

d) Will seek to interview all parties involved, including any relevant witnesses. If a student is involved, the District will follow all applicable district policies and procedures regarding questioning students.

e) Will create written documentation of the investigation (such as a letter, memo, or email), which contains the following:

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

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;

4. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and

5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

f) Will keep the written documentation and associated documents in a secure and confidential location.

g) Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document. Any corrective action taken will be in accordance with applicable law and regulation, as well as any applicable district policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

h) Will inform the individual(s) who reported the harassment of the right to file a complaint or charge externally as outlined in this policy.

Other district policies and documents address sexual harassment. All complaints will be handled in accordance with the applicable district policies and/or documents.

The determination as to which district policies and/or documents are applicable is fact specific, and the CRCO may work with other district staff such as the District's Title IX Coordinator(s) to determine which district policies and/or documents are applicable to the specific facts of the complaint.

Annual Training

The District will provide a sexual harassment prevention training program to all employees on an annual basis. The training will be interactive and will include:

a) An explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights;

b) Examples of conduct that would constitute unlawful sexual harassment;

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

c) Information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment;

d) Information concerning employees' rights of redress and all available forums for adjudicating complaints; and

e) Information addressing conduct by supervisors and any additional responsibilities for such supervisors.

Notification

The District will provide this policy to all employees in-person or digitally through email upon hiring and will be posted prominently in all work locations. In addition to sending the policy through email, this policy will also be available on the District's website.

At the time of hiring and at every annual sexual harassment prevention training program, the District will provide each employee a notice containing this policy and the information presented at the District's sexual harassment prevention training program.

This notice will be provided in English and in the language identified by the employee as their primary language, provided that the New York State Department of Labor Commissioner has published a template of the model materials in that language.

The notice will be delivered in writing, either in print or digitally. The notice will either link to or include, as an attachment or printed copy, the policy and training materials.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the District, but it is also prohibited by state, federal, and, where applicable, local law.

The District's internal process outlined in the policy above is one way for covered individuals to report sexual harassment. Covered individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, covered individuals may also seek the legal advice of an attorney.

In addition to those outlined below, individuals may have other legal protections.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

New York State Division of Human Rights (NYSDHR)

The NYSHRL, NY Executive Law, Art. 15, Section 290 et seq., applies to all employers in New York State and protects covered individuals, regardless of immigration status. A complaint alleging violation of the NYSHRL may be filed either with the NYSDHR or in New York State Supreme Court.

Complaints of sexual harassment filed with NYSDHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with NYSDHR, they can bring a lawsuit directly in state court under the NYSHRL, **within three years** of the alleged sexual harassment. An individual may not file with NYSDHR if they have already filed a NYSHRL complaint in state court.

Complaining internally to the District does not extend the time to file with NYSDHR or in court. The three years are counted from the date of the most recent incident of harassment.

Individuals do not need an attorney to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

NYSDHR will investigate the complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, NYSDHR has the power to award relief. Relief varies, but it may include requiring the employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

NYSDHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Individuals may call (718) 741-8400 or visit: www.dhr.ny.gov.

Go to dhr.ny.gov/complaint for more information about filing a complaint with NYSDHR. The website has a digital complaint process that can be completed on a computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to NYSDHR. The website also contains contact information for NYSDHR's regional offices across New York State.

Call the NYSDHR sexual harassment hotline at **1-800-HARASS-3 (1-800-427-2773)** for more information about filing a sexual harassment complaint. This hotline can also provide a referral to a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 USC Section 2000e et seq. An individual can file a complaint with the EEOC anytime within 300 calendar days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov, or via email at info@eeoc.gov. To file a complaint with the United States Equal Employment Opportunity Commission, please visit https://www.eeoc.gov/filing-charge-discrimination.

If an individual filed an administrative complaint with the NYSDHR, then NYSDHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Title IX

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance. The United States Department of Education's Office for Civil Rights (OCR) enforces Title IX of the Education Amendments Act of 1972.

For more information about how to file a complaint, contact OCR at 800-421-3481 (TDD 800-877-8339) or visit: https://www2.ed.gov/about/offices/list/ocr/docs/howto.html. The website contains information about filing the complaint online, by mail, or by email.

Local Protections

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 a law exists.

(Continued)

SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
29 CFR Section 1604.11(a)
34 CFR Subtitle B, Chapter I
Civil Service Law Section 75-b
New York State Human Rights Law, Executive Law Section 290 et seq.
Labor Law Sections 201-g and 740

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#6122 -- Employee Grievances
#7551 -- Sexual Harassment of Students

Adoption Date

SUBJECT: EMPLOYEE GRIEVANCES

In accordance with Article 15-C of the General Municipal Law, all District employees will have the opportunity to present grievances free from interference, coercion, restraint, discrimination, or reprisal. The District will provide at least two procedural stages and an appellate stage for the settlement of any employee grievance.

General Municipal Law Sections 681-685

Adoption Date

SUBJECT: EVALUATION OF PERSONNEL

All Staff Members

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

Teachers and Administrators

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

The primary purposes of these evaluations are:

a) To encourage and promote improved performance;

b) To guide professional development efforts; and

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

Disclosure of APPR/Educator Evaluation Ratings

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

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

Adoption Date

SUBJECT: EMPLOYEE MEDICAL EXAMINATIONS

Pre-employment Medical Examinations

The District will not require applicants for positions to undergo a medical examination prior to an offer of employment. Further, the District will 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 make pre-employment inquiries into the ability of an applicant to perform job-related functions.

Examinations During Employment

The Board reserves the right to request a medical examination at any time during employment, at District expense, in order to determine whether an employee can perform the essential functions of the position with or without reasonable accommodation or for other valid employment reasons.

All bus drivers and substitute bus drivers must have yearly physical examinations. Each bus driver initially employed by the District will have a physical examination within the eight weeks prior to the beginning of service. In no case will the interval between physical examinations exceed a 13-month period.

All medical and health related information will be kept in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Examinations and Inquiries

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.

The District, however, will not require a medical examination and will not make inquiries as to whether the 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.

Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 790 et seq.
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
28 CFR Sections 41.55 and 42.513
29 CFR Sections 1630.13 and 1630.14
34 CFR Section 104.14
Civil Service Law Section 72
Education Law Sections 913 and 3624
Vehicle and Traffic Law Sections 509-b, 509-d, and 509-g
8 NYCRR Sections 136.3 and 156.3
15 NYCRR Part 6

Adoption Date

SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES (STAFF)

The Board of Education, recognizing that students are often influenced by teachers and other members of a school's staff, impress upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, shall set a positive example for students.

Since substance abuse has become a national problem, particularly among children and teenagers, the Board believes that school employees must exemplify the positive benefits of a drug-free lifestyle. The Board therefore will not permit the illegal use, including possession, sale and/or manufacture, of alcohol or controlled substances by staff members either in the workplace, or at any time when the effects of such substance(s) may impair the performance of their duties.

The District shall maintain an employee awareness program, including information regarding substance abuse rehabilitation programs provided by local agencies.

If an employee is found to have violated the terms of this policy, he or she may be required to participate in a substance abuse rehabilitation program and/or be subject to a range of penalties up to and including dismissal.

Employee Assistance Program

The Board recognizes that the problems of alcohol and controlled substance use and abuse affect every segment of society. Therefore, in collaboration with District collective bargaining units, the Board will establish an employee assistance program that will provide appropriate and confidential prevention, intervention, assessment, referral, support and follow-up services for District staff. Staff members will be informed of such services and shall be encouraged to seek such help either voluntarily or in lieu of disciplinary action.

In general, the Board will not intervene unless the employee's personal problems adversely affect his or her job performance. However, drivers subject to the Omnibus Transportation Employee Testing Act of 1991 must be referred to a substance abuse counselor for evaluation and treatment if the employee has tested positive for controlled substances, received an alcohol concentration of 0.04 or greater, or refused to take a test.

Alcohol and Controlled Substance Testing of Employees

No employee, except drivers pursuant to policy 5741, shall be subjected to urinalysis or other form of alcohol or controlled substance testing without reasonable individualized suspicion that the employee has consumed alcohol or a controlled substance. The school attorney shall be consulted before any implementation of such testing. Failure to submit to required alcohol or controlled substance testing based upon reasonable individualized suspicion that the employee has violated District Policy on alcohol and controlled substance use is grounds for disciplinary action up to and including dismissal.

In its effort to maintain a drug free environment, the District shall cooperate to the fullest extent possible with local, state and/or federal law enforcement agencies.

(Continued)

SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES (STAFF) (Cont'd.)

20 USC Sections 6083(a), 7118, and 7973(a)
41 USC Section 8101 et seq.
Cannabis Law Section 127
Civil Service Law Section 75
Education Law Sections 409, 2801, 3020-a, and 3038
Labor Law Section 201-d
Penal Law Section 222.10
Public Health Law Sections 1399-n and 1399-o

NOTE: Refer also to Policies #3410 -- Code of Conduct
#5640 -- Smoking, Tobacco, and Cannabis (Marijuana) Use
District *Code of Conduct*

Adoption Date

SUBJECT: DRUG-FREE WORKPLACE

In compliance with the Drug-Free Workplace Act of 1988, the District affirms its commitment to maintaining a workplace that is free of controlled substances.

"Controlled substance" means a controlled substance in schedules I through V of the Controlled Substances Act. An acknowledgment form will be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act.

"Workplace" is defined as a school building or other school premises, any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities, off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the District.

The Board directs the administration to develop regulations to comply with this policy, and further supports actions and activities of the administration as required to maintain a drug-free workplace.

21 USC Section 812
41 USC Section 8101 et seq.
21 CFR Sections 1308.11-1308.15
34 CFR Part 84

NOTE: Refer also to Policies #3410 -- Code of Conduct
#6150 -- Alcohol, Tobacco, Drugs, and Other Substances (Staff)
District *Code of Conduct*

Adoption Date

SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT

The District will work to provide all staff with professional learning opportunities. These opportunities will be designed to foster the professional growth of staff, help staff remain current with their profession, and meet the learning needs of students. Opportunities that may be provided for, include, but are not limited to:

a) Planned in-service programs, courses, seminars, and workshops offered both within and outside the District.

b) Videoconferences, prerecorded videos, and/or online discussion boards.

c) Visits to other classrooms and schools, as well as attendance at professional meetings, for the purpose of improving instruction and/or educational services.

d) Orientation or re-orientation of staff members to program and/or organizational changes, as well as District expectations.

Attendance at professional learning programs must be directly related to the duties and responsibilities of the staff member. Consequently, staff members are encouraged to participate in the planning of staff development programs designed to meet their specific needs.

Staff members are also encouraged to continue their formal education, as well as to attend work-related workshops, conferences, and meetings.

Funds for participating in approved conferences, conventions, and other similar professional learning programs will be budgeted for by the Board on an annual basis. Reimbursement to staff members for all actual and necessary registration fees, expenses of travel, meals and lodging, as well as all necessary tuition fees incurred in connection with attendance at conferences, will be in accordance with District documents which address conference attendance and expense reimbursement.

Professional Learning Plans

By September 1 of each school year, the District will adopt or, in the case of multi-year plans, readopt a professional learning plan that meets the content requirements specified in the Commissioner's regulations. The professional learning plan will be structured in a format consistent with the Commissioner's guidelines and will include, among other things, a description of:

a) The professional learning activities provided to all professional staff and supplementary school personnel who work with students with exceptional learning needs, particularly students with disabilities, English language learners, students who are gifted and talented, and students with low literacy levels, to enable them to identify these students and provide instruction based on the needs of these students.

(Continued)

SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT (Cont'd.)

b) How professional learning related to educator practice and curriculum development are culturally responsive and reflect the needs of the community that the District serves.

c) Expected participation in continuing teacher and leader education (CTLE), as well as other professional learning opportunities provided by the District.

The professional learning plan will be developed through collaboration with a professional learning team. The Board shall appoint curriculum council to review and revise the District's Professional Development Plan annually.

The Superintendent, or his or her designee, will serve as the chair of the team and will be responsible for ensuring the timely review and revision of the District's Professional Development Plan.

Mentoring Program

The District's professional learning plan will include a provision for a mentoring program. The purpose of the mentoring program is to provide guidance and support for educators who hold an initial certificate in the classroom teaching service or as a school building leader to ease the transition from teacher and school building leader preparation to practice in order to increase retention of teachers and school building leaders. Additionally, the mentoring program is intended to increase the skills of new teachers and school building leaders in order to improve student achievement.

The mentoring program will be developed and implemented consistent with any collective bargaining agreement.

Education Law Sections 1604, 1608, 1716, 1950, 2118, and 2601-a
General Municipal Law Sections 77-b and 77-c
8 NYCRR Section 100.2(dd)

NOTE: Refer also to Policies #6161 -- Conference/Travel Expense Reimbursement
#6213 -- Registration and Professional Learning

Adoption Date

SUBJECT: CONFERENCE/TRAVEL EXPENSE REIMBURSEMENT

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

All conference travel must have a completed Conference Request Form on file which has been approved by the appropriate supervisor. The Superintendent or designee must approve those Conference Requests which have reimbursable employee expenses. Conference Request Forms are only to be used by District employees.

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

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

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

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

General Municipal Law Section 77-b(2)

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

Adoption Date

SUBJECT: FINGERPRINTING CLEARANCE

Unless otherwise authorized, the District will not employ or utilize a prospective school employee unless the prospective school employee has been granted "full" clearance for employment by the State Education Department (SED). The District will require a prospective school employee who is not in the SED criminal history file database to undergo a fingerprint supported criminal history record background check. "Criminal history record" means a record of all criminal convictions and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation. The District will obtain the applicant's consent to the criminal history records search. The District will request clearance for employment, view information regarding an applicant's status, and enter hire or termination dates through SED's Web-based application known as TEACH.

Contract Service Providers

Employees of contract service providers will not be placed within a school unless the prospective employee has been granted "full" clearance for employment by the SED.

Guest Lecturers or Performing Artists

Guest lecturers or performing artists who will be in a school more than five times per school year must have been granted "full" clearance for employment by the SED.

Safety of Students

The District will make all reasonable attempts to ensure the safety of students who have contact with an employee holding a conditional appointment or emergency conditional appointment. This will include the safety of students in the classroom, attending off-campus activities under the supervision of the District, and participating in extracurricular and/or co-curricular activities (including athletic activities).

Other safety considerations will include supervision of the employee holding conditional appointment or emergency conditional appointment as determined appropriate by the applicable building or program administrator.

Correction Law Article 23-A
Education Law Sections 305(30), 305(33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b, 3004-c and 3035
Executive Law Section 296(16)
Social Services Law Article 5, Title 9-B
8 NYCRR Section 80-1.11 and Part 87

Adoption Date

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board requires that all District employees maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment, and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably be considered fraternization, i.e., creating the impression to other students, their parents, staff, or the public that a dating or sexual relationship exists between staff and a student.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age or express or implied consent to this conduct. Further, employees will not entertain or socialize with students in a manner so as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District.

Inappropriate employee behavior includes, but is not limited to, creating secret relationships with students that encourages lies; failure to report students to resources within the school for serious issues; flirting; making suggestive comments; dating; requests for sexual activity; frequent communication with a student unrelated to course work or school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations.

Inappropriate fraternization of staff with students, even if the student participated willingly in the activity (regardless of the student's age), is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for the conduct to be in violation of District rules and subject to appropriate disciplinary sanctions. Employees who have children who attend the District may interact with students differently as a parent of children who are peers of other students. However, all staff must maintain an ethical and appropriate relationship with students and maintain appropriate personal boundaries, regardless of their connection to other families.

Any student who believes that he or she has been subjected to inappropriate staff behavior as described in this policy, as well as students, school employees, or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, must report the incident to any staff member or the employee's supervisor, the student's principal, or the District's designated Compliance Officer. In all circumstances, these reports will be forwarded to the designated Compliance Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students will also be investigated by the District. Investigations of allegations of inappropriate staff-student relations will follow the procedures utilized for complaints of harassment within the District. Allegations of inappropriate staff-student behavior will be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints. If there is a finding upon completion of the investigation that inappropriate conduct occurred, District administration will take prompt corrective action.

(Continued)

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse in an educational setting must also follow the District's reporting procedures for these allegations. This information will also be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department (SED), and/or Child Protective Services as may be applicable.

If a student initiates inappropriate behavior toward a staff member, that employee will document the incident and report it to his or her building principal or supervisor immediately, or as soon as is practicable.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring will be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

District Responsibility/Training

The principal of each school and/or program supervisor will be responsible for informing students, staff, and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training will be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student relationships. Students will be provided this training in an age-appropriate manner.

This policy (or a summary) will be disseminated as appropriate to staff, students, and parents.

Disciplinary Sanctions

Any staff member who engages in inappropriate conduct with a student will be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy, and any applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the SED.

Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
Education Law Article 23-B
Social Services Law Sections 411-428
8 NYCRR Part 83

Adoption Date

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY

Overview

The District is committed to the safety and security of its employees. Workplace violence presents a serious threat to the safety of employees, students, parents, and visitors. The goal of this policy is to promote the safety and well-being of all people in the workplace.

Acts of violence against District employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken. All employees are responsible for: creating an environment of mutual respect for each other, as well as students, parents, and visitors; following all applicable policies and procedures; and for assisting in maintaining a safe and secure work environment.

This Workplace Violence Prevention Policy was developed in consultation with all authorized employee representatives and is designed to meet the requirements of New York State Labor Law and highlights some of the elements that are found within the District's Workplace Violence Prevention Program (WVPP).

Definitions

For purposes of this policy, the following definitions apply:

a) "Authorized employee representative" means an employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law, the Public Employees' Fair Employment Act.

b) "Imminent danger" means any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of the danger can be eliminated through the enforcement procedures.

c) "Retaliatory action" means the discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

d) "Serious physical harm" means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ or a sexual offense as defined in Penal Law.

e) "Serious violation" means the failure to:

1. Develop and implement a Workplace Violence Prevention Program;

2. Address situations which could result in serious physical harm.

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

f) "Supervisor" means any person within the District who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action regarding the violation of a law, rule, or regulation to which an employee submits written notice.

g) "Workplace" means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of their employment by the District.

What is Workplace Violence

Workplace violence is any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of their employment including, but not limited to:

a) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;

b) Any intentional display of force which would give an employee reason to fear or expect bodily harm;

c) Intentional and wrongful physical contact with an employee without their consent that entails some injury;

d) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of the employee when the stalking has arisen through and in the course of employment.

Workplace violence may be committed against a District employee by anyone, including, but not limited to:

a) Other employees;

b) Former employees;

c) Students;

d) Parents;

e) Visitors;

f) Individuals who have no connection to the workplace, but enter to commit a robbery or other crime; or

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

g) An individual who has a personal relationship with an employee.

Prohibited Conduct

The District prohibits workplace violence and will not tolerate violence, threats of violence, or intimidating conduct in the workplace.

Workplace Violence Prevention Advisory Committee

The District will establish a Workplace Violence Prevention Advisory Committee that will meet periodically throughout the year. The purpose of the Workplace Violence Prevention Advisory Committee is to assist the District in coordinating its efforts to comply with its responsibilities related to workplace violence prevention, including overseeing the development and maintenance of the District's WVPP.

The Workplace Violence Prevention Advisory Committee will include:

a) The Workplace Violence Prevention Coordinator;

b) All authorized employee representatives;

c) School Resource Officer;

d) Assistant Superintendent for Personnel.

It may also include one or more representatives from the following groups:

a) District-wide school safety team;

b) The building level emergency response team(s);

c) District/building administrators;

d) Teachers, including at least one special education teacher; and

e) Other District staff.

Workplace Violence Prevention Coordinator

The District has designated the following District employee to serve as its Workplace Violence Prevention Coordinator:

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

Primary Contact		Secondary Contact	
Name	Steve Slavny	Name	David Passero
Title	Coordinator of District Safety	Title	Assistant Superintendent for Personnel
Department	Safety & Security	Department	Personnel
Phone	924-3252 Ext. 6430	Phone	924-3252 Ext. 1415
Location	Senior High School	Location	District Office

The Workplace Violence Prevention Coordinator convenes and coordinates the activities and plans of the Workplace Violence Prevention Advisory Committee. The Workplace Violence Prevention Coordinator is also responsible for answering employee questions about this policy and related materials, as well as receiving workplace violence incident reports.

Authorized Employee Representatives

The District must provide for employee participation in the WVPP through an authorized employee representative. Authorized employee representatives will participate on the Workplace Violence Prevention Advisory Committee. Authorized employee representatives have a right to, at a minimum, be involved in:

a) Participating in the development and implementation of this policy.

b) Evaluating the physical workplace environment to determine workplace violence risk factors.

c) Developing the WVPP.

d) Reviewing workplace violence incident reports at least once a year to identify trends in the types of incidents reported, if any.

e) Evaluating the effectiveness of safeguards and actions taken to reduce the risk of workplace violence.

f) Reporting violations of the District's WVPP.

Reporting Workplace Violence

The District has established and implemented a reporting system for incidents of workplace violence.

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

Any employee or authorized employee representative who becomes aware of a physical assault, threatening behavior, or verbal abuse in the workplace must immediately provide notice of the facts and circumstances of the violent incident to a supervisor or the Workplace Violence Prevention Coordinator. Written notice of the incident and facts and circumstances must be submitted by the end of the workday. If the report was provided to a supervisor, the supervisor must immediately forward the report to the Workplace Violence Prevention Coordinator.

If an employee witnesses or is involved in an incident of violence in which there is an immediate threat to the employee's safety, or the safety of others, or where a serious injury has occurred, the employee should immediately call 911 to obtain law enforcement and/or medical assistance. The employee should also immediately notify their immediate supervisor.

If an employee believes that either they or another employee are in imminent danger of workplace violence and reasonably believes, in good faith, that report to a supervisor or the Workplace Prevention Coordinator would not result in corrective action, then the employee may report the violation directly to the Public Employee Safety and Health Bureau (PESH).

The District will immediately respond to all incidents of violence or threatening behavior upon notification. After the District receives notice, the District will be afforded a reasonable opportunity to correct the activity, policy, or practice.

If there is a developing pattern of workplace violence incidents which may involve criminal conduct or a serious injury, the District will attempt to develop a protocol with the District Attorney or law enforcement to ensure that violent crimes committed against employees in the workplace are promptly investigated and appropriately prosecuted. The District will provide information on these protocols and contact information to employees who choose to file a criminal complaint after a workplace violence incident.

In addition to complying with the reporting requirements in this policy, District employees must comply with all other applicable reporting requirements contained in any District policy, regulation, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

Inspections by the Commissioner of Labor

At the Request of an Employee or Authorized Employee Representative

If, after being given notice and a reasonable opportunity to resolve the activity, policy, or practice, the matter has not been resolved and the employee or authorized employee representative still believes that a serious violation of the WVPP remains, or that an imminent danger exists, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor of the alleged violation or danger. The notice and request will be in writing, describing with reasonable particularity the grounds for the notice, and be signed by the employee or authorized employee

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

representative. A copy of the written notice will be provided by the Commissioner of Labor to the District or the person in charge no later than the time of inspection, except that on the request of the person giving the notice, the person's name and the names of individual employees or authorized employee representative will be withheld.

A District representative and an authorized employee representative will be given the opportunity to accompany the Commissioner of Labor during an inspection for the purpose of aiding the inspection. Where there is no authorized employee representative, the Commissioner of Labor will consult with a reasonable number of employees concerning matters of safety in the workplace.

The authority of the Commissioner of Labor to inspect a premises pursuant to an employee complaint will not be limited to the alleged violation contained in the complaint. The Commissioner of Labor may inspect any other area of the premises in which they have reason to believe that a serious violation of the workplace violence prevention law exists.

Initiated by the Commissioner of Labor

The Commissioner of Labor may inspect any premises occupied by the District if they have reason to believe that a violation of the workplace violence prevention law has occurred. The current PESH administrative plan will be used for the enforcement of the workplace violence prevention law, including a general schedule of inspection, which provides a rational administrative basis for the inspection.

Workplace Risk Evaluation and Developing a Workplace Violence Prevention Program (WVVP)

The District will engage in a process of workplace risk evaluation designed to identify the risks of workplace violence to which employees could be exposed.

The District will then develop and implement a written WVPP to prevent, minimize, and respond to any workplace violence. The Workplace Violence Advisory Committee, which includes all authorized employee representatives, will oversee the development and maintenance of the WVPP. During the development process, the authorized employee representative(s) will provide input on those situations in the workplace that pose a threat of workplace violence.

The WVPP will include the following:

a) A list of the risk factors identified in the workplace risk evaluation.

b) The methods the District will use to prevent incidents of workplace violence. Examples include, but are not limited to:

    1. Making high-risk areas more visible to more people;

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

2. Installing good external lighting;

3. Using drop safes or other methods to minimize cash on hand;

4. Posting signs stating that limited cash is on hand;

5. Providing training in conflict resolution and nonviolent self-defense responses; and

6. Establishing and implementing reporting systems for incidents of aggressive behavior.

c) A hierarchy of controls to which the program will adhere as follows: engineering controls, work practice controls, and personal protective equipment (PPE).

d) The methods and means by which the District will address each specific hazard identified in the workplace risk evaluation.

e) A system designed and implemented by the District to report any workplace violence incidents that occur in the workplace. The reports must be in writing and maintained for the annual program review.

f) A written outline or lesson plan for employee program training.

g) A plan for program review and update on at least an annual basis. This review and update will detail any mitigating steps taken in response to any incident of workplace violence.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District will not take retaliatory action against any employee that exercises any right accorded to them under this policy.

Training

At the time of hire and annually thereafter, all employees will participate in the District's workplace violence prevention training program. Additionally, retraining is required for all employees any time there is a significant change to the WVPP, a newly identified risk factor, or a control measure addition.

Notification

This policy will be posted where notices to employees are typically posted. A copy of the District's WVPP may be obtained by contacting the District's Workplace Violence Prevention Coordinator. The District will also make the WVPP available for reference to employees, authorized employee representatives, and the Commissioner of Labor in the work area.

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY (Cont'd.)

Labor Law Section 27-b
12 NYCRR Section 800.6

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3411 -- Prohibition of Weapons on School Grounds
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#5681 -- School Safety Plans
#5684 -- Use of Video or Audio Surveillance in the District and on School Buses
#6121 -- Sexual Harassment in the Workplace
#6122 -- Employee Grievances
#7360 -- Weapons in School and the Gun-Free Schools Act

Adoption Date

SUBJECT: EMPLOYMENT OF RELATIVES OF BOARD MEMBERS

The District will not employ any teacher who is related by blood or marriage to any Board member unless two-thirds of the Board members consent at a Board meeting. The vote will be recorded in the Board's meeting minutes.

Education Law Section 3016
General Municipal Law Sections 800-809

Adoption Date

SUBJECT: CERTIFICATION AND QUALIFICATIONS

The following provisions will govern certification and qualifications of District personnel:

a) Each employee whose employment requires certification or other licensure must inform the Assistant Superintendent for Personnel immediately of any change in their certification or licensure status. The changes may include the granting, revocation, upgrading, expiration, conversion, and/or extension of 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) It is the responsibility of the employee to ensure that they maintain the appropriate certification and/or licensure required for their assignment.

Parent Notification

At the beginning of each school year, the District will notify parents that they may request information about the professional qualifications of their student's classroom teachers. The District will provide in a timely manner upon request the following information to parents:

a) Whether the student's teacher has met New York State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

b) Whether the student's teacher is teaching under emergency or other provisional status through which the New York State qualification or licensing criteria have been waived;

c) Whether the student's teacher is teaching in the field of discipline of certification of the teacher; and

d) Whether the student is provided services by any instructional aides or similar paraprofessionals and, if so, their qualifications.

In addition, the District will provide to parents timely notice that their student has been assigned or has been taught for four or more consecutive weeks by a teacher who does not meet applicable New York State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

20 USC Section 6312
34 CFR Section 200.61
8 NYCRR Section 80-6.7

Adoption Date

SUBJECT: REGISTRATION AND PROFESSIONAL LEARNING

Registration

All employees who are certificate holders must register with the State Education Department (SED) every five years through the TEACH system. An employee is a certificate holder if they hold a permanent or professional certificate in the classroom teaching service, a permanent or professional certificate in the educational leadership service (i.e., school building leader, school district leader, or school district business leader), or a Level III Teaching Assistant certificate. Only registered employees may teach or supervise in the District.

Employees who were certificate holders prior to July 1, 2016 had to apply for initial registration during the 2016-2017 school year and each subsequent five-year period thereafter.

Any individual who is issued a new certificate is automatically registered with SED. These certificate holders must renew their registration every five years during their birth month.

Any certificate holder who fails to register by the beginning of the appropriate registration period may be subject to late filing penalties.

Certificate holders must notify SED of any change of name or mailing address within 30 days of such change through the TEACH system. Any certificate holder who willfully fails to inform SED of changes to their name and/or address within 180 days of such change may be subject to moral character review.

Continuing Teacher and Leader Education (CTLE) Credit Hours

All continuing teacher and leader education certificate holders (CTLE certificate holders) must successfully complete a minimum of 100 hours of acceptable CTLE hours during each five-year registration period to maintain a valid certificate. An employee is a CTLE certificate holder if they hold a professional certificate in the classroom teaching service, a professional certificate in educational leadership service, or a Level III Teaching Assistant certificate. This requirement may be completed at any time over the course of a five-year period. Credit hours cannot carry over to subsequent registration periods.

SED sets high standards for courses, programs, and activities that qualify for CTLE credit, and it must approve all CTLE sponsors. Generally, acceptable CTLE will be in the content area of any certificate title held by an individual or in pedagogy.

The District will describe opportunities for teachers and administrators to engage in CTLE in its professional learning plan. The District will annually certify, in a format and on a timetable prescribed by the Commissioner of Education, that the requirements to have a professional learning plan for the succeeding school year have been met and that it has complied with the professional learning plan for the current school year.

(Continued)

SUBJECT: REGISTRATION AND PROFESSIONAL LEARNING (Cont'd.)

The District will provide CTLE opportunities that are designed to improve the teacher or leader's pedagogical and/or leadership skills and are targeted at improving student performance, among other things.

Language Acquisition CTLE and Exemption

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

Employees holding school district business leader certificates are exempt from the language acquisition CTLE requirements for each year that they are employed in the District. Instead, they must complete a minimum of 15% of the required CTLE hours dedicated to the needs of ELLs and federal, state, and local mandates for ELLs.

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

CTLE Adjustments

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

Any employee holding a certificate in the classroom teaching service who obtains certification from the National Board for Professional Teaching Standards will be considered CTLE-compliant for the registration period in which they obtain this certification. However, the employee must still meet any language acquisition requirements.

(Continued)

SUBJECT: REGISTRATION AND PROFESSIONAL LEARNING (Cont'd.)

Recordkeeping and Reporting Requirements

Employees must maintain a record of completed CTLE hours for at least three years from the end of the applicable registration period. The record must include the title of the program, the total number of hours completed, the number of hours completed in language acquisition addressing the need of ELLs, the sponsor's name, any identifying number, attendance verification, and the date and location of the program.

The District will maintain a record of any professional learning it conducts or provides for educators for at least seven years from the date of completion. These records will be available for review by SED.

Education Law Sections 3006, 3006-a, and 3012-d
8 NYCRR Subpart 80-6
8 NYCRR Sections 100.2(dd) and 154-2.3(k)

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

Adoption Date

SUBJECT: INCIDENTAL TEACHING

The Board will comply with all applicable laws and regulations regarding incidental teaching. Any updates to applicable laws and regulations, whether temporary or permanent, will supersede any conflicting language in this policy. As a result, different incidental teaching rules may apply in certain years.

Generally, the Superintendent may assign a teacher to teach a subject not covered by that teacher's certificate or license for a period not to exceed five classroom hours a week, when no certified or qualified teacher is available after extensive and documented recruitment efforts, and provided that approval of the District Superintendent is obtained.

Not later than 20 business days after this assignment, the Superintendent must submit for approval an application, in a form satisfactory to the District Superintendent, containing the following information:

a) Evidence of extensive recruitment of a teacher certified in the appropriate area;

b) The name and certification status of the teacher given the assignment;

c) The subject which the teacher is being assigned to teach on an incidental basis and the total number of classes in the subject being taught on an incidental basis;

d) The qualifications of the teacher to teach that subject on an incidental basis;

e) The specific reasons why an incidental assignment is necessary;

f) The anticipated duration of the incidental teaching assignment; and

g) The number of applications, approved or pending, for authorization to make incidental teaching assignments in the same certification area for which the current authorization is being sought.

To be approved, the application must demonstrate to the satisfaction of the District Superintendent that an incidental teaching assignment is necessary, that the teacher assigned is the best qualified to teach the subject on an incidental basis, and that the requirements of Commissioner's Regulations have been met.

The District Superintendent will issue a determination within 20 business days of receipt of the District's application.

If the application is disapproved, the Superintendent, within seven business days of receipt of the notice of disapproval, will terminate the incidental teaching assignment. If the application is approved, this approval will be deemed to have commenced on the date of the incidental teaching assignment and will terminate on the last day of the school year for which it is granted.

(Continued)

SUBJECT: INCIDENTAL TEACHING (Cont'd.)

The Superintendent may renew an incidental teaching assignment, in accordance with the requirements of Commissioner's Regulations, for any subsequent school year.

To obtain a renewal, the Superintendent, as soon as possible after learning that the continued assignment of an incidental teacher is necessary, must submit an application which, in addition to including the information noted above for the initial approval of an incidental teaching assignment, must provide assurances by the Superintendent that:

a) The teacher who previously taught the course on an incidental basis has been offered the opportunity to continue to teach the course or has not been offered an opportunity because the Superintendent has evidence that the course was not taught in an acceptable manner;

b) The teacher assigned a course on an incidental basis has completed, or has agreed to complete, within the prescribed time period, at least three semester hours of credit or a satisfactory equivalent leading to certification in the subject area of the incidental assignment; and

c) The teacher assigned to teach the course will be reimbursed by the District for the tuition cost of any portion of the three semester hours of credit or the equivalent required that is taken by the teacher at the request of the District, and satisfactory evidence that the teacher has been reimbursed in the event the teacher who is assigned has previously taught the course on an incidental basis, under a previous renewed approval.

8 NYCRR Section 80-5.3

Adoption Date

SUBJECT: DISCIPLINING A TENURED TEACHER OR CERTIFIED PERSONNEL

The District may discipline tenured teachers and certain certified personnel in accordance with applicable law, regulations, or applicable contract provisions.

Ineffective Personnel

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

Allegations of Abuse

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

Child Witnesses

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

(Continued)

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

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

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

a) A sex offense for which registration as a sex offender is required under the Sex Offender Registration Act; or

b) Any other violent felony offense committed against a child when the child was the intended victim of the offense.

These offenses include, but are not limited to, sexual misconduct, sexual abuse, rape, statutory rape, assault, various other criminal sexual acts, and certain kidnapping offenses.

In addition, the Commissioner will revoke and annul the certificate of a school district administrator, school administrator or supervisor, or school business administrator convicted of fraud.

Criminal Procedure Law Sections 65.00, 65.20, 65.30, and 380.95
Education Law Sections 305(7-a), 305(7-b), 2573(8), 2590-j(7), 3012, 3020-a, and 3020-b
Penal Law Section 195.20
8 NYCRR Subpart 82-3
Correction Law Article 6-C

Adoption Date

SUBJECT: PROFESSIONAL STAFF: SEPARATION

A probationary professional staff member may be discontinued at any time during his or her probationary period on the recommendation of the Superintendent and by a majority vote of the Board.

If the Superintendent will be submitting to the Board a negative recommendation for tenure or a recommendation to discontinue the services of a probationary professional staff member, the Superintendent must give the probationary employee written notice 30 days prior to the Board meeting at which the recommendation will be considered. If a majority of the Board accepts the recommendation and votes to dismiss, the professional staff member must then be given a written notice at least 30 days prior to the effective date of termination of services. The District will adhere to all other statutory timeframes.

The Board expects any professional staff member desiring to terminate his or her services to provide the Board with a minimum of 30 days' notice before the effective termination date. When possible, a professional staff member will make every effort to terminate employment at the end of the school year. Resignations must be in writing and include the effective date.

Education Law Sections 2509, 3012, 3019-a and 3031

Adoption Date

SUBJECT: TEMPORARY PERSONNEL

The District may need to utilize temporary appointments. The terms of these appointments will be defined by the Board on a case-by-case basis.

Student Teachers

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

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

Substitute Teachers

A substitute teacher is employed in the place of a regularly appointed teacher who is absent, but is expected to return. The Superintendent will employ appropriately qualified substitute teachers. It is recognized that fully certified persons will not always be available for employment as substitute teachers. The District will employ substitute teachers in accordance with law and regulation.

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

8 NYCRR Sections 80-1.5 and 80-5.4

Adoption Date

SUBJECT: SUPPLEMENTARY SCHOOL PERSONNEL

Teacher Aides

In accordance with the Commissioner's regulations, the Board may employ teacher aides to assist in the daily operation of the school through non-teaching duties.

The duties and responsibilities to be assumed by teacher aides will be outlined by the Superintendent in accordance with Civil Service guidelines. Teacher aides will be responsible to the building principal or designee.

A teacher aide may be assigned to assist teachers in non-teaching duties such as:

a) Managing records, materials, and equipment;

b) Attending to the physical needs of children; and

c) Supervising students and performing such other services that support teaching duties when those services are determined and supervised by a teacher.

Teaching Assistants

In accordance with the Commissioner's regulations, the Board may employ teaching assistants to provide, under the general supervision of a licensed or certified teacher, direct instructional service to students.

Teaching assistants assist teachers by performing duties such as:

a) Working with individual students or groups of students on special instructional projects;

b) Providing the teacher with information about students that will assist the teacher in the development of appropriate learning aspects;

c) Assisting students in the use of available instructional resources and assisting in the development of instructional materials;

d) Utilizing their own special skills and abilities by assisting in instructional programs as designed by the District;

e) Assisting in related instructional work as assigned.

(Continued)

SUBJECT: SUPPLEMENTARY SCHOOL PERSONNEL (Cont'd.)

Teaching assistants who hold a pre-professional teaching assistant certificate will have the same scope of duties as described above for other teaching assistants. Within that scope of duties, teaching assistants holding a pre-professional teaching assistant certificate may, at the discretion of the District, and while under the general supervision of a teacher, perform duties such as:

a) Working with small groups of students so that the teacher can work with groups or individual students;

b) Helping a teacher to construct a lesson plan;

c) Presenting segments of lesson plans, as directed by the teacher;

d) Communicating with parents of students at a school site or as otherwise directed by a teacher; and

e) Helping a teacher to train other teaching assistants.

Licensure and certification requirements will be as mandated by the Commissioner's regulations.

8 NYCRR Section 80-5.6, 80-5.9

Adoption Date

SUBJECT: STAFF ACCEPTABLE USE POLICY

The Board will provide staff with access to various computerized information resources through the District's Computer System (DCS) consisting of software, hardware, computer networks, wireless networks/access, and electronic communication systems. This may include access to electronic mail, on-line services, and the Internet. It may also include the opportunity for staff to have independent access to the DCS from their home or other remote locations, and/or to access the DCS from their personal devices. All use of the DCS and the wireless network, including independent use off school premises and use on personal devices, will be subject to this policy and any accompanying regulations.

Use of Victor computer resources is authorized only for purposes that are part of the District's educational mission, including but not limited to instruction, assessment, administration, research, professional development, or other tasks associated with staff assignments. Use for any other purpose is prohibited.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations may be developed to further define general guidelines of appropriate conduct and use as well as proscribed behavior.

District staff must also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy created by federal and state law.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. These agreements will be kept on file in the District Office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance will apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff. Electronic mail and telecommunications will not be utilized to share confidential information about students or other employees.

Access to confidential data is a privilege afforded to District employees in the performance of their duties. Safeguarding this data is a District responsibility that the Board takes very seriously. Consequently, District employment does not automatically guarantee the initial or ongoing ability to use mobile or personal devices to access the DCS and the information it may contain.

(Continued)

SUBJECT: STAFF ACCEPTABLE USE POLICY (Cont'd.)

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously, or unlawfully damages or destroys property of the District.

Social Media Use by Employees

The District recognizes the value of teacher and professional staff inquiry, investigation and communication using new technology tools to enhance student learning experiences. The District also realizes its obligations to teach and ensure responsible and safe use of these new technologies. Social media, including social networking sites (SNS), have great potential to connect people around the globe and enhance communication.

The use of social media (whether public or internal) can generally be defined as Official District Use, Professional/Instructional Use and Personal Use. Use of social media or SNS by employees, on the District's behalf, during District time or on District-owned equipment is allowed on a limited basis. In addition, employees are encouraged to maintain the highest levels of professionalism when communicating, whether using District devices or their own personal devices, in their professional capacity as educators. They have a responsibility to address inappropriate behavior or activity on these networks, including requirements for mandated reporting and compliance with all applicable District policies and regulations.

Confidentiality, Private Information and Privacy Rights

Confidential or private data, including, but not limited to, protected student records, employee personal identifying information, and District assessment data, will only be loaded, stored, or transferred to District-owned devices which have encryption and/or password protection. This restriction, designed to ensure data security, encompasses all computers and devices within the DCS, any mobile devices, including flash or key drives, and any devices that access the DCS from remote locations.

In addition, staff will not leave any devices unattended with confidential information visible. All devices must be locked down while the staff member steps away from the device, and settings enabled to freeze and lock after a set period of inactivity.

Staff data files and electronic storage areas will remain District property, subject to District control and inspection. The Technology Coordinator may access all staff data files and communications without prior notice to ensure system integrity and that users are complying with requirements of this policy and any accompanying regulations. Staff should not expect that information stored on the DCS will be private.

(Continued)

SUBJECT: STAFF ACCEPTABLE USE POLICY (Cont'd.)

NOTE: Refer also to Policies #5672 -- Information Security Breach and Notification
#5674 -- Data Networks and Security Access
#5676 -- Privacy and Security for Student Data and Teacher and Principal Data
#7316 -- Use of Internet-Enabled Devices During the School Day
#8271 -- Internet Safety/Internet Content Filtering

Adoption Date

SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION

Personnel Records

Information about staff is required for the daily administration of the School District, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting Board of Education, state and federal educational reporting requirements. To these ends, the Board directs the Superintendent of Schools to develop and implement a comprehensive and efficient system of personnel records maintenance and control under the guidelines which follow.

a) A personal file will be accurately maintained in the central administrative office for each present and former employee. These files will contain applications for employment; references; and records relative to compensation, payroll deductions, evaluations and such other matters as may be considered pertinent to the purposes of this policy as cited above.

b) The Superintendent will be the records manager for personnel files and will have the overall responsibility for maintaining and preserving the confidentiality of the files. The Superintendent may, however, designate another official to perform the duties of records management on the understanding that this official is to be held responsible for granting or denying access to records on the basis of these guidelines.

c) Except for information required to be disclosed under the Freedom of Information Law, all personnel records will be considered confidential and not open to public inspection, and access to files will be limited to school and governmental officials authorized by the Superintendent to use the files for purposes of this policy as cited above. No other persons or agencies may have access to information in a staff member's file except when the staff member has given written consent for the release of specific information to a specific person or agency, or when such information is subpoenaed or ordered for release by a court of law.

d) Lists of District employees' names and home addresses will be released only to governmental agencies as required for official reports.

e) A present or former staff member may have access to his/her own personnel file at all reasonable times (i.e., during regular school hours) but with the exception that access will not be granted to references provided to the District on a confidential basis prior to employment. The right of access includes the right to make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the staff member's file. In cases when file information is proved to be in error, correction will be made.

f) No complaint, commendation, suggestion, or evaluation may be placed in the evaluation section of a file unless it meets the following requirements:

(Continued)

SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION (Cont'd.)

1. The comment is signed by the person making the complaint, commendation, suggestion or evaluation; and

2. The Superintendent or employee's principal or other supervisor has notified the employee that the comment is available in the District Office for inspection prior to its placement in the evaluation section.

The employee may offer a denial or explanation of the complaint, commendation, suggestion or evaluation, and any such denial or explanation will become a part of the evaluation section.

The Board has the right of access to personnel records of District employees pursuant to the procedures set out in Part 84 of the Regulation of the Commissioner of Education.

Public Officers Law Section 87
8 NYCRR Part 84

NOTE: Refer also to Policy #5673 -- Employee Personal Identifying Information

Adoption Date

SUBJECT: THEFT OF SERVICES OR PROPERTY

The theft of services or property from the District by an employee will result in immediate disciplinary action, up to and including termination, as well as the filing of criminal or civil charges by the District.

Penal Law Section 165.15

Adoption Date

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

Liability Protection in Accordance with Education Law

The Board recognizes its statutory obligation to indemnify District employees (and in certain circumstances, Board members and volunteers) in accordance with the provisions of Education Law. For the purposes of this policy, the term "employee" will be as defined in the applicable statute(s).

The District will 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.

For purposes of Education Law, the employee must give written notice to the Board within five days after service of process upon him or her and must deliver the original or a copy of the relevant legal documents to the Board within ten days after service of process upon him or 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 by 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 or her duties within the scope of his or her employment or authorized volunteer duties and/or under the direction of the Board.

Public Officers Law Section 18

The Board hereby also confers the benefits of New York State Public Officers Law Section 18 upon the "employees" of the District, as defined in Public Officers Law Section 18; the District assumes the liability for the costs incurred in accordance with the provisions of Public Officers Law Section 18. The benefits accorded to District employees under Public Officers Law Section 18 will supplement and be available in addition to defense or indemnification protection conferred by other enactment or provisions of law.

The term "employees" includes members of the Board, 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. The term "employee" also includes a former employee, their estate or judicially appointed representative.

(Continued)

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES (Cont'd.)

The District will 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 or her public employment or duties. Furthermore, the District will 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 the judgment or claim arose occurred while the employee was acting within the scope of his or her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless will be conditioned upon the approval of the amount of the settlement by the Board.

The duty to defend and/or indemnify and save harmless will be conditioned upon the delivery by the employee to the School Attorney or to the Superintendent a written request to provide for his or her defense, together with the original or a copy of any summons, complaint, process, notice, demand, or pleading within ten days after he or she is served with that document. The full cooperation of the employee in the defense of the 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, will 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 in accordance with law. Additionally, indemnification coverage and/or the duty to provide a defense will not arise where the action or proceeding is brought by or on behalf of the District.

Paul D. Coverdell Teacher Protection Act of 2001, as reauthorized by the Every Student Succeeds Act (ESSA) of 2015, 20 USC Section 6731 et seq.
Education Law Sections 1604(25), 1604(31-b), 1709(26), 1709(34-b), 2560, 3023, 3028, and 3811
General Municipal Law Sections 6-n and 52
Public Officers Law Section 18

Adoption Date

SUBJECT: LEAVES OF ABSENCE

In general, leaves of absence will be administered by the Superintendent. The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement. Where a leave of absence is falsely requested or improperly used, the Board may undertake appropriate disciplinary action. The purpose or conditions of a leave of absence may not be altered except by permission of the Superintendent, as expressed in writing.

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 in accordance with 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 these employees where the requests are consistent 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 contract.

Leaves of Absence, Unpaid, Not Covered 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, this leave to include any required internship experience.

2. At the expiration of a paid sick leave of absence, this leave may be extended for a period of time not longer than the end of the school year after the school year in which the paid leave of absence began.

b) Unpaid leaves of absence cannot be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves, except that the Superintendent will have discretion, where circumstances warrant, to approve leaves of absence for those purposes.

c) Unpaid leaves of absence will not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, can be secured.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

d) 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.

Other Leaves of Absence

Other leaves of absence include, but are not limited to, the following:

a) Emergency Service Volunteer Leave

Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers will be granted leave from work with pay for up to 20 days in any calendar year to participate in specialized disaster relief operations. This leave will be provided without loss of seniority, compensation, sick leave, vacation leave, or other overtime compensation to which the volunteer is otherwise entitled.

b) Screenings for Cancer

Employees will be granted up to four hours of paid leave on an annual basis to undertake a screening for cancer. This leave will be excused leave and will not be charged against any other leave to which the employee is entitled.

c) Blood Donation

The District must either, at its option:

1. Grant three hours of unpaid leave of absence in any 12-month period to an employee who seeks to donate blood off-premises. The leave may not exceed three hours unless agreed to by the Superintendent or designee; or

2. Allow its employees without use of accumulated leave time to donate blood during work hours at least two times per year at a convenient time and place set by the Superintendent or designee, including allowing an employee to participate in a blood drive at the District.

   Leave taken by employees at a District-designated donation alternative (such as a District-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, sick, or other leave time.

The District will not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of blood donation under any other provision of law will not be prevented.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

d) Bone Marrow Donation

Employees seeking to undergo a medical procedure to donate bone marrow will be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed 24 work hours unless agreed to by the Superintendent or designee. The District will require verification for the purpose and length of each leave requested by the employee for this purpose.

The District will not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of bone marrow donation under any other provision of law will not be prevented.

e) Breastfeeding/Lactation

The District will provide paid break time for 30 minutes, and permit the use of existing paid break time or meal time for time in excess of 30 minutes, to allow an employee to express breast milk for their nursing child each time the employee has reasonable need to express breast milk for up to three years following childbirth.

Upon employee request, the District will designate a room or other location to be used by the employee to express breast milk which will be in close proximity to the work area, well lit, shielded from view, and free from workplace or public intrusion. The location will, at a minimum, contain a chair, a working surface, nearby access to clean running water, and an electrical outlet. The location will not be a restroom or toilet stall. The District will provide access to refrigeration for the purposes of storing expressed milk.

If the sole purpose of the location is not dedicated for use by employees to express breast milk, the location will be made available to employees when needed and will not be used for any other purpose while in use. The District will provide notice to all employees as soon as practicable when the location has been designated for use by employees to express breast milk.

At the employee's option, the District will allow the employee to work before or after their normal shift to make up the amount of time used during the unpaid break time(s) so long as the additional time requested falls within the District's normal work hours.

The District will provide a written notification regarding the rights of nursing employees to express breast milk in the workplace to each employee upon hire, annually thereafter, and to employees returning to work following the birth of a child. This notice will be based on a written policy developed by the Commissioner of Labor and will at a minimum:

1. Inform employees of their rights pursuant to law;

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

2. Specify how a request may be submitted to the District for a room or other location for use by an employee to express breast milk;

3. Require the District to respond to requests within a reasonable time frame that is not to exceed five business days.

The District will not discriminate or retaliate against an employee who chooses to express breast milk in the workplace.

f) Witnesses or Victims of Crimes

The District will grant an unpaid leave of absence to an employee, who is a victim of or a witness to a criminal offense, that is required or chooses to appear as a witness, consult with the district attorney, or exercise their rights as provided in the Criminal Procedure Law, the Family Court Act, and the Executive Law.

To use this leave, the employee must provide notice of the need for leave at any time prior to the actual day of leave. The District is permitted to ask the party who sought the attendance or testimony of the employee to provide verification of the employee's service. Employees will not be penalized or discharged for absences by reason of a required appearance as a witness in a criminal proceeding, or consultation with the district attorney, or exercising their rights as provided under the law.

g) Victims of Domestic Violence

Unless the absence would cause an undue hardship to the District, the District will provide reasonable accommodations to employees who are victims of domestic violence who must be absent from work for a reasonable time in accordance with law.

An employee availing themselves of this leave must provide the District with reasonable advance notice, unless providing this notice is not feasible. An employee unable to provide reasonable advance notice must, within a reasonable time after the absence, provide a certification to the District when requested.

To the extent allowed by law, the District will maintain the confidentiality of any information related to an employee's status as a victim of domestic violence.

h) Military Leave

The District will comply with state and federal laws regarding military leave and re-employment.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

i) Jury Duty

As provided by law, any employee who is summoned to serve as a juror and who notifies the District to that effect prior to their term of service will not, on account of absence by reason of jury service, be subject to discharge or penalty. The District will ensure that all absences for this purpose are granted in accordance with law and the terms of any applicable collective bargaining agreement.

j) Voting

Employees who are registered voters and have four consecutive hours either between the opening of the polls and the beginning of their working shift, or between the end of their working shift and the closing of the polls, will be deemed to have sufficient time to vote and will therefore not be eligible for paid leave to vote in any election.

Employees who are registered voters, and do not have sufficient time outside of their working hours to vote in any election, may without loss of pay for up to two hours, take so much time off as will, when added to their voting time outside of their working hours, enable them to vote. The employee will be allowed time off for voting only at the beginning or the end of their working shift, as the District may designate, unless otherwise mutually agreed.

Employees requiring working time off to vote must notify the District not more than ten or less than two working days before the day of the election.

The District must post a notice informing employees of their right to leave in order to vote not less than ten working days before an election and until polls close on election day. This notice will be conspicuously posted in a place where it can be seen by employees as they come and go to their place of work.

29 USC Section 218d
Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC Sections 4301-4333
Civil Service Law Sections 71-73 and 159-b
Education Law Sections 1709(16), 2509(6), 2573(12), 3005, 3005-a and 3005-b
Election Law Section 3-110
Executive Law Section 296(22)
General Municipal Law Sections 92, 92-c, and 92-d
Judiciary Law Sections 519 and 521
Labor Law Sections 202-a, 202-i, 202-j, 202-l, and 206-c
Military Law Sections 242 and 243
Penal Law Section 215.14

Adoption Date

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (FMLA)

The District allows eligible employees to take unpaid FMLA leave for up to 12 work weeks in a 12-month period as determined by the District. Employees are eligible if they have been employed by the District for at least 12 months and for at least 1,250 hours of service during the previous 12-month period.

The District must compute the time frame of the 12-month period for which FMLA leave is being requested.

The District uses a "rolling" 12-month period measured backward from the date of any FMLA leave usage to calculate the FMLA leave. In certain cases, FMLA leave may be taken on an intermittent or reduced schedule basis rather than all at once. The entitlement to leave for the birth or placement of a child expires at the end of the 12-month period beginning on the date of the birth or placement.

Eligible employees may be granted leave for one or more of the following reasons:

a) The birth of a child and care for the child;

b) Adoption of a child and care for the child;

c) The placement of a child with the employee from foster care;

d) To care for a spouse, minor child or parent who has a "serious health condition" as defined by the FMLA;

e) To care for an adult child who is incapable of self-care due to a disability (regardless of date of the onset of disability) and has a serious health condition; or

f) The employee's serious health condition prevents the employee from performing his or her job.

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider that renders the person incapacitated for more than three consecutive calendar days. An employee claiming a serious health condition must first visit a healthcare provider within seven days of the incapacity; the second visit must occur within 30 days of the incapacitating event. An employee claiming the need for continuous treatment under FMLA for a chronic serious health condition must visit a healthcare provider at least twice per year, and the condition must continue over an extended period of time. The condition may cause episodic rather than a continuing period of incapacity.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (FMLA) (Cont'd.)

Military Family Leave Entitlements

Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness may take up to 26 weeks of leave during a single 12-month period to care for the servicemember.

Qualifying Exigency Leave

An "eligible" employee may take qualifying exigency leave when his or her spouse, son, daughter, or parent who is a member of the Armed Forces, National Guard, or Reserves is on covered active duty or has been notified of an impending call or order to covered active duty.

Concurrent (Substitute) Leave

Employees must use paid leave concurrently with periods of FMLA leave.

Special Provisions for Instructional Employees

An instructional employee's principal function is to teach and instruct students in a class, a small group, or an individual setting. Teaching assistants and aides who do not have instruction as the principal function of their job are not considered an instructional employee.

Intermittent Leave Taken by Instructional Employees

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is continuous leave. The period during summer vacation is not counted against an employee's FMLA leave entitlement; the employee will continue to receive any benefits that are customarily given over the summer break.

If an instructional employee requests intermittent leave or leave on a reduced schedule, and will be on that leave for more than 20% of the number of working days during that period, the District may:

a) Require the employee to take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

b) Transfer the employee temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates recurring leave periods than the employee's regular position.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (FMLA) (Cont'd.)

Leave Taken by Instructional Employees Near the End of the Instructional Year

If the instructional employee begins leave more than five weeks before the end of the term, the District may require him or her to continue taking leave until the end of the term if the leave lasts more than three weeks and the employee would return during the three weeks before the end of the term.

If the instructional employee begins leave less than five weeks before the end of the term for any FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two weeks and the employee would return to work during that two-week period at the end of the instructional term.

If the instructional employee begins taking leave during the three weeks before the end of the term for any FMLA-related reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave will last more than five working days.

Any additional time that is required by the District will not be charged against the employee as FMLA leave.

Benefits and Restoration

An employee is entitled to have group health insurance and benefits maintained while on leave. If an employee was paying all or part of the premium payments before leave, the employee will continue to pay his or her share during the leave period.

In most instances, an employee has a right to return to the same or an equivalent position following a leave. The Superintendent or designee may reassign an employee in accordance with any applicable collective bargaining agreement to a different grade level, building, or assignment consistent with the employee's certification and tenure area.

Employee Notice and Medical Certification

When leave is foreseeable, the employee must give at least 30 days' advance notice of when and how much leave he or she needs. When leave is not foreseeable, the employee must provide notice as soon as practicable.

The District may require an employee to submit certification from a healthcare provider to substantiate a leave request. If the certification is incomplete or insufficient, the District will identify in writing what information the employee must provide to correct the deficiency within seven days. If the employee fails to timely provide the requested information, the District may deny his or her FMLA leave request.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (FMLA) (Cont'd.)

The District may also request a second opinion regarding the employee's medical status from a healthcare provider of its choice at its expense, and a third opinion from a provider agreed upon by the District and the employee, to be paid for by the District.

FMLA Notice

The District will display a general notice to employees about FMLA leave rights, that will include how to file a complaint, in each school building. The District will also provide a written general notice about the FMLA in the employee handbook to each new employee upon hire. The District has five days to supply this notice from the date of hire.

Family and Medical Leave Act of 1993 (as amended), Public Law 103-3
National Defense Authorization Act of 2008, Public Law 110-181
10 USC Section 101(a)(13)
29 USC Sections 1630.1 and 2611-2654
29 CFR Part 825 and Part 1630
42 USC Section 12102
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 CFR Parts 160 and 164

NOTE: Refer also to Policy #6552 -- Military Leaves of Absence

Adoption Date

SUBJECT: MILITARY LEAVES OF ABSENCE

In accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and state law, the District, upon advance notice by the employee, will grant leaves of absence for service in the uniformed services and/or military duty ("military service" or "military duty") to its employees who are ordered to duty or volunteer for qualifying military service. The employee's notice may be either verbal or written. No advance notice is required if military necessity prevents the giving of notice, or the giving of notice is otherwise impossible or unreasonable under the circumstances.

Employment Rights

Time during which an employee is absent due to military leave will not constitute an interruption of continuous employment in the District and this employee will not be subjected, directly or indirectly, to any loss or diminution of time, service, increment, vacation or holiday privileges, or any other right or privilege, by reason of the absence; nor will any employee be prejudiced by reason of the absence with reference to continuance in employment, reemployment, reinstatement, transfer, or promotion.

Salary/Compensation

Every employee will be paid his or her salary or other compensation for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from military duty. This payment of salary or compensation will not exceed a total of 30 days or 22 working days, whichever is greater, in any one calendar year; and will not exceed 30 days or 22 working days, whichever is greater, in any one continuous period of absence.

The employee must be permitted, upon request, to use any accrued vacation, annual, or similar leave with pay during the period of military service in order to continue his or her civilian pay. The District may not require the employee to use accrued leave.

The employee is not entitled to use accrued sick leave during the period of military service, unless the District allows employees to use sick leave for any reason or allows other similarly situated employees on comparable furlough or leave of absence to use accrued paid sick leave.

Employee Benefits

Health Plan Coverage

If the employee has coverage under a health plan in connection with his or her employment with the District, the employee must be permitted to elect to continue the coverage for a certain period of time as designated in law.

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

When the employee is performing military service, he or she is entitled to continuing coverage for himself or herself (and dependents if the plan offers dependent coverage) under a health plan in connection with the employment. The plan must allow the employee an opportunity to continue coverage for a period of time that is the lesser of:

a) The 24-month period beginning on the date on which the employee's absence for the purpose of performing military service begins; or

b) The period beginning on the date on which the employee's absence for the purpose of performing military service begins, and ending on the date on which the employee fails to return from service or apply for a position of reemployment.

Health plan administrators may develop reasonable requirements addressing how continuing coverage may be elected, consistent with the terms of the plan and USERRA's exceptions to the requirement that the employee give advance notice of military service. Further, health plan administrators may develop reasonable procedures for employee payment to continue coverage, consistent with USERRA and the terms of the plan.

Pension/Retirement Plans

While on military duty, any District employee who is a member of any pension or retirement system may elect to contribute to that pension or retirement system the amount which he or she would have contributed had that employment been continuous. Upon making the contribution, the employee will have the same rights in respect to membership in the retirement system as he or she would have had if the employee had been present and continuously engaged in the performance of his or her position. To the extent that these contributions are paid, absence while engaged in the performance of military duty will be counted in determining the length of total service under the pension or retirement system.

Alternatively, employees will have an opportunity to make up contributions to the pension or retirement system upon return to employment in the District in accordance with law and the individual employee's pension/retirement system.

The payment of member contributions required under law to obtain military service credit is waived for members called to active military duty on or after September 11, 2001 and prior to January 1, 2006.

Time during which an employee is absent on military duty will not constitute an interruption of continuous employment, but this time will not be counted or included in determining the length of total service in the pension or retirement system unless the employee contributes to the pension or retirement system the amount he or she would have been required to contribute if the employee had been continuously employed during the period of military duty.

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

Leaves of Absence for Military Spouses

The spouse of a member of the armed forces of the United States, National Guard, or reserves who has been deployed during a period of military conflict (defined as a period of war declared by the United States Congress, or in which a member of a reserve component of the armed forces is ordered to active duty in accordance with the United States Code), to a combat theater or combat zone of operations will be allowed up to ten days unpaid leave by their employer. This leave will only be used when the person's spouse is on leave from the armed forces of the United States, National Guard, or reserves while deployed during a period of military conflict to a combat theater or combat zone of operations.

In accordance with law, an "employee" means a person who performs services for hire for the District for an average of 20 or more hours per week, and includes all individuals employed at any District site having 20 or more District employees, but does not include independent contractors.

The District will not retaliate against an employee for requesting or obtaining a leave of absence as provided above. The provisions of this section will not affect or prevent the District from providing leave for military spouses in addition to leave allowed under any other provision of law. The provisions of this section will not affect an employee's rights with respect to any other employee benefit provided by law.

Reemployment/Restoration Rights ("Escalator Principle")

As a general rule, an employee is entitled to reemployment in the job position that he or she would have attained with reasonable certainty if not for the absence due to military service. The position to which the returning service member should be restored has become known as the "escalator principle."

Depending on the circumstances or intervening events, the escalator principle may cause an employee to be reemployed in a higher or lower position, transferred, laid off, or even terminated.

The employee must be qualified for the reemployment position. The District will make reasonable efforts to help the employee become qualified to perform the duties of this position. The District is not required to reemploy the employee on his or her return from military service if the employee cannot, after reasonable efforts by the District, qualify for the appropriate reemployment position.

Per state law, an employee restored to his or her position after the termination of military duty will be entitled to the rate of compensation he or she would have received had the employee remained in his or her position continuously during the period of military duty; and the employee will be deemed to have rendered satisfactory and efficient service in the job position during the period of military leave of absence. Further, the employee will not be subjected directly or indirectly to any loss of time service, increment, or any other right or privilege; nor will an employee be prejudiced in any way with reference to promotion, transfer, reinstatement, or continuance in employment.

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

All other rights, benefits, and responsibilities of a District employee serving in the military will be in accordance with law, regulations, and/or the applicable contract or collective bargaining agreement.

Probationary Service

Public Employees in General

If a public employee (with the exception of the probationary service of "teachers" as described below) enters military duty before the expiration of the probationary period in any position to which he or she may have been appointed, or to which he or she may thereafter be appointed or promoted, the time the employee is absent on military duty will be credited as satisfactory service during this probationary period.

Teachers/Supervisory Staff

In any case where a teacher (defined as encompassing a broad category of full-time members of the teaching and supervisory staff of the District, and is not limited to instructional employees) enters military duty before the expiration of the probationary period to which he or she may have been appointed, the time the teacher is absent on military duty will be credited as satisfactory service during this probationary period. If the end of this probationary service occurs while the teacher is on military duty or within one year following the termination of military duty, the period of the probationary service may be extended by the Board for a period not to exceed one year from the date of termination of military duty. However, in no event will the period of probationary service in the actual performance of teaching services extend beyond that required by the District at the time of the teacher's entry into military service.

Collective Bargaining Agreements/Contracts/Plans/Practices

In accordance with USERRA, any state or local law, contract, agreement, policy, plan, or practice that establishes an employment right or benefit that is more beneficial than, or is in addition to, a right or benefit under USERRA, the greater employment right or benefit will supersede USERRA.

Notice of Rights and Duties

The District will provide a notice of the rights, benefits, and obligations of employees and the District under USERRA. The District may provide the notice by posting it where employee notices are customarily placed. The District may also provide the notice to its employees in other ways that will minimize costs while ensuring that the full text of the notice is provided (e.g., by handing or mailing out the notice, or distributing the notice via email).

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Public Law 108-454
38 USC Sections 4301-4333
20 CFR Part 1002
Education Law Section 3101
Military Law Sections 242 and 243

NOTE: Refer also to Policies #6212 -- Certification and Qualifications
#6213 -- Registration and Professional Learning
#6551 -- Family and Medical Leave Act (FMLA)

Adoption Date

SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making this determination, the District must consider the factors set forth in state regulations.

A certification of the determination that an individual is an employee is required when the District initially reports to the New York State and Local Retirement System (NYSLRS) certain covered professionals, including those persons providing services as an attorney, physician, engineer, architect, accountant, or auditor.

Definitions

"Employee" means an individual performing services for the District for which the District has the right to control the means and methods of what work will be done and how the work will be done.

"Independent contractor" means a consultant or other individual engaged to achieve a certain result for the District, but who is not subject to the direction of the District as to the means and methods of accomplishing the result. The District will not enter into agreements with independent contractors for instructional services except under the limited circumstance permitted by the New York State Education Department (NYSED).

Employees to be Reported to NYSLRS

All persons employed by the District will be included in the reporting requirements. The District will provide the information deemed necessary by the retirement system for all employees except those who actively participate in another public retirement system or program. In the case of employees who are in the process of being registered to membership, all service, salary, and deduction data and mandatory contributions will be accumulated by the District and the accumulation will be included with the first monthly report which is due after the employee's registration or identification number has been assigned.

An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the retirement system.

Employer Reporting of Certain Professions

In the case of an individual whose service has been engaged by the District in the capacity of attorney, physician, engineer, architect, accountant, or auditor and the District has determined that the individual is rendering service as an employee and, therefore, may be eligible for credit with a retirement system, the District will submit to the retirement system, in a form prescribed by the Comptroller and certified by the Chief Fiscal Officer of the District, an explanation of the factors that led to the conclusion that the individual is an employee and not an independent contractor or consultant.

(Continued)

SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR (Cont'd.)

When making a determination as to an individual's status as an employee or independent contractor, no single factor will be considered to be conclusive of the issue. All factors will be considered in making an assessment of an individual's status when engaged to perform services.

The District will also complete, as necessary, a Certification Form for Individuals Engaged in Certain Professions (Form RS 2414) as promulgated by the Office of the New York State Comptroller.

Legal Services

Charging for Legal Services

An attorney will not simultaneously be an independent contractor and an employee of the District for the purpose of providing legal services to the District.

An attorney who is not an employee of the District will not seek to be or be considered, treated or otherwise reported by the District as an employee for purposes of compensation, remuneration, health insurance, pension, and all associated employment-related benefits and emoluments.

Reports Regarding Attorneys

The District will, on or before the 45th day after the commencement of its fiscal year, file with NYSED, the State Comptroller, and the Attorney General a report specifying:

a) All attorneys who provide legal services to the District or Board;

b) Whether the District or Board hired those attorneys as employees; and

c) All remuneration and compensation paid for legal services.

Protection Against Fraud

Any person who knowingly makes any false statement, or falsifies or permits to be falsified any record or records of the retirement system in any attempt to defraud the system, or who receives certain benefits or payments in excess of statutory limits, as a result of those acts, will be guilty of criminal conduct, and will be punished under the laws of New York State.

Education Law Sections 525, 2050-2054
Retirement and Social Security Law Sections 11, 34, 311, and 334
2 NYCRR Sections 315.2 and 315.3

(Continued)

SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR (Cont'd.)

NOTE: Refer also to Policy #1337 -- Duties of the School Attorney

Adoption Date

Victor Central School District **NUMBER**

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Victor Central School District **NUMBER**

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SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE

Statement of Overall Objectives

The District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. The District recognizes that consistent school attendance, academic success, and school completion have a positive correlation, and therefore has developed, and, if necessary, will revise a Comprehensive Student Attendance Policy to meet the following objectives:

a) Increase school completion for all students;

b) Raise student achievement and close gaps in student performance;

c) Identify attendance patterns in order to design attendance improvement efforts;

d) Know the whereabouts of every student for safety and other reasons;

e) Verify that individual students are complying with education laws relating to compulsory attendance;

f) Determine the District's average daily attendance for state aid purposes.

Description of Strategies to Meet Objectives

The District will:

a) Create and maintain a positive school building culture by fostering a warm and welcoming environment where all students feel a sense of belonging.

b) Maintain accurate recordkeeping of attendance that reflects daily attendance, absence, tardiness, or early departure of each student.

c) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.

d) Develop early intervention strategies to improve school attendance for all students.

Determination of Excused and Unexcused Absences, Tardiness, and Early Departures

The District has determined that absences, tardiness, and early departures will be considered excused or unexcused according to the following standards:

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE (Cont'd.)

a) **Excused:** An absence, tardiness, or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, school-sponsored field trip, job shadowing with prior approval from the Career Center and verification from the job site, or other reasons as may be approved by the Board.

b) **Unexcused:** An absence, tardiness, or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, babysitting, obtaining learner's permit, road test, oversleeping).

A written excuse, signed by a parent or person in parental relation should be presented by the student when returning to school following each absence.

Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness, and early departure will be kept within the student management system in a manner consistent with Commissioner's Regulations. An absence, tardiness, or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

Recording Absences

a) For students in pre-K through grade 4, the student's presence or absence will be recorded after the attendance is taken once per school day.

b) For students in grades 5 through 12 who are departmentalized. (not in self-contained classrooms or with supervised group movement to other scheduled school activities like physical education or assemblies, etc.), each student's presence or absence will be recorded after attendance is taken in each period of scheduled instruction.

c) Any absence for a school day or portion thereof will be recorded as excused or unexcused in accordance with the standards articulated in this policy.

Recording Lateness or Early Departure:

In the event that a student at any instructional level from grades pe-K through 12 arrives late for, or departs early from, scheduled instruction, the tardiness or early departure will be recorded as excused or unexcused in accordance with the standards articulated in this policy.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE (Cont'd.)

Recording Attendance for Emergencies

A record will be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or other cause as may be found satisfactory to the Commissioner of Education.

Recording for Withdrawal/Dropped from Enrollment

Attendance records will also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

Student Attendance and Course Credit

Students are expected to attend all scheduled classes. Unexcused student absences, tardiness, and early departures may affect a student's grade including the accrual of course credit.

Secondary students who are absent from class due to their participation in a school-sponsored activity (i.e., field trip) must arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher.

Upon returning to school following a properly excused absence, tardiness, or early departure, it will be the responsibility of the student to consult with their teacher(s) regarding arrangements to make up missed work, assignments, and/or tests in accordance with the time schedule specified by the teacher.

Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents or caregivers and students are informed of the District's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines will be followed:

a) The District will provide the attendance policy to parents or caregivers on an annual basis.

b) School newsletters and publications will include periodic reminders of the importance of school attendance.

c) Notification of student absences will be communicated to parents or caregivers via the automated notification system.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE (Cont'd.)

d) As a component of the District's multi-tiered system of supports, student attendance is reviewed regularly, and students in need of support with attendance will be identified. Interventions could include but are not limited to: family conference, schedule adjustment(s), counseling, etc.

Notice of Students who are Absent, Tardy, or Depart Early Without Proper Excuse

A staff member will notify by telephone the parent or caregiver of the student who is absent, tardy, or departs early without proper excuse.

Chronic Absenteeism

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.

Attendance Incentives

In order to encourage student attendance, the District will develop and implement grade-appropriate or building-level strategies and programs that support good attendance.

Disciplinary Consequences

Unexcused absences, tardiness, and early departures will result in disciplinary sanctions as described in the District's *Code of Conduct*. Negative consequences will not be imposed, however, where the absence, tardiness, or early departure is related to homelessness. Parents or persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness, or early departures and the importance of class attendance and appropriate interventions. Individual buildings and grade levels will address procedures to implement the notification process to the parent or person in parental relation.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of excused absences, unexcused absences, tardiness, or early departures occur, designated District personnel will pursue the following:

a) Identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of excused absences, unexcused absences, tardiness, or early departures);

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE (Cont'd.)

b) Discuss strategies to directly intervene with specific element;

c) Implement changes, as approved by appropriate administration;

d) Monitor and report short and long term effects of intervention.

Appeal Process

A parent or person in parental relation may request a building level review of his or her child's attendance record.

Building Review of Attendance Records

The building principal will work in conjunction with the building attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness, and early departures.

Annual Review by the Board

The Board will annually review the building level student attendance records and if those records show a decline in student attendance, the Board will make any revisions to the Policy and plan deemed necessary to improve student attendance.

Community Awareness

The Board will promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

a) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of each school year and promoting the understanding of this policy to students and their parents or persons in parental relation;

b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and

c) Providing copies of the policy to any other member of the community upon request.

Education Law Sections 3024, 3025, 3202, 3205, 3206, 3210, 3211, and 3213
8 NYCRR Sections 104.1, 109.2, and 175.6

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE (Cont'd.)

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

All persons residing within the District who are between the ages of five years and 21 years and who have not received a high school diploma are entitled to enroll in the District. The District requires that a child becomes five years of age on or before December 1 of the school year he or she begins school.

According to Education Law, a student who becomes six years of age on or before the first of December in any school year will be required to attend full-time instruction from the first day that the District schools are in session in September of that school year, and a student who becomes six years of age after the first of December in any school year will 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 16 years of age.

However, in accordance with Education Law Section 3205(3), the Board of Education in any school district shall have the power to require minors from 16 to 17 years of age who are not employed to attend full-time instruction until the end of the school year in which the student turns 17 years of age.

Evidence of a prospective student's age and residency must be presented in the form as is permitted by state and federal law and regulation.

Proof of Age

The State Education Department does not require districts to collect students' social security numbers for any purpose. While school districts may need to collect certain data pursuant to state and/or federal laws, they should do so after a student has enrolled in school so as not to inadvertently give the impression that information related to immigration status will be used in making registration/enrollment determinations.

In accordance with Education Law, where a birth certificate or record of baptism is not available, a passport (including foreign passport) may be used to determine a child's age for purposes of enrollment/registration in school. Should none of these be available, the District may consider certain other documentary or recorded evidence to determine a child's age.

The following are examples of documentation that may be used to establish a student's age. This list is not intended to be exhaustive, nor is it a list of required documentation.

a) School photo ID with date of birth;

b) Hospital or health records;

c) State or other government-issued ID;

d) Military dependent ID card;

(Continued)

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

e) Native American Tribal document;

f) Record(s) from non-profit international aid agencies and voluntary agencies (VOLAGs);

g) Consulate identification card; and

h) Official driver's license.

Determination of Student Residency

"Residence," for the purposes of this policy, is established by a child's physical presence as an inhabitant within the District and his or her intent to reside in the District.

The residence of children dwelling within the District boundaries shall be established in a manner consistent with state law and the Regulations of the Commissioner. The Board of Education or its designee shall determine whether a child is entitled to attend a District school. Any adverse residency decision by a school official, other than the Board or its designee, shall include written notice to the parent/person in parental relation of the procedures for obtaining review of the decision within the District.

A child's residence is presumed to be that of their parents or legal guardians. Where a child's parents live apart, the child can have only one legal residence. In cases where parents have joint custody, the child's time is essentially divided between two households, and both parents assume responsibility for the child, the decision regarding the child's residency lies ultimately with the family. Where parents claim joint custody, but do not produce proof of the child's time being divided between both households, residency will be determined on the basis of the child's physical presence and intent to remain within the District.

The presumption that a child resides with their parents or legal guardians may be rebutted upon demonstration that custody of the child has been totally and permanently transferred to another individual. The District will not acknowledge living arrangements with persons other than a child's parents or legal guardians which are made for the sole purpose of taking advantage of the District's schools.

The presumption that a child resides with their parents or legal guardians may also be rebutted upon demonstration that the child is an emancipated minor. To establish emancipation, a minor may submit documentation of his or her means of support, proof of residency, and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his or her parents or persons in parental relationship.

(Continued)

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

However, the District may encounter students, particularly from other countries, who reside with persons other than their parents or legal guardians. In order to determine residency in these cases, the District may request information regarding such student's custody to establish residency and to ensure the health, safety and welfare of the child.

Children Living With Noncustodial Parents

A child's residence is usually determined by the residence of the custodial parent. However, a noncustodial parent who resides in the District may enroll their child in a District school if they share the day-to-day responsibilities for the child and the child's time is essentially divided equally between the custodial and non-custodial parent, or the custodial parent designates the child's residence with the noncustodial parent on a full-time basis.

Undocumented Children

Undocumented children are entitled to attend the District's schools, provided they meet the age and residency requirements established by state law. Consequently, the District will not request or require on any enrollment or registration form, in any meeting, or in any other form of communication, any documentation or information regarding or tending to reveal the immigration status of a child, a child's parent(s), or the person(s) in parental relation. In the event the District is required to collect certain data, it will do so after the child has been enrolled. In no instance will the information be required as a condition of enrollment or continued attendance.

Homeless Children

The parent/person in parental relation to a homeless child; or the homeless child, together with the homeless liaison designated by the School District in the case of an unaccompanied youth; or the director of a residential program for runaway and homeless youth established pursuant to Executive Law Article 19-H, in consultation with the homeless child, where such homeless child is living in such program, may designate 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 shall attend.

Children of Activated Reserve Military Personnel

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

(Continued)

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

Attendance by Non-Veteran, High School Graduates Under 21 Years of Age

A non-veteran resident under 21 years of age who has received a high school diploma shall be permitted to attend classes at Victor High School pursuant to Education Law Section 3201(1). Tuition will be charged based on the current State Education Department formula. The charge for individual courses will be at a rate of 20% of the full-time tuition (part CR 174.03).

If students wish to participate in cost-bearing co-curricular and/or extracurricular activities, they will be charged back on a cost-per-pupil basis. Such individuals in attendance are required to abide by the rules and regulations established for Victor High School students.

Emancipated Minors

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

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

Children Living With Persons Not Their Parents -- Guardianship or Custody

In accordance with the Family Court Act and Domestic Relations Law, a person possessing a lawful order of guardianship or custody of a minor child who is not the parent of such child may enroll the child in public school in the school district where he or she and the child reside.

Therefore, upon application for enrollment by the guardian or custodian, the District shall enroll such a child for such time as the child resides with the guardian or custodian in the District upon verification that the guardian or custodian possess a lawful order of guardianship or custody for the child and that the guardian or custodian and the child properly reside in the same household within the District.

School Attendance Area

Based on recommendations from the Superintendent of Schools, the Board of Education shall approve attendance areas for the purpose of student school placement. A student's attendance area and designated school of attendance are determined by the student's legal residence, which is presumed to be the legal residence of his or her parent guardian.

(Continued)

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

The administration is responsible for developing regulations to implement this policy, and providing for exceptions based upon extraordinary and/or compelling reasons.

Family Educational Rights and Privacy Act, 20 USC Section 1232g
Education Law Sections 310, 906, 3202, 3205, 3214, and 3218
Family Court Act Section 657
8 NYCRR Section 100.2(x) and (y)

NOTE: Refer also to Policies #7131 -- Education of Students in Temporary Housing
#7132 -- Non-Resident Students

Adoption Date

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

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

Identification of Students in Temporary Housing

All districts are obligated to affirmatively identify all students in temporary housing. Therefore, the District will determine whether there are students in temporary housing within the District by using a housing questionnaire to determine the nighttime residence of all newly enrolled students and all students whose address changes during the school year. Not all students in temporary housing can be identified through social service agencies or shelters, as children may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. For this reason, the District uses a housing questionnaire that asks for a description of the current living arrangements of the child or youth to determine whether the child or youth meets the definition of a homeless child.

In addition to using the housing questionnaire, the District will also contact the local department of social services (LDSS) (i.e., the social services district) to identify students in temporary housing, as well as the local runaway and homeless youth shelter, and any other shelters located within District boundaries to ensure all students in temporary housing are properly identified and served.

Definitions

a) "Feeder school" means:

1. A preschool whose students are entitled to attend a specified elementary school or group of elementary schools upon completion of that preschool;

2. A school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle, intermediate, or high schools upon completion of the terminal grade of such school; or

3. A school that sends its students to a receiving school in a neighboring school district.

b) "Homeless child" means:

1. A child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

(a) Sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason (sometimes referred to as "doubled-up");

(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 under (a), (b), or (c) of this subparagraph or item 2) below; or

(e) An unaccompanied youth; or

2. A child or youth who has a primary nighttime location that is:

(a) 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 LDSS, and residential programs for runaway and homeless youth established in accordance with applicable law; or

(b) 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.

c) "Migratory child" means a child or youth who made a qualifying move in the preceding 36 months:

1. As a migratory agricultural worker or a migratory fisher; or

2. With, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

d) "Preschool" means a publicly funded prekindergarten program or a Head Start program administered by the District and/or services under the Individuals with Disabilities Act administered by the District.

e) "Receiving school" means:

1. A school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

2. A school that enrolls students from a feeder school in a neighboring local educational agency.

f) "Regional placement plan" means a comprehensive regional approach to the provision of educational placements for homeless children that has been approved by the Commissioner of Education.

g) "School district of current location" means the public school district within New York State in which the hotel, motel, shelter or other temporary housing arrangement of a homeless child, or the residential program for runaway and homeless youth, is located, which is different from the school district of origin.

h) "School district of origin" means the school district within New York State in which:

1. The homeless child was attending a public school or preschool on a tuition-free basis or was entitled to attend when circumstances arose that caused the child to become homeless, which is different from the school district of current location;

2. The child was residing when circumstances arose that caused the child to become homeless if the child was eligible to apply, register, or enroll in public preschool or kindergarten at the time the child became homeless; or

3. The homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose that caused the child to become homeless.

i) "School of origin" means:

1. The public school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool or a charter school;

2. The designated receiving school at the next grade level for all feeder schools for a student in temporary housing who completes the final grade level served by the school of origin; and

3. The public school or preschool in which the child would have been entitled or eligible to attend based on the child's last residence before the circumstances arose which caused the child to become homeless if the child becomes homeless after the child is eligible to apply, register, or enroll in the public preschool or kindergarten or if the child is living with a school-age sibling who attends school in the school district of origin.

j) "Unaccompanied youth" means a homeless child or youth who is not in the physical custody of a parent or legal guardian.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

The McKinney-Vento Liaison for Students in Temporary Housing

The District will designate an appropriate staff person, who may also be a coordinator for other federal programs, as the District liaison for students in temporary housing (otherwise referred to as the McKinney-Vento liaison). The District's McKinney-Vento liaison serves as one of the primary contacts between families experiencing homelessness and school staff, District personnel, shelter workers, and other service providers. The McKinney-Vento liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed.

The District's McKinney-Vento liaison must ensure that:

a) Students in temporary housing are identified by school personnel and through coordination activities with other entities and agencies;

b) Students in temporary housing enroll in, and have full and equal opportunity to succeed in, the District's schools;

c) Students in temporary housing and their families receive educational services for which they are eligible, including Head Start programs administered by a local educational agency, Early Head Start, early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;

d) Students and parents in temporary housing receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services;

e) Parents or guardians of students in temporary housing are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

f) Parents and guardians of students in temporary housing, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school district of origin and are assisted in accessing transportation services;

g) Disputes regarding eligibility, school selection, enrollment and/or transportation are mediated in accordance with applicable laws and regulations;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

h) Assistance in commencing an appeal, in accordance with applicable law, of a final determination regarding eligibility, enrollment, school selection, and/or transportation is provided to the student in temporary housing's parent or guardian or the unaccompanied youth;

i) A record is maintained of all appeals of enrollment, school selection, and transportation;

j) Public notice of the educational rights of students in temporary housing is posted in locations where these students receive services, such as schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of students in temporary housing, and unaccompanied youth;

k) School personnel providing services to students in temporary housing receive professional learning and other support;

l) Unaccompanied youths:

1. Are enrolled in school;

2. Have opportunities to meet the same challenging state academic standards as the state establishes for other children and youth, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations; and

3. Are informed of their status as independent students under Section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the McKinney-Vento liaison to receive verification of this status for purposes of the Free Application for Federal Student Aid (FAFSA);

m) School personnel, service providers, advocates working with students in temporary housing, parents and guardians of students in temporary housing, and students in temporary housing are informed of the duties of the McKinney-Vento liaison; and

n) Assistance with obtaining any necessary immunizations or screenings, or immunization or other required health records is provided to the parents or guardians of the students in temporary housing.

School District and School Designations

A designator will make the initial decision about which school district and school a student in temporary housing will attend. A designator is:

a) The parent or person in parental relation (guardian) to a student in temporary housing;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

b) The student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or

c) The director of a residential program for runaway and homeless youth, in consultation with the student in temporary housing, where the student is living in that program.

The District will ask the designator to designate one of the following as the school district of attendance for the student in temporary housing:

a) The school district of current location;

b) The school district of origin; or

c) A school district participating in a regional placement plan.

The District will also ask the designator to designate one of the following as the school where a student in temporary housing seeks to attend:

a) The school of origin; or

b) Any school that permanent housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

A student in temporary housing is entitled to attend the schools of the school district of origin without the payment of tuition for the duration of their homelessness and through the remainder of the school year in which the student becomes permanently housed and for one additional year if that year constitutes the student's terminal year in that school building, subject to a best interest determination.

Designation/STAC 202 Form

The District will identify all students in temporary housing, and a designation form will be completed by the designator for all these students and any other student who claims homelessness. Designations must be made on the STAC 202 form provided by the Commissioner.

The appropriate designator must complete the designation form. The District makes designation forms available to a student in temporary housing who seeks admission to school or to the parent or person in parental relation who seeks to enroll the child in school.

The District will provide completed designation forms to the McKinney-Vento liaison immediately, but no later than two business days from the earlier date on which the child or youth either:

a) Sought enrollment in school; or

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

b) Was placed in a temporary housing facility or residential facility for runaway and homeless youth.

Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the LDSS nor housed in a residential program for runaway homeless youth, designates the District as the school district of current location, the District will forward to the State Education Department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend the District's schools.

Immediate Enrollment and Best Interest Determinations

Upon identification of a child who is in temporary housing and/or receipt of a completed designation/STAC 202 form, the District will:

a) Immediately review the designation form to ensure that it has been completed and admit the student in temporary housing even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, immunization records, proof of residency or other documentation and even if the child or youth has missed application deadlines;

b) Determine whether the designation made by the designator is consistent with the best interests of the student in temporary housing. In making best interests decisions the District will:

1. Presume that keeping the child in the school of origin is in the child's best interest, except when doing so is contrary to the wishes of the parent or guardian (or youth in the case of an unaccompanied youth); and

2. Consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child's parent or guardian (or the youth, if a homeless unaccompanied youth). If the District determines that it is in the best interest of the student in temporary housing to attend a school other than the school of origin or the designated school, the District will provide the parent or guardian (or youth, if an unaccompanied youth) with a written explanation of its determination, including information about the right to appeal.

c) Provide the child with access to all of the District's programs, activities and services to the same extent as they are provided to resident students;

d) Immediately contact the school district where the child's records are located in order to obtain a copy of these records and coordinate the transmittal of records for students with disabilities pursuant to applicable laws and regulations;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

e) Immediately refer the parent or guardian of the student in temporary housing to the McKinney-Vento liaison who must assist in obtaining necessary immunizations or immunization or medical records if the child or youth needs to obtain immunizations or immunization or medical records;

f) Forward the STAC 202 form to the Commissioner and the school district of origin, where applicable. In all cases, the District will give a copy of the completed STAC 202 form to the designator and keep a copy of the STAC 202 form for the District's records;

g) Arrange for transportation in accordance with applicable laws and regulations; and

h) Arrange for the child to receive free school meals.

Request for Records

Within five days of receipt of a request for school records from a new school, the District will forward, in a manner consistent with state and federal law, a complete copy of the student in temporary housing's records, including, but not limited to, proof of age, academic records, evaluations, immunization records, and guardianship papers, if applicable.

Tuition Reimbursement

The District is eligible to request reimbursement from the State Education Department for the direct costs of educational services to students in temporary housing that are not otherwise reimbursed under special federal programs, when:

a) The District is either the school district of current location or a school district participating in a regional placement plan;

b) The District is designated as the school district of attendance; and

c) The school district of origin for the student in temporary housing is within New York State.

All claims for reimbursement will be made on the STAC 202 form prescribed by the Commissioner of the State Education Department.

In addition, the District is eligible for reimbursement for the direct costs of educational services, including transportation costs for students who continue enrollment in the District schools after finding permanent housing midyear in a different school district within New York State. In these cases, the District will directly bill the new district where the student permanently resides for all direct costs of educational services, including transportation, that are not otherwise reimbursed under special federal programs.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

Transportation Responsibilities

The LDSS is responsible for providing transportation to students in temporary housing, including preschool students and students with disabilities who are eligible for benefits under Social Services Law Section 350-j and placed in temporary housing arrangements outside their designated districts. Where the LDSS requests that the District provide or arrange for transportation for a student in temporary housing in the circumstances above, the District will provide or arrange for the transportation and directly bill the LDSS so that the District will be fully and promptly reimbursed for the cost of the transportation.

If the District is the designated school district of attendance, the District will provide for the transportation of each student in temporary housing who is living in a residential program for runaway and homeless youth, including if the temporary housing is located outside the school district. The costs for transportation for each student in temporary housing who lives in a residential program for runaway youth and homeless youth located outside of the designated school district will be reimbursed by the State Education Department, to the extent funds are provided for the purpose, with the submission of a Runaway and Homeless Youth Act Transportation Program Form. Where the District provides transportation for a student living in a Runaway and Homeless Youth facility, the District will promptly request reimbursement using the Runaway and Homeless Youth Act Transportation Form.

The District will transport any student in temporary housing to their school of origin, including preschools and charter schools, where it is the designated district of attendance and the student in temporary housing is not entitled to receive transportation from the Department of Social Services.

When the District is designated as the school district of current location for a student in temporary housing and the student does not attend the school of origin, the District will provide transportation on the same basis as it is provided to resident students, unless the local transportation policy represents a barrier to the student's attendance in school.

If the student in temporary housing designates the District as the school district of attendance, transportation will not exceed 50 miles each way, unless the Commissioner determines that it is in the best interest of the child.

Where the District is designated as the school district of attendance and it has recommended the student in temporary housing attend a summer educational program, the district of attendance will provide transportation services to students in temporary housing for summer educational programs if the lack of transportation poses a barrier to the student's participation in the program.

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 when:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

a) The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school;

b) The student meets the eligibility criteria for the activity; and

c) The lack of transportation poses a barrier to the student's participation in the activity.

Where the District is designated as the school district of attendance, it will provide transportation as described above for the duration of homelessness, unless the LDSS is responsible for providing transportation. After the student becomes permanently housed, the District will provide transportation to the school of origin until the end of the school year and for one additional year if that year constitutes the child's terminal year in the school building.

Dispute Resolution Process

The District has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

a) The District will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth, if the District determines that the District is not required to either enroll and/or transport the child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or if there is a disagreement about a child's or youth's status as a homeless child or unaccompanied youth. The written explanation will be in a manner and form understandable to the parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney-Vento liaison's availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.

b) The District will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.

c) If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school they are enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

The McKinney-Vento Liaison's Dispute Resolution Responsibilities

The District's McKinney-Vento liaison must assist the student in temporary housing's parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation, the District's McKinney-Vento liaison will:

a) Provide the parent or guardian or unaccompanied youth with a copy of the form petition;

b) Assist the parent or guardian or unaccompanied youth in completing the form petition;

c) Arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth;

d) Accept service of the form petition and supporting papers on behalf of any District employee or officer named as a party, or the District if it is named as a party, or arrange for service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

e) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that they have received the form petition and supporting documents, and will either accept service of these documents on behalf of the District employee or officer or District, or effect service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

f) Transmit on behalf of the parent or guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;

g) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that they have received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

h) Accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects. They will also make this correspondence available to the parent or guardian or unaccompanied youth; and

i) Maintain a record of all appeals of enrollment, school selection, and transportation determinations.

Coordination

The District will coordinate the provision of services described in this policy with local social services agencies, housing providers and other agencies or programs providing services to students in temporary housing and their families, including services and programs funded under the Runaway and Homeless Youth Act.

The District will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.

The District will coordinate implementation of the above provision of services with the requirements of the Individuals with Disabilities Education Act (IDEA) for students with disabilities.

Coordination with Title I

The District acknowledges that students in temporary housing are eligible for services under Title I, Part A whether or not they live in a Title I school attendance area or meet the academic requirements required of other children. The District will ensure that:

a) Title I, Part A funds are set aside as are necessary to provide students in temporary housing, who may have unique needs that differ from their permanently housed peers, with educationally related support services;

b) Its local plan includes a description of how the plan is coordinated with McKinney-Vento;

c) Its local plan describes the services provided to students in temporary housing;

d) Its local plan describes the efforts it made to identify students in temporary housing, including unaccompanied youth, if the District reports that there are no students in temporary housing enrolled in the District. These efforts will include contacting the LDSS or Office of Children and Family Services (OCFS) to verify that there are no students in temporary housing in the District; and

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

e) Its housing questionnaire asks about the living arrangements of the child or unaccompanied youth, including asking if they are living in a shelter; with relatives or others due to loss of housing or economic hardship; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing. Documentation of the District's efforts to identify students in temporary housing will be maintained on file and a copy of the housing questionnaire will also be kept on file.

Reporting Requirements

The District will collect and transmit to the Commissioner of Education, at the time and in the manner as the Commissioner may require, a report containing information as the Commissioner determines is necessary, including the numbers of homeless students, their grade, and their nighttime residence.

Access to Free Meals

The District will provide free meals to all children identified as homeless. They do not have to complete a free or reduced-price meal application. When the McKinney-Vento liaison or a shelter director provides a child's name to the District's school food service office, free school meals will commence immediately.

Removal of Barriers

The District will review and revise its policies that may act as barriers to the identification of students in temporary housing and their enrollment and retention in school, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

Comparable Services

The District will provide services to students in temporary housing comparable to those offered to other students in the District, including: transportation services; educational services for which the child or youth meets the relevant criteria, such as services provided under Title I or similar state or local programs; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd.)

Student Privacy

Information about a student in temporary housing's living situation will be treated as a student education record and will not be deemed to be directory information under the Family Educational Rights and Privacy Act (FERPA). A parent or guardian or unaccompanied youth may consent to the release of a student's address information in the same way they would for other student education records under FERPA.

Training

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

McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (ESSA) of 2015, 42 USC Section 11431 et seq.
Education Law Section 3209
Executive Law Article 19-H
8 NYCRR Section 100.2(x)

Adoption Date

SUBJECT: NON-RESIDENT STUDENTS

The Victor Central School District accepts only those students who are legal residents of the District, except as required by law or as otherwise provided in this policy. Any student who resides outside the boundaries of the District or whose parents/guardians reside outside the boundaries of the District shall be considered a non-resident student. The District will only accept non-resident students under the following circumstances:

The District has contractual agreements with other school districts or BOCES for the admission of non-resident students into certain programs specifically open to non-resident students in cooperation with such other districts or the BOCES and/or pursuant to Education Law Section 2045. The District may enter into additional agreements for similar such programs from time to time that allow the attendance of non-resident students. In all such cases, the non-resident students' tuition is paid by the partner school district or the BOCES.

The District may admit non-resident students at its discretion whose parents or guardians have purchased a house within the School District, but who will not be able to take immediate occupancy. A request must be made in writing to the registrar. No tuition shall be charged if the parents or legal guardians become residents within 90 calendar days after the student commences attendance. It is the responsibility of the parents or guardians to notify the registrar immediately upon becoming residents of the District. If legal residency commences after 90 days, tuition will be charged from the first day of attendance to the start of legal residency. If, for any reason, legal residency has not commenced within a reasonable time (generally, 90 days from admission), the District may immediately discontinue the enrollment of the student and seek tuition for the period enrolled in the District.

Regularly enrolled resident students in grades kindergarten through 11 whose parents or guardians move out of the District between May 1 and the end of the school year will be permitted to attend Victor Schools on a non-tuition basis until the end of the school year during which the move occurs.

An enrolled resident senior student, whose parents or guardians move out of the District after the beginning of the school year, will be permitted to complete the senior year at Victor Senior High School without the payment of tuition upon the approval of the Superintendent of Schools.

In addition, an enrolled resident senior student whose residency changes to a location outside of the District may be allowed to complete his or her graduation requirements or other special cases when approved by the Superintendent with the knowledge of the Board.

A student who has successfully completed the academic requirements for entering the senior year but whose parents or guardians are not residents of the District at the beginning of the school year, will not be permitted to complete the senior year in the District.

In determining senior student status, the beginning of the school year will be designated as the day following the student's completion of all academic requirements necessary to be enrolled as a senior student.

(Continued)

SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

Children of non-resident District employees may attend Victor Schools if permitted by specific contract language and upon the approval of the Superintendent of Schools.

In all cases, transportation shall not be provided to non-resident students except as required by law, contract, or as might be arranged at no additional cost to the District.

Education Law Sections 1709(13) and 3202
8 NYCRR Section 174.2

NOTE: Refer also to Policies #7130 -- Entitlement to Attend -- Age and Residency
#7131 -- Education of Students in Temporary Housing

Adoption Date

SUBJECT: STUDENT EVALUATION, PROMOTION, AND PLACEMENT

Grade Promotion and Placement

Grade promotion and the placement of students within the District's instructional system will be at the discretion of the school administration and will be subject to review at any time. In making these decisions, the administrator or building principal will be guided by: performance in class; past records, including various measures of student growth; recommendations from parents, persons in parental relation to District students, and teachers; and any other appropriate sources of information. The final decision regarding placements shall rest with the school administration.

Testing Program

The District utilizes various ability, achievement, diagnostic, readiness, interest, and guidance tests for the purpose of complying with state and federal law and/or aiding the implementation of quality educational services. The District will not make any student promotion or placement decisions based solely or primarily on student performance on the state administered English language arts and mathematics assessments for grades 3 through 8. The District may, however, consider student performance on state assessments in making student promotion and placement decisions provided that multiple measures be used in addition to these assessments and that these assessments do not constitute the major factor in these determinations.

Alternative Testing Procedures

The use of alternative testing procedures will be limited to:

a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing procedures will be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and

b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department (SED) Guidelines.

The alternative testing procedures employed will be based upon a student's individual needs and the type of test administered.

The District will report the use of alternative testing procedures to the SED on a form and at a time prescribed by the Commissioner.

Reporting to Parents or Persons in Parental Relation to Students

Parents or persons in parental relation to District students will receive a report of student progress at regular intervals.

(Continued)

SUBJECT: STUDENT EVALUATION, PROMOTION, AND PLACEMENT (Cont'd.)

The District will not place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language arts or mathematics assessment for grades 3 through 8. However, the District will comply with state and federal requirements regarding the maintenance and transfer of student test scores. Any test results on a state administered standardized English language arts or mathematics assessment for grades 3 through 8 sent to parents or persons in parental relation to a student will include a clear and conspicuous notice that these results will not be included on the student's official transcript or in the student's permanent record and are being provided to the student and parents for diagnostic purposes.

When necessary, the District will make every attempt to provide interpreters and/or translated reports for parents or persons in parental relation to District students.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Sections 305(45) - (47) and 1709(3)
8 NYCRR Sections 100.2(g), 100.2(ll), 100.3(b)(2)(iv), 100.4(b)(2)(v), and 100.4(e)(6)
8 NYCRR Parts 104, 117, and 154

Adoption Date

SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

The Board will provide parents or persons in parental relation who are hearing impaired with 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 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" will include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in District meetings or activities.

Parents or persons in parental relation will be notified of the availability of interpreter services, to be provided at no charge, provided that a written request is made to the District within 10 days of the scheduled meeting or activity. Exceptions may be made for unanticipated circumstances as determined by the principal or designee. The District will also notify appropriate school personnel as to the terms and implementation of this policy.

If interpreter services are requested, the District will 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 will also develop interagency agreements, as appropriate, to ensure that sign language interpreters are provided for eligible parents or persons in parental relation when District students attend out-of-District schools or programs.

In the event that an interpreter is unavailable, the District will make other reasonable accommodations which are satisfactory to the parents or persons in parental relation. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include the use of:

a) Written communications, transcripts, or note takers; 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
8 NYCRR Section 100.2(aa)

Adoption Date

SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS

Response to Intervention (RtI) is a multi-tiered early prevention and intervention system designed to improve outcomes for all students. In accordance with Commissioner's regulations, the District has established administrative practices and procedures for implementing District-wide initiatives that address an RtI process applicable to all students. For students suspected of having a potential learning disability, the District will provide appropriate RtI services pursuant to Commissioner's regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

Minimum Requirements of District's RtI Program

The District's RtI process will be implemented K through 12 and will include the following minimum requirements:

a) Scientific, research-based instruction in reading and mathematics provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's regulations, means scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;

b) Screenings will be provided to all students in the class to identify those students who are not making academic progress at expected rates;

1. K through 8, screening approximately three times per year
2. 9 through 12, annual review of progress towards meeting graduation requirements

c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;

d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;

e) The application of information about the student's response to intervention to make educational decisions about changes in goals [i.e., goals for all students, not just Individualized Education Program (IEP) goals], instruction and/or services and the decision to make a referral for special education programs and/or services; and the team of qualified personnel will be responsible for reviewing such student information and applying information to make decisions concerning student academic progress and further intervention strategies;

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS (Cont'd.)

f) Written notification to the parents/guardians when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:

1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's regulations;

2. Strategies for increasing the student's rate of learning; and

3. The parents'/guardians' right to request an evaluation for special education programs and/or services.

Structure of RtI Program

The District will use a three-tier RtI model to be implemented in grades K through 12. The designated RtI Teams will be primarily responsible for implementation of the District RtI policy.

The District's RtI program will consist of multiple tiers of instruction/assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

Teams of qualified personnel, whose members may include, but are not limited to, regular education teachers, special education personnel, school psychologist, reading and math interventionists, designated administrators, and other individuals deemed appropriate by the District, will be available for each building or grade level classification to address the implementation of the District's RtI process.

The responsibilities of the team of qualified personnel will include, but are not limited to, the following:

a) Determining the level of interventions and student performance criteria appropriate for each tier of the RtI model;

b) Analyzing information and assessments concerning a student's RtI and making educational decisions about changes in goals, instruction, or services;

c) Determining whether to make a referral for special education programs or services.

Criteria for Determining the Levels of Intervention to be Provided to Students

The District will utilize multiple measures of student assessments in reading and mathematics for both general outcomes and progress monitoring.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS (Cont'd.)

Targeted interventions will be provided to students on a tiered system. Students will receive services based on established guidelines as specified in the District's Academic Intervention Services Plan.

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the RtI Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

Types of Interventions

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

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Tier One Instruction

Tier One instruction is provided to all students in the general education setting. The use of scientific, research-based instruction in the areas of reading and math will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS (Cont'd.)

instruction, assessment, and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

Tier Two Instruction

In general, Tier Two instruction will consist of small group, targeted interventions for those students identified as being "at risk" and who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as reading and math teachers, tutors, speech therapists, school psychologists, and/or school counselors as determined by the Student Support Team (SST).

At the conclusion of Tier Two instruction, the SST will review the student's progress and make a determination as to whether Tier Two interventions should be maintained, the student returns to the general education classroom if satisfactory progress is shown, or referred for Tier Three instruction.

Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student, and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the SST, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the CSE.

Progress monitoring on a continuous basis is an integral part of Tier Three and the student's response to the intervention process will determine the need or level of further intervention services and/or educational placement.

Amount and Nature of Student Performance Data to be Collected

The team of qualified personnel will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RtI) PROCESS (Cont'd.)

academic needs as warranted. This data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's RtI program and make modifications to the program as deemed necessary.

Manner and Frequency for Progress Monitoring

The team of qualified personnel will monitor the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team will meet with the student's teacher(s) and determine if further adjustments must be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress will be an ongoing part of the RtI program from the initial screening to completion of the RtI process as applicable. Parents may also request that the SST review their child's progress.

Fidelity measures (e.g., an observational checklist of designated teaching behaviors in accordance with the RtI process being implemented) will also be completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and performance charts will be plotted at the completion of the instructional period or intervention process.

Staff Development

All staff members involved in the development, provision, and/or assessment of the District's RtI program, including both general education and special education instructional personnel, will receive appropriate training necessary to implement the District's RtI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, and the manner and frequency for monitoring progress.

34 CFR Sections 300.309 and 300.311
Education Law Sections 3208, 4002, 4401, 4401-a, and 4410
8 NYCRR Sections 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

Adoption Date

SUBJECT: GRADUATION REQUIREMENTS

To graduate from the District, a student must meet or exceed the requirements set forth in Part 100 of the Commissioner's Regulations. The Board may establish graduation requirements that exceed the minimum standards set by the Board of Regents. The District will award the appropriate diploma, credential, or both to students.

Details on general education and diploma requirements can be found at: https://www.nysed.gov/curriculum-instruction/general-education-and-diploma-requirements.

Early Graduation

A student may be eligible for early graduation (fewer than eight semesters) if the student completes all requirements for graduation, excluding physical education. The District will consult with appropriate personnel, the student, and persons in parental relation, and consider factors such as the student's grades, performance in school, future plans, and benefits to early graduation in making its decision.

8 NYCRR Sections 100.2, 100.4(d), 100.5, 100.6, 100.7, 100.8, 100.9, and 200.5

NOTE: Refer also to Policies #7221 -- Participation in Graduation Ceremonies and Activities
#7222 -- Diploma or Credential Options for Students with Disabilities

Adoption Date

SUBJECT: PARTICIPATION IN GRADUATION CEREMONIES AND ACTIVITIES

Any student who has satisfactorily completed all graduation requirements will be permitted to participate in the graduation ceremony and all related graduation activities of their graduating class subject to certain exceptions. Permission to participate in the graduation ceremony or related graduation activities may be revoked for violation of the District's *Code of Conduct*.

The District permits any student to participate in the graduation ceremony and all related graduation activities of his or her high school graduating class, if the student has been awarded a Skills and Achievement Commencement Credential or a Career Development and Occupational Studies (CDOS) Commencement Credential, but has not otherwise qualified to receive a Regents or local diploma. For purposes of this policy, a student's high school graduating class is the cohort with which they entered into ninth grade.

The District will provide annual written notice of this policy and any related procedures to all students and their parents or guardians.

Education Law Section 3204(4-b)
8 NYCRR Section 100.2(oo)

Adoption Date

SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The District will provide students with disabilities appropriate opportunities to earn a diploma or non-diploma high school exiting credential in accordance with Commissioner's regulations. Students with disabilities may be eligible for one or more of the following:

Diploma Options

a) Regents Diploma, including with honors, an advanced designation, a career and technical education endorsement, and/or any other designation or endorsement as may be available.

b) Local Diploma, including with any endorsement as may be available.

Existing Credentials Options

a) Career Development and Occupational Studies (CDOS) Commencement Credential, which may be earned as a supplement to a Regents or local diploma or as a student's only exiting credential.

b) Skills and Achievement Commencement Credential.

Specific requirements and detailed information for each diploma and non-diploma high school exiting credential are specified in the Commissioner's regulations and various guidance materials issued by the New York State Department of Education.

8 NYCRR Sections 100.1, 100.2, 100.5, and 100.6

NOTE: Refer also to Policies #7220 -- Graduation Requirements
#7221 -- Participation in Graduation Ceremonies and Activities
#7641 -- Transition Services

Adoption Date

SUBJECT: ADVANCED COURSEWORK

Overview

The District acknowledges that advanced coursework can foster academic excellence, enhance critical thinking skills, and prepare students for college and career success. In light of the potential benefits and opportunities of advance coursework, the District is committed to offering a variety of advanced coursework options.

For purposes of this policy, "advanced coursework" means any middle, high school, or college-level honors, gifted, accelerated, advanced placement, dual enrollment, or concurrent-enrollment course, or a course that would offer the ability for a student to earn college credit and/or an industry-recognized certification.

Types of Advanced Coursework

The District offers a variety of advanced coursework options, including but not limited to:

a) Accelerated Coursework for Eighth Grade Students

Eighth grade students have the opportunity to take high school courses in mathematics and in at least one of the following areas: science, art and world language. Using written criteria, the Superintendent or designee will determine whether an eighth grade student has demonstrated readiness to take high school courses.

By the end of seventh grade, accelerated students must receive instruction designed to facilitate their attainment of the state intermediate learning standards in each subject area in which they are accelerated.

Credit may be awarded upon successful completion of an accelerated course and passing related examinations if certain conditions are satisfied.

b) Advanced Placement (AP)

Victor Senior High School offers a variety of Advanced Placement (AP) courses that culminate in an AP exam. These examinations afford students the opportunity to earn credit or advanced standing in many colleges and universities, depending on the level of proficiency demonstrated on the exam. Counselors will partner with families as students make decisions regarding their course selection, following the established prerequisite guidelines for each course. Information about costs, including available financial support will be provided to each student enrolled in AP courses.

(Continued)

SUBJECT: ADVANCED COURSEWORK (Cont'd.)

c) Dual Credit for College Courses

Students may choose to matriculate at any one of the colleges that have a cooperative agreement with the District. Students who wish to enroll in college-level coursework must meet all academic, grade level, and coursework requirements. These opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing college level work. The administration will review and approve any college courses offered to students during the school day. Students and families will be provided information regarding tuition and fees for dual credit opportunities, including available financial support.

Notification

By June 1 of each school year, the District will annually notify students and parents of the benefits and opportunities within the District of participating in advanced courses. This notification will be provided electronically or by mail. This notification must also be posted on the district website.

Notification of advanced coursework must be provided to all students in every grade beginning in either grade 5 or one grade prior to the first year that advanced coursework is offered by the District, whichever grade comes first.

This notification will include:

a) The benefits of participating in advanced courses;

b) A description of the advanced courses offered by the District in middle and high school and how to prepare for and enroll in them;

c) A description of the advanced courses to be offered by the District in the following school year; and

d) A description of the academic and non-academic support the District provides to help students succeed in advanced courses, as well as any financial assistance available to reduce or eliminate any costs associated with participation in advanced courses, including, but not limited to, related fees, supplies, and assessments.

Education Law Section 817
8 NYCRR Section 100.2(ll)(2) and 100.4(d)

Adoption Date

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE

The District will comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Under its provisions, parents or guardians and non-custodial parent(s) whose rights are not limited by court order or formal agreement, of a student under 18, or a student who is 18 years of age or older, or who is attending an institution of post-secondary education, have a right to inspect and review any and all education records maintained by the District.

Education Records

The term "education records" is defined as all records, files, documents, and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for that agency or institution. This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provided under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA and they are subject to the confidentiality provisions of both Acts.

However, personal notes made by teachers or other staff are not considered education records if they are:

a) Kept in the sole possession of the maker;

b) Not accessible or revealed to any other person except a temporary substitute; and

c) Used only as a memory aid.

Additionally, FERPA does not prohibit a school official from disclosing information about a student if the information is obtained through the school official's personal knowledge or observation and not from the student's education records.

Records created and maintained by a law enforcement unit for law enforcement purposes are also excluded.

Access to Student Records

Administrative regulations and procedures will be developed to comply with the provisions of federal law relating to the availability of student records. The purpose of these regulations and procedures is to make available to the parents or guardians of students and non-custodial parent(s) whose rights are not limited by court order or formal agreement, or students who are 18 years of age or older, or who are attending an institution of post-secondary education, student records, and files on students, and to ensure the confidentiality of these records with respect to third parties.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

Under FERPA, unless otherwise exempted in accordance with law and regulation, the District may release personally identifiable information (PII) contained in student education records only if it has received a "signed and dated written consent" from a parent or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that the signature:

a) Identifies and authenticates a particular person as the source of the electronic consent; and

b) Indicates the person's approval of the information contained in the electronic consent.

Exceptions

Without the consent of a parent or eligible student, the District may release a student's information or records when it is:

a) Directory Information and Limited Directory Information

"Directory information" is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. "Limited Directory Information Disclosure" means that the District may limit disclosure of its designated directory information to specific parties, for specific purposes, or both. The intent is to allow schools the option to implement policies that allow for the disclosure of student information for uses such as yearbooks, honor roll lists, graduation programs, and playbills, but restrict disclosure for more potentially dangerous purposes. The District will limit disclosure of its designated directory information as otherwise specified in its public notice to parents of students in attendance and eligible students in attendance.

b) To School Officials who have a Legitimate Educational Interest

To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. An educational interest includes the behavior of a student and disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of the student, other students, or other members of the school community. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

c) To Another Educational Institution

The District may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, to another school or post-secondary institution at which the student seeks or intends to enroll, or after the student has enrolled or transferred, so long as the disclosure

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

is for purposes related to the student's enrollment or transfer. Parental consent is not required for transferring education records if the school's annual FERPA notification indicates that these disclosures may be made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, the District will provide a copy of the information disclosed and an opportunity for a hearing.

d) For Health and Safety Emergency Reasons

The District must balance the need to protect students' PII with the need to address issues of school safety and emergency preparedness. Under FERPA, if an educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records, without consent, to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals during the period of the health or safety emergency. The District may release information from records to appropriate parties including, but not limited to, parents, law enforcement officials, and medical personnel. The District's determination that there is an articulable and significant threat to the health or safety of a student or other individuals will be based upon a totality of the circumstances, including the information available, at the time the determination is made. The District must record the articulable and significant threat that formed the basis for the disclosure and maintain this record for as long as the student's education records are maintained.

e) To Juvenile Justice Systems

Information may be disclosed to state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released. In these cases, the official or authority must certify in writing that the information will not be disclosed to any other party except as provided under law without prior written consent.

f) To Foster Care Agencies

The District may release records to an agency caseworker or other representative of a state or local child welfare agency, who has the right to access a student's case plan, when the agency or organization is legally responsible, for the care and protection of the student. This does not give a child welfare agency the right to look into any non-foster care student's records, without parental consent, when there has been a mere allegation of abuse or maltreatment, absent an order or subpoena.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

g) Pursuant to a Subpoena or Court Order

When the District receives a subpoena or court order for the release of records, it will make a reasonable effort to notify the parent or guardian or eligible student of the order or subpoena in advance of compliance. This allows the parent or guardian or eligible student to seek protective action against the subpoena or order before the release of the records.

The District may disclose a student's records without first notifying parents or guardians or eligible students if the disclosure is:

1. Based on a subpoena in which the court orders, for good cause shown, not to reveal to any person the existence or contents of the subpoena or any information furnished pursuant to the subpoena;

2. In accordance with a judicial order in cases where the parents are a party to a court proceeding involving child abuse or maltreatment or dependency matters, and the order is issued in the context of that proceeding; or

3. Made to a court (with or without an order or subpoena) when the District is involved in a legal action against a parent or student and the records are relevant to the matter.

h) For Financial Aid Purposes

Pertinent information may be released in connection with the determination of eligibility, amount, conditions, and enforcement of terms of a student's financial aid.

i) To Accrediting Organizations

Disclosure of a student's records may be made to an organization in which that student seeks accreditation, in order to carry out their accrediting function.

j) To Parents of a Dependent Student

Even when a student turns 18 years of age or older the District may disclose education records to that student's parents, without the student's consent, if the student is claimed as a dependent for federal income tax purposes by either parent.

k) For Audit/Evaluation Purposes

The audit or evaluation exception allows for the disclosure of PII from education records without consent to authorized representatives of the Comptroller General of the U.S., the Attorney General, the Secretary of Education, federal, state, or local educational authorities.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

Under this exception, PII from education records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with federal legal requirements that relate to those education programs.

The District may occasionally disclose PII from education records without consent to authorized representatives of the entities listed above. The District may also designate its own authorized representative who may access PII without consent in connection with an audit or evaluation of an education program within the District. As an example, the District might designate a university as its authorized representative in order to disclose, without consent, PII from education records on its former students to the university. The university could then disclose, without consent, transcript data on those former students attending the university to allow the District to evaluate how effectively the District prepared its students for success in post-secondary education.

l) For Conducting Studies

This exception allows for the disclosure of PII from education records without consent to organizations conducting studies for, or on behalf of, schools, school districts, or post-secondary institutions. Studies can be for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction.

The District may disclose PII from education records without consent to these organizations conducting studies for the District, in accordance with its obligations under FERPA.

In addition, other entities outside of the District may occasionally disclose PII from education records that the District has previously shared with that entity, to organizations conducting studies on behalf of the District. For example, a State Education Agency (SEA) may disclose PII from education records provided by the District without consent to an organization for the purpose of conducting a study that compares program outcomes across school districts to further assess the effectiveness of these programs with the goal of providing the best instruction.

Required Agreements for the Studies or Audit/Evaluation Exceptions (see items k and l)

To the extent required by law, the District will enter into a written agreement with organizations conducting studies for the District, or, with its designated authorized representatives in connection with audits or evaluations of education programs within the District. In the event that the District discloses PII from education records to its own designated authorized representative in connection with an audit or evaluation of an educational program within the District, it will use reasonable methods to ensure to the greatest extent practicable that its designated authorized representative complies with FERPA and its regulations.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

Challenge to Student Records

Parents or guardians of a student under the age of 18, or a student who is 18 years of age or older or who is attending an institution of post-secondary education, will have an opportunity for a hearing to challenge the content of the school records and to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy of students, and to provide an opportunity for the correction or deletion of any inaccurate, misleading, or otherwise inappropriate data.

Release of Information to the Non-custodial Parent

The District may presume that the non-custodial parent has the authority to request information concerning his or her child and release this information upon request. If the custodial parent wishes to limit the non-custodial parent's access to the records, it is his or her responsibility to obtain and present to the school a legally binding instrument that prevents the release of information related to the child.

Family Educational Rights and Privacy Act of 1974, 20 USC Section 1232g
34 CFR Part 99
Education Law Section 2-d

NOTE: Refer also to Policies #5676 -- Privacy and Security for Student Data and Teacher and Principal Data
#7241 -- Student Directory Information
#7242 -- Military Recruiters and Institutions of Higher Education

Adoption Date

SUBJECT: STUDENT DIRECTORY INFORMATION

The District will publish an annual public notice informing parents or eligible students (i.e., a student 18 years of age or older or who is attending an institution of post-secondary education) of (1) the District's definition of directory information; (2) the parent or eligible student's right to opt-out of, in writing, the release of student directory information; and (3) indication of the time period to do so.

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Following this public notice and a reasonable period to opt-out, the District may release this information to an outside group without individual consent.

The Family Educational Rights and Privacy Act defines student directory information as any of the items as indicated in the following list. The District defines student directory information to include only the items of information checked below:

X	Student name
	Address
	Telephone listing
	Date and place of birth
	Major field of Study
	Grade level
X	Participation in officially recognized activities and sports
X	Weight and height (for members of athletic teams)
	Dates of attendance
X	Honors, degrees, and awards received
	Email address
X	Photograph
	Name of educational institution previously attended

(Continued)

SUBJECT: STUDENT DIRECTORY INFORMATION (Cont'd.)

	Student ID number, user ID or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.
	Student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Parents and eligible students may not, by opting out of disclosure of directory information, prevent a school from requiring a student to wear or present a student identification card or a badge that displays information that may be directory information. A student's social security number, in whole or part, will not be designated as directory information.

20 USC Section 1232g
34 CFR Part 99

NOTE: Refer also to Policies #7240 -- Student Records: Access and Challenge
#7242 -- Military Recruiters and Institutions of Higher Education

Adoption Date

SUBJECT: MILITARY RECRUITERS AND INSTITUTIONS OF HIGHER EDUCATION

Requests for Information

The District will comply with requests from military recruiters and institutions of higher education (IHEs) for access to the name, address and telephone listing of each secondary school student, except for any student whose parent (or the student, if he or she is at least 18 years of age) has submitted a written request to opt-out of this disclosure, in which case the information will not be released without the parent's (or student's, if he or she is at least 18 years of age) prior written consent.

Annual Notification and Opt-Out Opportunity

The District will annually notify parents of a secondary student (or the student, if he or she is at least 18 years of age) of the opportunity to submit a written request to opt-out of disclosure of the student's name, address, and telephone listing to military recruiters and IHEs. If a written opt-out request is submitted, the District will not disclose the student's information to military recruiters or IHEs without the parent's (or student's, if he or she is at least 18 years of age) prior written consent.

Military Recruiter Access

The District will provide military recruiters the same access to secondary school students as is provided generally to IHEs or prospective employers of those students.

Elementary and Secondary Education Act of 1965, 20 USC Section 7908 as amended
by the Every Student Succeeds Act (ESSA) of 2015
10 USC Section 503
Education Law Section 2-a

Adoption Date

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS UNDER THE PROTECTION OF PPRA

The Protection of Pupil Rights Amendment (PPRA) governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following protected areas:

a) Political affiliations or beliefs of the student or the student's parent or guardian;

b) Mental or psychological problems of the student or the student's family;

c) Sex behavior or attitudes;

d) Illegal, anti-social, self-incriminating, or demeaning behavior;

e) Critical appraisals of other individuals with whom respondents have close family relationships;

f) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

g) Religious practices, affiliations, or beliefs of the student or student's parent or guardian; or

h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

General Provisions

The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA) and does not supersede any of the requirements of the Family Educational Rights and Privacy Act (FERPA).

The rights provided to parents or guardians under PPRA transfer from the parent or guardian to the student when the student turns 18 years old or is an emancipated minor under applicable state law.

The District may use funds provided under Part A of Title IV of the Elementary and Secondary Education Act of 1965 to enhance parental or guardian involvement in areas affecting the in-school privacy of students.

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS UNDER THE PROTECTION OF PPRA (Cont'd.)

Annual Parental Notification of Policies/Prior Written Consent/Opt-Out Provisions

The District will provide for reasonable notice of the adoption or continued use of this policy directly to parents or guardians and eligible students enrolled in the District. At a minimum, the District will provide this notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

Further, in the notification, the District will offer an opportunity for parents or guardians to provide written consent or opt their child out of participation in the following activities in accordance with law and the surveys conducted:

a) The administration of any survey containing one or more of the protected areas.

   1. U.S. Department of Education-Funded Surveys: prior written consent from parents must be obtained before students are required to submit to the survey.

   2. Surveys funded by sources other than U.S. Department of Education: notification may indicate the specific or approximate dates during the school year when surveys will be administered and provide an opportunity for the parent to opt his or her child out of participating upon receipt of the notification.

b) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

c) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during the examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Specific Notification

In the event that the District does not identify the specific or approximate dates of the activities or surveys to be administered in the general annual notification, it will directly notify, such as through U.S. Mail or email, the parents of students who are scheduled to participate in the specific activities or surveys prior to participation and provide an opportunity for the parent to provide written consent or opt his or her child out of participation in accordance with law and the surveys conducted.

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS UNDER THE PROTECTION OF PPRA (Cont'd.)

U.S. Department of Education-Funded Surveys

The District is committed to protecting the rights and privacy interests of parents or guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).

The District will make instructional materials available for inspection by parents or guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate. In addition, the District will obtain prior written parental or guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning any of the protected areas.

Surveys Funded by Sources Other than U.S. Department of Education

The District has developed and adopted this policy, in consultation with parents or guardians, regarding the following:

a) The right of the parent or person in parental relation to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents or guardians to inspect the surveys are to be submitted, in writing, to the building principal at least ten days prior to the administration or distribution of any survey. Further, the District will grant a request by the parent or guardian for reasonable access to the survey within a reasonable period of time after the request is received by the District.

b) Arrangements will be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the protected areas, including the right of the parent or guardian of the student to inspect, upon request, any survey containing one or more of the protected areas. These requests must be submitted by the parent or guardian, in writing, to the building principal at least ten days prior to the administration or distribution of any survey.

c) Parents or guardians will be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within a reasonable period of time (defined by the District, for the purposes of this policy, as 30 days) after the request is received by the District. Requests must be submitted by parents or guardians, in writing, to the principal. The term "instructional material" means instructional

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS UNDER THE PROTECTION OF PPRA (Cont'd.)

content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

d) The administration of physical examinations or screenings that the District may administer to a student.

Further, this law does not apply to any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

In the implementation of this provision regarding the administration of physical examinations or screenings that the school may administer to the student, the District incorporates by reference Board policies that address student health services, as applicable, including, but not limited to, policies regarding the administration of medication, immunization of students, and student physicals.

e) Unless mandated or authorized in accordance with federal or state law or regulation, it is policy of the Board, to not permit the collection, disclosure, or use of personal information (defined as individually identifiable information including a student's or parent/guardian's first and last name, home address, telephone number, or Social Security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), unless otherwise exempted in accordance with law as noted below. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent or designee.

This law is not intended to preempt applicable provisions of state law that require parental or guardian notification.

These requirements do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

a) College or other post-secondary education recruitment, or military recruitment;

b) Book clubs, magazines, and programs providing access to low-cost literary products;

c) Curriculum and instructional materials used by elementary schools and secondary schools;

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS UNDER THE PROTECTION OF PPRA (Cont'd.)

d) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing these tests and assessments) and the subsequent analysis and public release of the aggregate data from these tests and assessments;

e) The sale by students of products or services to raise funds for school-related or education-related activities;

f) Student recognition programs.

Family Educational Rights and Privacy Act of 1974, 20 USC Section 1232g, as amended by the Every Student Succeeds Act of 2015
Protection of Pupil Rights Amendment (PPRA), 20 USC 1232h
34 CFR Part 98
34 CFR Part 99

NOTE: Refer also to Policies #7242 -- Military Recruiters and Institutions of Higher Education
#7511 -- Immunization of Students
#7512 -- Student Physicals
#7513 -- Medication and Personal Care Items

Adoption Date

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.

NOTE: Refer also to Policies #7130 -- Entitlement to Attend -- Age and Residency
#7240 -- Student Records: Access and Challenge

Adoption Date

SUBJECT: STUDENT ACCEPTABLE USE POLICY (AUP)

The Board will provide access to various computerized information resources through the District's computer system ("DCS") consisting of software, hardware, computer networks, and electronic communications systems. This may include access to email and the Internet. It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, will be subject to this policy. Further, all DCS use must be in support of education or research and consistent with the goals and purposes of the District.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the DCS and also to give students and parents or guardians notice that student use of the DCS will provide student access to external computer networks not controlled by the District. The District cannot screen or review all of the available content or materials on these external computer networks, thus, some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents or guardians.

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 this 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. Parents and guardians should establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The acceptable use standards outlined in this policy apply to student use of technology via the DCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Use of Personal Electronic Devices

Electronic devices include all existing and emerging technology devices that can take photographs, record or play audio or video, input text; upload and download media; connect to or receive information from the Internet, intranet, or other networks; and transmit or receive messages, calls, or images. Examples of personal electronic devices include, but are not limited to, cell phones, smart watches, iPods, iPads, tablets, Nooks, Kindles, laptops, and other devices with similar capabilities.

The District reserves the right to restrict student use of DCS and personal technology on school property or at school-sponsored events, at the discretion of the administration.

Student use of any personally owned technology or electronic devices on District property is at the user's own risk. The District waives any liability to the damage to personally owned electronic devices. The District is not liable for any damage to personally owned electronic devices that resulted from accessing the Local Area Network or DCS resources or otherwise. The District is not responsible for

(Continued)

SUBJECT: STUDENT ACCEPTABLE USE POLICY (AUP) (Cont'd.)

any configuration or assistive support of personal-owned electronic devices. The District reserves the right to monitor, inspect, and/or confiscate personal technology or data, personal or otherwise when administration has reasonable suspicion to believe that a violation of school policy or criminal law has occurred.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage.

District students must also adhere to the laws, policies, and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use of the DCS may lose access in accordance with applicable due process procedures, and may be subject to further discipline in accordance with the District *Code of Conduct*.

Student data files and other electronic storage areas are considered District property subject to control and inspection. The Director of Technology or their designee may access all files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy. Students should not expect that information stored on the DCS will be private.

Notification

The District's AUP will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the DCS.

General Obligations Law Section 3-112

NOTE: Refer also to Policy #8271 -- Internet Safety/Internet Content Filtering
District *Code of Conduct*

Adoption Date

SUBJECT: USE OF INTERNET-ENABLED DEVICES DURING THE SCHOOL DAY

The District consulted with local stakeholders including employee organizations representing each bargaining unit, parents, and students to develop this policy to prohibit the use of Internet-enabled devices by students during the school day on school grounds. This policy aims to ensure that students remain focused on their academic responsibilities throughout the school day, which includes all instructional and non-instructional periods such as homeroom, lunch, recess, study halls, and passing time.

For purposes of this policy, the following definitions apply:

a) "Internet-enabled devices" means and includes any smartphone, tablet, smartwatch, or other device capable of connecting to the Internet and enabling the user to access content on the Internet, including social media applications;

"Internet-enabled devices" does not include:

1. Non-Internet-enabled devices such as cellular phones or other communication devices not capable of connecting to the Internet or enabling the user to access content on the Internet; or

2. Internet-enabled devices supplied by the District, charter school, or Board of Cooperative Educational Services (BOCES) that are used for an educational purpose.

b) "School day" means the entirety of every instructional day as required by subdivision 7 of the Education Law Section 3604 during all instructional time and non-instructional time, including but not limited to homeroom periods, lunch, recess, study halls, and passing time.

Students are generally prohibited from using Internet-enabled devices during the school day anywhere on school grounds.

However, students may be authorized to use an Internet-enabled device during the school day on school grounds:

a) If authorized by a Building or District administrator for a specific educational purpose;

b) Where necessary for the management of a student's health care;

c) In the event of an emergency;

d) For translation services;

e) On a case-by-case basis, upon review and determination by a District or building-level administrator; or

(Continued)

SUBJECT: USE OF INTERNET-ENABLED DEVICES DURING THE SCHOOL DAY (Cont'd.)

f) Where required by law.

Students must be permitted to use an Internet-enabled device where the use is included in the student's:

a) Individualized Education Program (IEP); or

b) Section 504 Plan.

On-Site Storage of Internet-Enabled Devices Including Cell Phones

Students must store their Internet-enabled devices in designated on-site storage areas during the school day. On-site storage areas may include, but are not limited to, school issued cellphone pouches, student lockers, designated storage bins in classrooms, or secure storage areas in the school's main office. The designated on-site storage areas must be easily accessible to students and provide adequate security to ensure the safekeeping of the student's devices. The District will communicate the procedures for storing and retrieving devices, ensuring that students understand their responsibilities in using the on-site storage facilities provided.

Methods for Parents to Contact Students During the School Day

To accommodate necessary communication, parents or persons in parental relation may use the following methods to contact their student during school hours while adhering to this policy:

a) School Office Phone: Parents or persons in parental relation may call the school's main office, and the office staff can relay messages to the student or call the student to the office to speak with their parent or person in parental relation.

b) Designated Contact Email: Schools may provide a designated email address for parents and persons in parental relation to send messages. These emails may be monitored by school staff.

c) Classroom Intercom System: In case of an emergency, the school's main office can use the classroom intercom system to notify students directly or ask them to come to the office.

d) Written Notes: Parents or persons in parental relation can drop off written notes at the school's main office, which can then be delivered to the student by school staff.

Parents and persons in parental relation will be notified in writing of the methods that are available for contacting their student during school hours upon enrollment and at the beginning of each school year.

(Continued)

SUBJECT: USE OF INTERNET-ENABLED DEVICES DURING THE SCHOOL DAY (Cont'd.)

Student Discipline for Accessing Internet-Enabled Devices During the School Day

The District is prohibited from suspending a student solely for accessing Internet-enabled devices in violation of this policy. However, repeated violations of this policy will be viewed as insubordination and subject to discipline according to the Code of Conduct.

Posting and Translation of Policy

The District will post this policy in a clearly visible and accessible location on its website. Translations of the policy into the 12 most common non-English languages spoken by limited-English proficient individuals in the state will be provided upon request by a student or other persons in parental relation to a student.

Reporting and Mitigation Action Plan

Beginning September 1, 2026 and annually thereafter, the District will publish an annual report on its website detailing enforcement of this policy within the District in the prior school year. This report will include non-identifiable demographic data of students who have faced disciplinary action for non-compliance and analysis of any demographic disparities in enforcement of this policy. If a statistically significant disparate enforcement impact is identified, the report will include a mitigation action plan.

Education Law Section 2803

Adoption Date

SUBJECT: BUS RULES

Bus drivers will be held responsible for reasonable and acceptable behavior of students while riding the school bus. Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport their passengers safely.

The Board and the Superintendent or designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. Generally, parent(s) or guardian(s) will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, if a suspension from transportation effectively results in absence from school because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District will make appropriate arrangements to provide for the student's education.

The District furnishes transportation to students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student's Individualized Education Program (IEP), riding school buses is a privilege which may be revoked if the student does not comply with the rules set forth in the *Code of Conduct*.

If a student with a disability who receives transportation as a related service as part of their IEP is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student will be referred to the Committee on Special Education.

Individuals with Disabilities Act (IDEA), 20 USC Sections 1400-1485
8 NYCRR Part 156

Adoption Date

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT

Overview

The District prohibits the use of corporal punishment, aversive interventions, and seclusion. The District authorizes the limited use of timeout and physical restraint in schools to address student behaviors subject to conditions in law, regulation, and this policy.

Definitions

For purposes of this policy, the following definitions apply:

a) "Aversive intervention" means an intervention that is intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior, including interventions such as:

1. Contingent application of noxious, painful, intrusive stimuli or activities;

2. Strangling, shoving, deep muscle squeezes, or other similar stimuli;

3. Any form of noxious, painful, or intrusive spray, inhalant, or tastes;

4. Contingent food programs that include the denial or delay of the provision of meals or intentionally altering staple food or drink in order to make it distasteful;

5. Movement limitation used as a punishment, including, but not limited to, helmets and mechanical restraints; or

6. Other stimuli or actions similar to the interventions described in this definition.

Aversive intervention does not include interventions such as: voice control, limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions.

b) "Corporal punishment" means any act of physical force upon a student for the purpose of punishing that student. The term does not include the use of physical restraints to protect the student, another student, teacher, or any other person from physical injury when alternative procedures and methods not involving the use of physical restraint cannot reasonably be employed to achieve these purposes.

c) "De-escalation" means the use of a behavior management technique that helps a student increase control over their emotions and behavior and results in a reduction of a present or potential level of danger to the student or others.

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

d) "Mechanical restraint" means the use of any device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include devices implemented by trained school personnel, or utilized by a student, that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

1. Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;

2. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;

3. Restraints for medical immobilization; or

4. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

e) "Multi-tiered system of supports" means a proactive and preventative framework that utilizes data to inform instruction and the allocation of services to maximize achievement for all students and support students' social, emotional, and behavioral needs from a culturally responsive and strength-based perspective.

f) "Physical escort" means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

g) "Physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.

h) "Prone restraint" means physical or mechanical restraint while the student is in the face down position.

i) "Seclusion" means the involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or they may perceive that they cannot leave at will. Seclusion does not include timeout.

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

j) "Timeout" means a behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program. Timeout does not include:

1. A student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies;

2. Use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan;

3. A teacher removal, in-school suspension, or any other appropriate disciplinary action.

Prohibition of the Use of Corporal Punishment, Aversive Interventions, and Seclusion

No teacher, administrator, officer, employee, or agent of the District will use the following against a student:

a) Corporal punishment;

b) Aversive interventions; or

c) Seclusion.

Agent includes, but is not limited to, school resource officers, except when a student is under arrest and handcuffs are necessary for the safety of the student and others.

Authorized Limited Use of Timeout and Physical Restraint

Positive, proactive, evidence-based, and research-based strategies through a multi-tiered system of supports will be used to reduce the occurrence of challenging behaviors, eliminate the need for the use of timeout and physical restraint, and improve school climate and the safety of all students.

Timeout and physical restraint 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 contraindication to its use on the student; and

c) Staff using the interventions have been trained in its safe and appropriate application.

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

Timeout and physical restraints will not be used as 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.

Timeout

The following rules apply to the use of timeout in the District:

a) Timeout will only be used in the following situations:

1. A situation that poses an immediate concern for the physical safety of the student or others; or

2. In conjunction with a behavioral intervention plan that is designed to teach and reinforce alternative appropriate behaviors.

b) A room or physical space used for timeout may be located either within or outside of a classroom. The room or physical space will:

1. Be unlocked, and any door must be able to be opened from the inside. The use of locked rooms or physical spaces is prohibited.

2. Provide a means for continuous visual and auditory monitoring of the student. The use of a room where the student cannot be continuously observed and supervised is prohibited.

3. Be of adequate width, length, and height to allow the student to move about and recline comfortably.

4. Be clean and free of objects and fixtures that could be potentially dangerous to a student.

5. Meet all local fire and safety codes.

6. Have wall and floor coverings that, to the extent practicable, are designed to prevent injury to the student.

7. Have adequate lighting and ventilation.

8. Have a temperature that is within the normal comfort range and consistent with the rest of the building.

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

c) When a student is in a timeout room or space, staff will continuously monitor the student.

d) Any staff functioning as timeout monitors will be trained in accordance with law and regulation.

e) Staff will return the student to their educational program as soon as the student has safely deescalated, regained control, and is prepared to meet expectations.

Factors which may precipitate the use of timeout include:

a) When the student exhibits behaviors that are putting themselves or others at imminent risk of physical harm.

b) Behavior intervention plans that utilize timeout will include the maximum amount of time a student will be in timeout based on that student's unique needs and developmental level.

The following additional rules apply to the use of timeout in conjunction with a behavioral intervention plan:

a) The District will ensure that timeout is used consistent with the rules for the use of timeout listed above.

b) The student's Individualized Education Program (IEP) will specify when a behavioral intervention plan includes the use of timeout, including the maximum amount of time a student will need to be in timeout as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs.

c) Prior to the initiation of a behavioral intervention plan that will incorporate the use of timeout, the District will inform the student's parents or persons in parental relation and give them the opportunity to see the room or physical space that will be used.

d) Prior to the initiation of a behavioral intervention plan that will incorporate the use of timeout, the District will give the student's parents or persons in parental relation a copy of this policy.

Physical Restraint

Physical restraint will only be used in a situation in which immediate intervention involving the use of reasonable physical force is necessary to prevent imminent danger of serious physical harm to the student or others.

The following rules apply to the use of physical restraint in the District:

a) The type of physical restraint used will be the least restrictive technique necessary and be discontinued as soon as the imminent danger of serious physical harm has resolved.

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

b) Physical restraint will never be used in a manner that restricts the student's ability to breathe or communicate or harms the student.

c) The use of prone restraint is prohibited.

d) Physical restraint will not be used as a planned intervention on a student's individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for a student by the District.

e) Physical restraint will not be used to prevent property damage except in situations where there is imminent danger of serious physical harm to the student or others and the student has not responded to positive, proactive intervention strategies.

f) Physical restraints will be administered only by staff who have received the legally required training.

g) Following a physical restraint, if an injury has been sustained or believed to have been sustained, the school nurse or other medical personnel (i.e., physician, physician assistant, or a nurse practitioner) will evaluate the student to determine and document if any injuries were sustained during the incident.

Factors which may precipitate the use of physical restraint include:

a) When a student exhibits behaviors that are putting themselves or others at imminent risk of physical harm.

The use of physical restraint will adhere to the following developmentally appropriate time limitations:

a) Students will remain in physical restraint only while the imminent danger of serious physical harm to the student or others persists.

b) No student will remain in physical restraint for longer than 20 minutes without release.

Notification Following the Use of Timeout, Physical Restraint, and/or Mechanical Restraint

Parent(s) or person(s) in parental relation to the student will be notified on the same day when timeout, physical restraint, and/or mechanical restraint is used, including timeout used in conjunction with a student's behavioral intervention plan. When the student's parent or person in parental relation cannot be contacted, after reasonable attempts are made, the building principal or administrator will record the attempts. For students with disabilities, the building principal or administrator will report the

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

attempts to the student's committee on preschool special education or committee on special education. The notification will offer the parent or person in parental relation the opportunity to meet regarding the incident.

Additionally, the District will provide the parent or person in parental relation with:

a) A copy of this policy; and

b) A copy of the documentation of the incident within three school days of the use of timeout and/or physical restraint.

Debriefing

As soon as practicable, after every incident in which timeout and/or a physical restraint is used on a student, a building administrator or designee will:

a) Meet with the staff who participated in the use of timeout and/or physical restraint to discuss:

1. The circumstances leading to the use of timeout and/or physical restraint;

2. The positive, proactive intervention strategies that were utilized prior to the use of timeout and/or physical restraint; and

3. Planning for the prevention and reduction of the future need for timeout and/or physical restraint 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; and

b) Direct a school staff member to debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s), if any, that precipitated the use of timeout and/or physical restraint.

Training

All staff will receive annual training on the District's policies and procedures related to the use of timeout and physical restraint; evidence-based positive, proactive strategies; crisis intervention and prevention procedures and de-escalation techniques. Additionally, any staff who may be called upon to implement timeout or physical restraint, will receive annual, evidence-based training in safe and effective developmentally appropriate timeout and physical restraint procedures.

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

Notification

This policy will be made publicly available for review at the District's administrative offices and each school building. It will also be posted on the District's website.

Reporting

The District will submit an annual report on the use of physical restraint and timeout and substantiated and unsubstantiated allegations of use of corporal punishment, mechanical restraint, and other aversive interventions, prone physical restraint, and seclusion to the New York State Education Department, on a form and at a time prescribed by the Commissioner of Education in accordance with law and regulation. Additionally, the District will report this data for students for whom they are the district of residence and who are otherwise not reported.

Recordkeeping

The District will maintain documentation on the use of timeout and/or physical restraint, including timeout used in conjunction with a student's behavioral intervention plan, for each student. This documentation will include:

a) The name and date of birth of the student;

b) The setting and location of the incident;

c) The name of the staff who participated in the implementation, monitoring, and supervision of the use of timeout and/or physical restraint and any other persons involved;

d) A description of the incident including duration, and, for physical restraint, the type of restraint used;

e) Whether the student has an individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for the student by the District;

f) A list of all positive, proactive intervention strategies utilized prior to the use of timeout and/or physical restraint and, for students with disabilities, whether those strategies were consistent with a student's behavioral intervention plan, if applicable;

g) The details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse or other medical personnel;

h) The date and method of notification to the parent or person in parental relation and whether a meeting was held; and

(Continued)

SUBJECT: TIMEOUT AND PHYSICAL RESTRAINT (Cont'd.)

i) The date of the debriefing held.

Documentation of the incident will be reviewed by supervisory personnel and, as necessary, the school nurse or other medical personnel.

Documentation of each incident will be maintained by the school and made available for review by the New York State Education Department upon request.

A record should be created for each instance of physical restraint or timeout, and for allegations concerning prohibited intervention types. Multiple event records during a day for a student would be created only:

a) If a new situation occurs involving the student after the prior event had de-escalated and student had returned to the learning environment; or

b) When a new restraint or intervention response type is employed during the event. For example, during an event, a staff person employed a physical restraint on a student, and the situation escalated to the point where a timeout was used. The addition of the timeout would constitute an additional event record beginning with that application.

The District will use this data collection to monitor patterns of use of timeout and physical restraint.

Review

The building administrator or designee will regularly review documentation on the use of timeout and physical restraint to ensure compliance with the District's policy and procedures. When there are multiple incidents within the same classroom or involving the same staff, the building administrator or designee shall take appropriate steps to address the frequency and pattern of use of timeout or physical restraint.

Education Law Section 4402
8 NYCRR Sections 19.5, 100.2(l)(3), and 200.22

Adoption Date

SUBJECT: WEAPONS IN SCHOOL AND THE GUN-FREE SCHOOLS ACT

No student may bring in or possess any "firearm" or "weapon" on school property, on a school bus or District vehicle, in school buildings, or at school-sponsored activities or settings under the control or supervision of the District regardless of location. Any student who has been found guilty of bringing in or possessing a firearm or weapon in violation of this policy will be disciplined in a manner consistent with law and the District's *Code of Conduct*. Discipline may include a mandatory suspension for a period of not less than one calendar year for a student who is determined to have violated the Federal Gun-Free Schools Act and its implementing provisions in the New York State Education Law, provided that the Superintendent may modify the suspension requirement on a case-by-case basis.

Students who have brought a "weapon" or "firearm" to school will be referred by the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or to appropriate law enforcement officials. These referrals will be made as follows: a student who is under the age of 16 and who is not a 14 or 15 year-old who qualifies for juvenile offender status under the Criminal Procedure Law will be referred to a presentment agency for juvenile delinquency proceedings; a student who is 16 years old or older, or who is 14 or 15 and qualifies for juvenile offender status, will be referred to the appropriate law enforcement authorities.

For the purposes of this policy, the term "weapon" will be as defined in 18 USC 930(g)(2).

For the purposes of this policy, the term "firearm" will be as defined in 18 USC 921(a).

Students with disabilities continue to be entitled to all rights set forth in the Individuals with Disabilities Act and Education Law Article 89. This policy does not authorize suspension of students with disabilities in violation of those authorities.

This policy also does not diminish the authority of the Board to offer courses in instruction in the safe use of firearms in accordance with Education Law Section 809-a.

Gun-Free Schools Act as amended by the Every Student Succeeds Act (ESSA) of 2015, 20 USC Section 7961
18 USC Sections 921(a) and 930(g)(2)
Criminal Procedure Law Section 1.20(42)
Education Law Sections 809-a and 3214

NOTE: Refer also to Policy #3411 -- Prohibition of Weapons on School Grounds
District *Code of Conduct*

Adoption Date

SUBJECT: EXTRACURRICULAR ACTIVITIES

Any organization within the District whose activities are conducted by students, and whose financial support is raised other than by taxation or through charges of the Board, is an extraclassroom activity (ECA). All ECAs must be approved by the Board. The Superintendent or designee will maintain an up-to-date register of all ECAs that are approved or discontinued. The District will develop detailed procedures for the establishment of ECAs.

The Board may adopt rules and regulations to abolish and/or prohibit any fraternity, sorority, or other secret society in any secondary school in the District provided that the Board has found that the fraternity, sorority, or secret society has, by virtue of its activities, caused or created a disruption of or interference with the academic process of any secondary school within the District or caused or created a disruption of the academic process of any individual student or students in any secondary school within the District.

Eligibility for Attendance

Extracurricular participation is defined as involvement in any non-credit bearing, school-sponsored organization or activity, including class organizations, clubs, and athletic teams. Student participation in extracurricular activities is a privilege and carries with it responsibilities to self, school, and community. Students must abide by the academic standards and standards of conduct for participation in extracurricular activities as established by the Board and outlined in the District's *Code of Conduct* and/or any other applicable document. These standards for participation cover four areas: Academic Performance, Chemical Use/Abuse, Student Behavior, and School Attendance. The Board directs the Superintendent or his or her designee to develop eligibility standards that govern student participation in extracurricular activities.

Limited Open Forum

The District maintains a limited open forum where secondary students may meet for voluntary student-initiated activities unrelated directly to the instructional program, regardless of religion, political or philosophical content. The District will provide a fair opportunity to students who wish to conduct such a meeting in accordance with the provisions of the Equal Access Amendment.

The Board prohibits student organizations whose activities may violate the law or school rules/regulations or may cause disruption to or interference with the orderly conduct of the educational process.

Administration is responsible for establishing regulations governing the use of school facilities by student organizations.

20 USC Sections 4071-4074
Education Law Sections 1709-a, 2503-a, and 2554-a
8 NYCRR Part 172
NYSED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019
Adoption Date

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

General Principles and Eligibility

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

Athletic eligibility requires that the student:

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

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

c) Obtain medical clearance from the District's Medical Director.

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

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

Title IX Compliance

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

a) Whether the selection of sports and levels of competition effectively accommodate all students' interests and abilities;

b) The provision of equipment and supplies;

c) Scheduling of games and practice time;

d) Travel costs and opportunities for travel;

e) Assignment and compensation of coaches;

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

(Continued)

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

g) Available medical and training facilities and services; and

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

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

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

Booster Clubs

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

Athletic Placement Process for Interschool Athletic Programs (APP)

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

Student Athletic Injuries

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

(Continued)

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

Athletic Program Safety

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

a) Requiring timely medical examinations of participants;

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

c) Providing or requiring certified or licensed officials to officiate all competitions when available;

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

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

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

Sudden Cardiac Arrest

For purposes of this policy, the following definition applies:

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

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

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

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

(Continued)

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

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

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

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

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

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

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

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

Adoption Date

SUBJECT: CONTESTS FOR STUDENTS, STUDENT AWARDS AND SCHOLARSHIPS

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 students in the project on school time. Samples of informational material should accompany the request. As determined by the building principal, the request may be forwarded to the Superintendent and the Board for approval.

Student Awards and Scholarships

The District may obtain and give certain awards and scholarships to its students. The Board will hold in trust gifts, grants, bequests, and legacies given or bequeathed to the District, and it will apply the same or their interest and proceeds according to the instruction of the donors and according to the procedures established by the administration.

Education Law Sections 1604(30), 1709(12-a), and 2503(1)

Adoption Date

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 16 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 promotes student voter registration and pre-registration through encouraging voter registration and pre-registration at various student events throughout the year.

The District will inform students of New York State's requirements for voter registration and pre-registration, as well as provide access to voter registration and pre-registration applications during the school year and provide assistance with filing these applications. The completion and submission of voter registration or pre-registration forms will not be a course requirement or graded assignment for District students.

Election Law Section 5-507

Adoption Date

SUBJECT: FUNDRAISING BY STUDENTS

Fundraising projects in which students 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 plan must have a clearly defined purpose and, in general, must contribute to the educational experience of students. Fundraising must not conflict with instructional programs or state mandates. Fundraising activities away from school property will be held to a minimum. All participation will be voluntary.

Profits will be used to enhance school programs by providing money for expenditures not normally funded by the District.

Employees are not permitted to deposit the proceeds of any legitimate sales activity in their own personal accounts. These activities may jeopardize a student's right to participate in the educational program on a tuition or fee-free basis. Further, employees engaged in these activities may be held personally liable.

Off School Premises

Fund-raising activities sponsored by the School District requiring door-to-door solicitation are prohibited.

New York State Constitution, Article VIII, Section 1
Education Law Section 414
8 NYCRR Section 19.6

NOTE: Refer also to Policy #3271 -- Solicitation of Charitable Donations

Adoption Date

SUBJECT: STUDENT GOVERNMENT

Student government organizations enhance civic engagement and leadership preparedness. Civic-ready students use knowledge, skills, and mindsets to make decisions and take actions for themselves, their communities, and the public good as members of a culturally diverse, democratic society.

Recognizing the benefits of student government organizations, the District has established a student government for the high school in the District.

The student government will serve as a liaison between the student body and school administration, representing student perspectives in district policies and programs. It will meet regularly to discuss and address student interests and concerns, and to plan activities that promote civic engagement and school spirit.

The District will establish guidelines and procedures for the operation of the student government.

Education Law Section 817

NOTE: Refer also to Policy #7410 -- Extracurricular Activities

Adoption Date

SUBJECT: SCHOOL HEALTH SERVICES

The District will provide and maintain a continuous program of health services which includes, but is not limited to:

a) Providing medical examinations and health screenings designed to determine the health status of the student;

b) Informing parents or other persons in parental relation to the student, pupils, and teachers of the individual student's health condition subject to federal and state confidentiality laws. The District will provide this notice in writing if the District becomes aware that the student has impaired sight or hearing or a physical disability, including sickle cell anemia, or other condition which may require professional attention with regard to health;

c) Where the exigencies warrant (where the parents or persons in parental relation are unable or unwilling to provide the necessary relief and treatment), providing relief in situations where the student would otherwise be deprived of the full benefit of education through inability to follow the instruction offered;

d) Guiding parents, students, and teachers in procedures for preventing and correcting defects and diseases and for the general improvement of the health of students;

e) Instructing school personnel in procedures to take in case of accident or illness;

f) Maintaining a program of education to inform school personnel, parents, non-school health agencies, welfare agencies, and the general public regarding school health conditions, services, and factors relating to the health of students;

g) Providing inspections and supervision of the health and safety aspects of the school facilities;

h) Providing health examinations before participation in strenuous physical activity and periodically throughout the season as necessary;

i) Providing health examinations necessary for the issuance of employment certificates, vacation work permits, newspaper carrier certificates, and street trades badges; and

j) Surveying and making necessary recommendations concerning the health and safety aspects of school facilities and the provision of health information.

Education Law Article 19
8 NYCRR Part 136

Adoption Date

SUBJECT: IMMUNIZATION OF STUDENTS

Every child entering or attending a District school must present proof of immunization or proof of immunity by serology (blood test) if applicable unless a New York State licensed physician certifies that the immunization may be detrimental to the child's health. The requirement for that immunization is waived until the immunization is no longer detrimental to the child's health. Medical exemptions must be reissued annually.

Except for a valid medical exemption, the District will not permit a child lacking acceptable evidence of required immunizations to remain in school for more than 14 days or more than 30 days for an out-of-state or out-of-country transferee who can show a good faith effort to get the necessary certification or other evidence of immunization.

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;

b) Notify the local health authority of the name and address of the excluded child and of the immunization or immunizations which the child lacks; and

c) Provide, with the cooperation of the local health authority, for a time and place at which the required immunization or immunizations may be administered.

For homeless children, the enrolling school must immediately refer the person in parental relation to the child to the District's homeless liaison, who must assist them in obtaining the necessary immunizations or medical records.

The District will provide an annual summary of compliance with immunization requirements to the Commissioner of Health.

All schools will also post educational information on influenza and the benefits of influenza immunization which will be in plain view and available to persons in parental relation.

Education Law Sections 310 and 914
Public Health Law Sections 613 and 2164
8 NYCRR Sections 100.2 and 136.3
10 NYCRR Subpart 66-1

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date

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) Prekindergarten or kindergarten; and

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

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

Health Certificate

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

a) A District school at any grade level;

b) Prekindergarten or kindergarten; and

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

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

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

a) Be on a form prescribed by the Commissioner;

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

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

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

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

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

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

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

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

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

Dental Health Certificate

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

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

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

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

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

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

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

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

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

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

Examination by Health Appraisal

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

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

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

District Reporting of BMI and Weight Status Category

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

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

Lead Screenings

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

Health Screenings

The District will provide a:

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

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

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

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

Student Health Records

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

(Continued)

SUBJECT: STUDENT PHYSICALS (Cont'd.)

Accommodation for Religious Beliefs

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

Students in Temporary Housing

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

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

NOTE: Refer also to Policies #7131 -- Education of Students in Temporary Housing
#7250 -- Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors Under the Protection of PPRA
#7420 -- Sports and the Athletic Program
#7510 -- School Health Services
#7511 -- Immunization of Students
#7522 -- Concussion Management

Adoption Date

SUBJECT: MEDICATION AND PERSONAL CARE ITEMS

Administration of Medication

The school's registered professional nurse may administer medication to a student during regular school hours and at school-sponsored activities under certain conditions. For the purpose of this policy, the term "medication" includes both prescription and non-prescription medications. The school must receive the following before medication will be administered to a student:

a) The original written order from the student's health care provider stating the name of the medication, precise dosage, frequency, and time of administration;

b) A written, signed consent from the student's parent or person in parental relation requesting the administration of the medication, as prescribed by the health care provider, to the student in school; and

c) The medication in its original container, labeled with the student's name, and delivered to the school health office by the student's parent or person in parental relation. Prescription medication must include the following additional information: name and phone number of pharmacy, date and number of refills, name of medication, dosage, frequency, prescribing health care provider, route of administration, and other directions.

A student is not permitted to carry any medication on their person in school, or on the school bus, or keep any medication in their school locker(s). Exceptions may apply for students diagnosed with asthma or other respiratory illnesses, diabetes, or allergies who will be permitted to carry and self-administer medication under certain conditions.

All medication orders must be reviewed annually by school health office personnel or whenever there is a change in dosage.

Students with Asthma or Other Respiratory Illnesses

Student's personal equipment used to deliver albuterol will be cleaned and appropriately labeled with the student's name and used solely by that individual student. (Examples of equipment to be cleaned and labeled are nebulizer tubing, facemask, mouthpiece, spacer, etc.)

Self-Administration of Medication

Students are permitted to self-administer medication under certain circumstances, in accordance with law and regulation. Generally, these students' medications are stored in the health office for the student to obtain and administer to themselves.

(Continued)

SUBJECT: MEDICATION AND PERSONAL CARE ITEMS (Cont'd.)

However, some students must be permitted to carry their medication with them because the medication needs rapid administration. Students with respiratory conditions, allergies, or diabetes are permitted to carry and use prescribed rescue inhaled medication, epinephrine auto-injector, insulin, glucagon, and/or related equipment and supplies if the following conditions are met:

a) An authorized health care provider furnishes written permission that includes an attestation that the student's diagnosis requires the medication, that the student has demonstrated that they can self-administer the medication effectively, the name of the prescribed medication, the dose, the times when the medication is to be taken, the circumstances which may require the use of the medication, and the length of time for which the medication is prescribed; and

b) Written parental consent.

Upon written request of the student's parent or person in parental relation, the school will allow the student to keep extra medication and supplies in the care and custody of the school's registered professional nurse, nurse practitioner, physician assistant, or school physician which will be readily accessible to the student.

Students with permission, a health care provider attestation and written parental consent to self-administer medications may administer their medication during the school day, on school property, and at any school function.

Students with diabetes will also be permitted to carry food, oral glucose, or other similar substances necessary to treat hypoglycemia in accordance with district policy.

Each student who is permitted to self-administer medication should have an emergency care plan on file with the school. Further, the school will maintain a record of all written consents from the parent or person in parental relation in the student's cumulative health record.

Students with Asthma or Another Respiratory Disease

A student will be permitted to carry and self-administer their prescribed inhaled rescue medication during the school day, on school property, and at any school function if the school health office has the following on file:

a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of asthma or other respiratory disease for which inhaled rescue medications are prescribed to alleviate respiratory symptoms or to prevent the onset of exercise induced asthma; the student has demonstrated that they can self-administer the prescribed medication effectively; and the expiration date of the order, the name of the prescribed medication, the dose the student is to self-administer, times when the medication is to be self-administered, and the circumstances which may warrant the use of the medication; and

(Continued)

SUBJECT: MEDICATION AND PERSONAL CARE ITEMS (Cont'd.)

b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain an extra inhaled rescue medication in the care and custody of the school's registered professional nurse, nurse practitioner, physician assistant, or school physician.

Students with Allergies

A student will be permitted to carry and self-administer their prescribed EpiPen during the school day, on school property, and at any school function if the school health office has the following on file:

a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of an allergy for which an EpiPen is needed for the emergency treatment of allergic reactions; the student has demonstrated that they can self-administer the prescribed EpiPen effectively; and the expiration date of the order, the name of the medicine, the dose the student is to self-administer, and the circumstances which may warrant the use of the medication; and

b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain an extra EpiPen in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or school physician.

Students with Diabetes

A student will be permitted to carry and self-administer their prescribed insulin through an appropriate medication delivery device, carry glucagon, and carry and use equipment and supplies necessary to check blood glucose and/or ketone levels during the school day, on school property, and at any school function if the school health office has the following on file:

a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of diabetes for which insulin and glucagon through appropriate medication delivery devices, and the use of equipment and supplies to check blood glucose and/or ketone levels are necessary; the student has demonstrated that they can self-administer effectively, can self-check glucose or ketone levels independently, and can independently follow prescribed treatment orders; and the expiration date of the order, the name of the prescribed insulin or glucagon, the type of insulin delivery system, the dose of insulin and/or glucagon the student is to self-administer, times when the insulin and/or glucagon is to be self-administered, and the circumstances which may warrant administration by the student. The written permission must also identify the prescribed blood glucose and/or ketone test, the times testing is to be done, and any circumstances which warrant checking a blood glucose and/or ketone level; and

(Continued)

SUBJECT: MEDICATION AND PERSONAL CARE ITEMS (Cont'd.)

b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain extra insulin, insulin delivery system, glucagon, blood glucose meter, and related supplies to treat the student's diabetes in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or school physician.

Students with diabetes will also be permitted to carry food, oral glucose, or other similar substances necessary to treat hypoglycemia in accordance with district policy.

Storage and Disposal of Medication

The District will comply with applicable state laws, regulations, and guidelines governing the District's receipt, storage, and disposal of medication.

Personal Care Items

Menstrual Products

Each school building within the District serving students in any grade from six through 12 will provide menstrual products in building restrooms. These products will be provided at no charge to students.

Alcohol-Based Hand Sanitizers

The New York State Education Department (NYSED) permits the use of alcohol-based hand sanitizers in schools. The School Medical Director may approve and permit the use of alcohol-based hand sanitizers in the District's schools without a physician's order. Parents may provide written notification to the school if they do not wish to have their child use hand sanitizers.

Sunscreen

Students may carry and use FDA-approved sunscreen products for over-the-counter use. The student's parent or person in parental relation must provide written permission for the student to carry and use sunscreen. This written parental consent will be maintained by the school. A student who is unable to physically apply sunscreen may be assisted by unlicensed personnel when directed to do so by the student, if permitted by a parent or person in parental relation, and authorized by the school.

(Continued)

SUBJECT: MEDICATION AND PERSONAL CARE ITEMS (Cont'd.)

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Sections 902(b), 907, 916, 916-a, 916-b, 919, 921, 6527, 6908(1)(a)(iv), and 6909
Public Health Law Sections 267, 3000-a, 3000-c, and 3000-e
8 NYCRR Sections 136.6 and 136.7

NOTE: Refer also to Policy #7521 -- Students with Life-Threatening Health Conditions and/or Anaphylaxis

Adoption Date

SUBJECT: STUDENT HEALTH RECORDS

The District will keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they will be kept confidential.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of students' "education records." For prekindergarten through grade 12 students, health records maintained by the District, including immunization records and school nurse records, generally are considered "education records" subject to FERPA. In addition, records that the District or school maintains on special education students, including records on services provided to students under the Individuals with Disabilities Education Act (IDEA) are considered "education records."

Since student health and medical information in education records is protected by FERPA, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule excludes this information from its coverage.

Generally, these records may not be shared with third parties without written parental consent unless the disclosure meets one of the exceptions to FERPA's general consent requirement. One exception permits the disclosure of education records, without parental consent, to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Parents have a right under FERPA to inspect and review those health and medical records that are considered "education records" under FERPA. Individual records may be interpreted by the school's registered professional nurse to administrators, teachers, and other school officials, consistent with law.

Family Educational Rights and Privacy Act of 1974 (FERPA), 20 USC Section 1232g
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, 34 CFR Part 99
45 CFR Parts 160, 162, and 164
Education Law Sections 902(b) and 905
8 NYCRR Part 136

Adoption Date

SUBJECT: ACCIDENTS AND MEDICAL EMERGENCIES

Student Emergency Treatment

All staff members of the District are responsible to obtain first aid care for students who are injured or become ill while under school supervision.

In most instances, first aid should be rendered and then the parent should be contacted to come to school and transport the student to the family physician. Beyond first aid, the medical care of the student is the parent's responsibility. However, the student's welfare is always the primary concern, and it is the responsibility of school personnel to exercise good judgment and care under all circumstances.

The Board encourages all staff members to become qualified to give emergency treatment through instruction in first aid, Cardiopulmonary Resuscitation (CPR), and Automated External Defibrillators (AEDs).

Transporting an Ill or Injured Student

In the event of an illness or injury to a student, an ambulance may be called. The District will make all reasonable attempts to contact a parent or person in parental relation when determining if emergency treatment is necessary.

Insurance

The Board will approve provisions for all students to be covered by group insurance. These student accident insurance policies will be a co-insurance with family coverage(s) as primary.

Education Law Sections 1604(7-a), 1604(7-b), 1709(8-a), and 1709(8-b)

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

Adoption Date

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS AND/OR ANAPHYLAXIS

Students come to school with diverse health conditions, including allergic reactions, which may be serious and life-threatening. This policy encompasses an array of serious or life-threatening health conditions, including, but not limited to allergies, anaphylaxis, diabetes, seizure disorders, or severe asthma and acute health conditions such as substance overdose. All students within the District with known life-threatening conditions will have a comprehensive plan of care in place: an Emergency Care Plan (ECP) or Individualized Healthcare Plan (IHP) and, if appropriate, an Individualized Education Plan (IEP) or Section 504 Plan.

If a student has a known life-threatening condition on their health history form or if the parent or person in parental relation alerts the District to the student's life-threatening health condition, the District will assemble a team to manage the student's needs. The team may include, but is not limited to, the parent or person in parental relation, the healthcare provider, the school nurse, teachers, administrator, and other appropriate personnel who will be responsible for developing an individualized ECP, IHP, and if appropriate, an IEP or Section 504 Plan.

The District should also develop plans to address managing an allergic reaction in a student or staff member who has not been previously diagnosed as having an allergy.

Life-Threatening Health Conditions and/or Anaphylaxis

For those students with life-threatening health conditions and/or anaphylaxis, the District must work cooperatively with the parent(s) or person(s) in parental relation and the health care provider(s) to:

a) Immediately develop an individualized ECP for each at risk student to ensure that all appropriate staff are aware of the student's potential for a life-threatening reaction;

b) If appropriate, develop an IHP that includes all necessary treatments, medications, training, and educational requirements for the student. If the student is eligible for accommodations based upon the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act, the appropriate procedures will be followed regarding evaluation and identification;

c) Provide training by licensed medical staff (e.g., registered professional nurse) for all adults in a supervisory role in the prevention, recognition, and emergency management of a life-threatening health condition and/or anaphylaxis for specific students;

(Continued)

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS AND/OR ANAPHYLAXIS (Cont'd.)

d) Obtain specific medical-legal documents duly executed in accordance with New York State law; appropriate health care provider authorization in writing for specific students that includes the frequency and conditions for any testing and/or treatment, symptoms, and treatment of any conditions associated with the health issue; and directions for emergencies;

e) Secure written parent/guardian permission and discuss parental responsibility that includes providing the health care provider's orders, providing any necessary equipment, and participation in the education and co-management of the student as they work toward self-management;

f) Allow supervised students to carry life-saving medication in accordance with applicable laws, regulations, and procedures. The District will also encourage parents and students to provide duplicate life-saving medication to be maintained in the health office in the event the independent student misplaces, loses, or forgets their medication;

g) Assure appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.

In addition, the District will:

a) Provide training for transportation, instructional, food service, or physical education staff, as appropriate, in the recognition of an anaphylactic reaction;

b) Have standing emergency medical protocols for nursing or other staff including calling for emergency transport or 911 and determining which school personnel will accompany the student until the parent or person in parental relation is present;

c) Request the School Medical Director to write a non-patient specific order for anaphylaxis treatment agents for the school's registered professional nurse or other staff, as designated by the administration and allowed under federal and New York State laws and regulations, to administer in the event of an unanticipated anaphylactic episode;

d) Maintain or ensure the maintenance of a copy of the standing order(s) and protocol(s) that authorizes appropriate district staff to administer emergency medications such as anaphylactic treatment agents;

e) As permitted by New York State law, the District will maintain non-patient specific opioid antagonists (naloxone) on-site in each instructional school facility to ensure ready and appropriate access during emergencies for students or staff. To obtain, store, and use naloxone, the District has three options available:

(Continued)

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS AND/OR ANAPHYLAXIS (Cont'd.)

1. The District has registered with the New York State Department of Health (NYSDOH) to become a Registered Opioid Overdose Prevention Program; or

2. The District's Medical Director has issued a non-patient specific order to the school nurse to administer naloxone on-site; or

3. The District participates in an existing New York State Department of Health (NYSDOH) Overdose Prevention Program operated by another organization;

f) As permitted by New York State law, maintain epinephrine auto-injectors for use during emergencies. The District must have sufficient supply available to ensure access for use during emergencies to any student or staff member having symptoms of anaphylaxis whether or not there is a previous history of severe allergic reaction. In case of emergency, trained school staff or school staff directed to use an epinephrine auto-injector device by a health care practitioner may administer an epinephrine auto-injector to any student or staff member having symptoms of anaphylaxis in the District. Districts that maintain epinephrine auto-injectors on-site must provide all teachers with written informational material on the use of an epinephrine auto-injector that has been created and approved by the Commissioner of Health;

g) Allow the school registered nurse, nurse practitioner, physician assistant, or physician to train unlicensed school staff to administer prescribed glucagon or epinephrine auto-injectors in emergency situations, where an appropriately licensed health professional is not available, to students with both a written provider order and parent or person in parental relation consent during the school day, on school property, and at any school function. Training will be provided in accordance with specifications outlined in law and regulation;

h) Ensure that the District-Wide School Safety Plan and building-level emergency response plans include appropriate accommodations for students with life-threatening health conditions;

i) Encourage families to obtain medic-alert bracelets for students with life-threatening health conditions;

j) Educate students regarding the importance of immediately reporting symptoms of an allergic reaction;

k) Provide professional development and education for both licensed and unlicensed staff related to food, other allergies and treatment of allergic reactions.

(Continued)

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS AND/OR ANAPHYLAXIS (Cont'd.)

Creating an Allergen-Safe School Environment

The risk of accidental exposure or cross-contamination is always present in school, particularly for students with food allergies. The school setting is a high-risk environment for accidental ingestion of a food allergen due to the presence of a large number of students, increased exposure to food allergens, and cross-contamination of tables, desks, and other surfaces.

In an effort to prevent accidental exposure to allergens, the District will monitor the following high-risk areas and activities:

a) Cafeteria;

b) Food sharing;

c) Hidden ingredients in art, science, and other projects;

d) Transportation;

e) Fundraisers and bake sales;

f) Parties and holiday celebrations;

g) Field trips; and

h) Before and after school programs.

All staff, including substitute staff, should be made aware of student allergies on a need-to-know basis.

The District will develop communication plans:

a) For discussion with students that have developed adequate verbal communication and comprehension skills and with the parents or persons in parental relation of all students about foods that are safe and unsafe and about strategies to avoid exposure to unsafe food; and

b) Between the school and the parent or person in parental relation, the school nurse and the health care provider, and the school nurse and building staff for intake and dissemination of information for students at risk for anaphylaxis.

(Continued)

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS AND/OR ANAPHYLAXIS (Cont'd.)

Empowering Students Toward Medical Self-Management

The District will work toward assisting students in the self-management of their health condition(s) based upon the student's knowledge level and skill by:

a) Adequately training all staff involved in the care of the student, as appropriate;

b) Assuring the availability of the necessary equipment or medications;

c) Providing appropriately trained licensed persons as required by law;

d) Developing an emergency plan for the student;

e) Providing ongoing staff and student education;

f) Teaching students to read food labels and to sharpen refusal skills for foods with unknown ingredients, as appropriate; and

g) Teaching students to avoid the allergen, including latex, insect, or whatever allergen exists for the student, as appropriate.

Notification of Policy and Written Materials

At least once per calendar year, the District must send a notification to parents and persons in parental relation of all students to make them aware of anaphylactic policies and informational materials pursuant to Public Health Law. The notification will include contact information for the individual at the school who can assist with the individualized concerns regarding the anaphylactic policies.

Americans with Disabilities Act, 42 USC Section 12101, et seq.
Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400-1485
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
34 CFR Part 300
Education Law Sections 921, 921-a, and 922
8 NYCRR Sections 64.7, 136.6, 136.7, and 136.8
Public Health Law Sections 2500-h, 3000-a, and 3000-c

NOTE: Refer also to Policy #7513 -- Medication and Personal Care Items

Adoption Date

SUBJECT: CONCUSSION MANAGEMENT

A concussion is a type of mild traumatic brain injury (MTBI) caused by a bump, blow, or jolt to the head or body that causes the head and brain to move rapidly back and forth. Recovery from concussion and its symptoms will vary. Avoiding re-injury and over-exertion until fully recovered are the cornerstones of proper concussion management. Concussions can impact a student's academic performance as well as their athletic pursuits. As such, the District supports the proper evaluation and management of concussion injuries.

Concussion Management Team (CMT)

The District may establish a Concussion Management Team (CMT) which may be composed of the Athletic Director and/or Director of Physical Education, a school nurse, the school physician/District's Medical Director, a coach of an interscholastic team and/or physical education teacher, a certified athletic trainer, and other appropriate personnel as designated by the District. If established, the CMT will oversee and implement the District's concussion policy, including the requirement that all school coaches, physical education teachers, school nurses, and certified athletic trainers who work with and/or provide instruction to students engaged in school-sponsored athletic activities complete training relating to MTBIs. Furthermore, every CMT may establish and implement a program which provides information on MTBIs to parents and persons in parental relation (parents) throughout each school year.

Staff Training/Course of Instruction

Each school coach, physical education teacher, school nurse, and certified athletic trainer who works with and/or provides instruction to students in school-sponsored athletic activities will complete a training every two years relating to recognizing the symptoms of concussions or MTBIs and monitoring and seeking proper medical treatment for students who suffer from a concussion or MTBI. Since concussion symptoms may manifest themselves in any setting, all staff will be encouraged to take the online training and be alert for students who may display or report concussion symptoms.

Components of the training will include, but not be limited to:

a) The definition of MTBI;

b) Signs and symptoms of MTBI;

c) How MTBIs may occur;

d) Practices regarding prevention; and

e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

(Continued)

SUBJECT: CONCUSSION MANAGEMENT (Cont'd.)

The training must be completed by means of instruction approved by the New York State Education Department (NYSED) which include, but are not limited to, courses provided online and by teleconference.

Each time a staff member completes this training or a related professional development course, they must forward proof of completion to the CMT or, if a CMT has not been established, a designated District staff member who will enter the information into the District's existing system for tracking completed trainings and professional development courses. The system will also use an email to remind staff of the need to complete the training as needed.

Information to Parents and Students

The District will include the following information on MTBIs or concussions in any permission or consent form or similar document that may be required from a parent for a student's participation in interscholastic sports. Similar information will be provided to all students when they sign up for participation in sports and/or through information provided in physical education, health or mental health classes. Information will include:

a) The definition of MTBI;

b) Signs and symptoms of MTBI;

c) How MTBIs may occur;

d) Practices regarding prevention; and

e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The District will provide a link on its website to this information on the NYSED's and New York Department of Health's websites.

Identification of Concussion and Removal from Athletic Activities

The District requires the immediate removal from all athletic activities of any student who has sustained, or is believed to have sustained, a MTBI or concussion. Any student demonstrating signs, symptoms, or behaviors consistent with a concussion while participating in a class, extracurricular activity, or interscholastic athletic activity will be removed from the class, game, or activity and must be evaluated as soon as possible by an appropriate health care professional. This removal must occur based on display of symptoms regardless of whether the injury occurred inside or outside of school. If there is any doubt as to whether the student has sustained a concussion, it will be presumed that the student has been injured until proven otherwise. The District will notify the student's parents and recommend appropriate evaluation and monitoring.

(Continued)

SUBJECT: CONCUSSION MANAGEMENT (Cont'd.)

The District may, in collaboration with their Medical Director, allow District staff who are appropriately licensed or certified healthcare professionals and credentialed to use validated neurocognitive computerized testing to review and obtain baseline and post-concussion performance data. These tools are not a replacement for a medical evaluation to diagnose a concussion or clear a student to return to activities. The District must seek authorization from the parent prior to the testing. Additionally, parents should be given a copy of the results.

Return to School Activities and Athletics

A student will not return to physical activity (including athletics, physical education class, and recess) until they have been symptom-free for at least 24 hours, and have been evaluated and received written and signed authorization from a licensed physician. This written authorization should be sent to the school for review by the District's Medical Director. Additionally, the District's Medical Director has the final authority to clear students to participate in or return to extraclass athletic activities. All authorizations will be kept on file in the student's permanent health record. The standards for return to athletic activity will also apply to injuries that occur outside of school. Staff should be aware that students may exhibit concussion symptoms caused by injuries from outside activities and that these visible symptoms also indicate a removal from play.

The District will follow any directives issued by the student's treating physician with regard to limitations and restrictions on school and athletic activities for the student. The District will also develop a coordinated communication plan among appropriate staff to ensure that the private provider's orders for post-concussion management are implemented and followed, and for students to resume participation in athletic activities with the District's Medical Director approval. The school nurse will work to ensure that all the necessary staff get the information they need to care for and work with the injured student.

The District's Medical Director and other licensed healthcare professionals employed by the District will also establish a procedure and treatment plan to be utilized by District staff who may respond to students or staff with possible concussions during the school day or at a school-sponsored athletic event.

In accordance with NYSED guidelines, this policy will be both reviewed and updated at least every three years or with updates to guidance. The Superintendent, in consultation with the District's Medical Director and other appropriate staff, may develop regulations and protocols for strategies to prevent concussions, the identification of concussions, and procedures for removal from and return to activities or academics.

Education Law Section 305(42)
8 NYCRR Sections 135.4 and 136.5
Guidelines for Concussion Management in Schools, NYSED Guidance Document, 2022

Adoption Date

SUBJECT: CHILD ABUSE AND MALTREATMENT

Child Abuse in a Domestic Setting

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

a) Mandatory reporting of suspected child abuse or maltreatment;

b) Reporting procedures and obligations of persons required to report;

c) Provisions for taking a child into protective custody;

d) Mandatory reporting of deaths;

e) Immunity from liability and penalties for failure to report;

f) Obligations for provision of services and procedures necessary to safeguard the life or health of a child; and

g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

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

Reporting Information

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

Persons Required to Report

Persons required to report cases of child abuse or maltreatment to the State Central Register (SCR) in accordance with Social Services Law Section 413(1) include, but are not limited to, school teachers, school counselors, school psychologists, school social workers, school nurses, school administrators or

(Continued)

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

other school personnel required to hold a teaching or administrative license or certificate, and full- or part-time compensated school employees required to hold a temporary coaching license or professional coaching certificate.

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

Prohibition of Retaliatory Personnel Action

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

Report Form

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

Child Abuse in an Educational Setting

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

Definitions

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

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

a) Intentionally or recklessly inflicting physical injury, serious physical injury, or death;

b) Intentionally or recklessly engaging in conduct which creates a substantial risk of physical injury, serious physical injury, or death;

c) Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263;

(Continued)

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

d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors in accordance with Penal Law Article 235; or

e) Using corporal punishment as defined by the Commissioner of Education.

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

"School" means a school district, public school, charter school, nonpublic school, Board of Cooperative Educational Services (BOCES), special act school district as defined in Education Law Section 4001, approved preschool special education program pursuant to Education Law Section 4410, approved private residential or non-residential school for the education of students with disabilities including certain private schools, or state-operated or state-supported school in accordance with Education Law Articles 85, 87, or 88.

Duties Upon Receipt of an Allegation of Child Abuse in an Educational Setting

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

a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. This written report must be completed on a form prescribed by the Commissioner of Education.

b) Except where the school administrator is the person receiving the oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred.

(Continued)

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

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

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

a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent or guardian; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. This written report must be completed on a form prescribed by the Commissioner.

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

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

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

Upon receipt of a written report alleging child abuse in an educational setting, a school administrator or superintendent must then determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. If it is determined that reasonable suspicion exists, the school administrator or superintendent must follow the procedures mandated in law and further described in administrative regulations including parental notification. When the school administrator receives a written report, they must promptly provide a copy of the report to the superintendent. The report must be promptly forwarded to appropriate law enforcement. In no event will reporting to law enforcement be delayed by an inability to contact the superintendent.

(Continued)

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

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

Civil Immunity

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

Any school administrator or superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits a report to a person or agency as required by law, will have immunity from civil liability which might otherwise result by reason of those actions.

Confidentiality

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

Training

The District will implement a training program regarding child abuse in an educational setting for all current and new teachers, school nurses, school counselors, school psychologists, school social workers, school administrators, board members, other school personnel required to hold a teaching or administrative license or certificate, and any school bus driver or supervisor employed by the District or any person or entity that contracts with the District to provide transportation services to children, as well as licensed and registered physical therapists, licensed and registered occupational therapists, licensed and registered speech-language pathologists, teacher aides, and school resource officers.

Prohibition of "Silent" (Unreported) Resignations

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

(Continued)

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

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

Notification

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

Prohibition on Aiding and Abetting Sexual Abuse

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

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

Adoption Date

SUBJECT: DIGNITY FOR ALL STUDENTS

Overview

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, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District seeks to create an environment free of bullying, discrimination and/or harassment to foster civility in its schools and to prevent and prohibit conduct which is inconsistent with the District's educational mission. Since cyber bullying is a form of bullying, the term "bullying" as used in this policy will implicitly include cyber bullying even if it is not explicitly stated. This policy is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

The District, therefore, condemns and strictly prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, discriminatory acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by employees or other students on school property and at school functions.

In addition, other acts of harassment, bullying, and/or discrimination that occur off school property may be subject to discipline or other corrective action, where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of harassment, bullying, and/or discrimination of students. The District will promptly respond to reports of harassment, bullying, and/or discrimination of students, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Instruction in grades kindergarten through 12 shall include components on civility, citizenship and character education. Such components 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, gender and sexes. Such components must also include instruction on the safe and responsible use of the internet and electronic communications.

Inquiries about this policy may be directed to the District's Dignity Act Coordinator(s) (DAC(s)).

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Dignity Act Coordinator

In each of its schools, the District will designate at least one employee to serve as the DAC and receive reports of harassment, bullying, and/or discrimination. Each DAC will be:

a) Approved by the Board;

b) Licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or superintendent;

c) Instructed in the provisions of the Dignity for All Students Act and its implementing regulations;

d) Thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex;

e) Provided with training which addresses the social patterns of harassment, bullying, and discrimination, including, but not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex;

f) Provided with training in the identification and mitigation of harassment, bullying, and discrimination; and

g) Provided with training in strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings.

The District will widely disseminate the name, designated school, and contact information of each DAC to all school personnel, students, and parents or persons in parental relation by:

a) Listing it in the *Code of Conduct,* with updates posted on the District's website;

b) Including it in the *Code of Conduct's* plain language summary provided to all parents or persons in parental relation to students before the beginning of each school year;

c) Providing it to parents or persons in parental relation in at least one District or school mailing or other method of distribution each school year, including, but not limited to, electronic communication and/or sending information home with each student. If the information changes, parents and persons in parental relation will be notified in at least one subsequent District or school mailing, or other method of distribution as soon as practicable thereafter;

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

d) Posting it in highly visible areas of school buildings; and

e) Making it available at the District and school-level administrative offices.

If a DAC vacates his or her position, the District will immediately designate another eligible employee as an interim DAC, pending approval of a successor DAC from the Board within 30 days of the date the position was vacated. In the event a DAC is unable to perform his or her duties for an extended period of time, the District will immediately designate another eligible employee as an interim DAC, pending the return of the previous individual to the position.

Training and Awareness

Each year, all employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and discrimination, and to discourage and respond to incidents of harassment, bullying, and/or discrimination. This training may be provided in conjunction with existing professional learning and will be conducted consistent with guidelines approved by the Board, and will include training to:

a) Raise awareness and sensitivity to potential acts of harassment, bullying, and discrimination;

b) Address social patterns of harassment, bullying, and discrimination;

c) Inform employees on the identification and mitigation of harassment, bullying, and discrimination;

d) Enable employees to prevent and respond to incidents of harassment, bullying, and discrimination;

e) Make employees aware of the effects of harassment, bullying, cyberbullying, and discrimination on students;

f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;

g) Include safe and supportive school climate concepts in curriculum and classroom management; and

h) Ensure the effective implementation of school policy on conduct and discipline.

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Rules against harassment, bullying, and discrimination will be included in the *Code of Conduct*, publicized District-wide, and disseminated to all staff and parents or persons in parental relation. Any amendments to the *Code of Conduct* will be disseminated as soon as practicable following their adoption. The District will provide new employees with a complete copy of the current *Code of Conduct* upon beginning their employment, and distribute an age-appropriate summary to all students at a school assembly at the beginning of each school year.

Internal Reports and Investigations of Harassment, Bullying, and/or Discrimination

All District employees who witness or receive an oral or written report of harassment, bullying, and/or discrimination are required to take action. District employees must make an oral report promptly to the Superintendent or principal, their designee, or the DAC not later than one school day after witnessing or receiving an oral or written report of harassment, bullying, and/or discrimination. No later than two school days after making the oral report, the District employee must file a written report with the Superintendent or principal, their designee, or the DAC.

The Superintendent or principal, their designee, or the DAC will lead or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination and ensure that all investigations are promptly completed after the receipt of a written report. In investigating any allegation, the investigator may seek the assistance of the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Title IX Coordinator(s) in investigating, responding to, and remedying complaints of harassment, bullying, and/or discrimination.

Additionally, other District policies and documents address harassment, bullying, and discrimination of students. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7551 -- Sexual Harassment of Students; and the District's *Code of Conduct*. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the DAC may work with other District staff such as the District's CRCO(s) and/or Title IX Coordinator(s) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the Superintendent or principal, their designee, or the DAC will take prompt action, consistent with applicable laws and regulations as well as the District's *Code of Conduct*, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom the behavior was directed.

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

The Superintendent or principal, their designee, or the DAC will promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying, and/or discrimination constitutes criminal conduct.

Reporting Incidents

Reporting Incidents to the Superintendent

At least once during each school year, each building principal will provide a report on data and trends related to harassment, bullying, and/or discrimination to the Superintendent in a manner prescribed by the District. This report will be used to submit the annual School Safety and the Educational Climate (SSEC) Summary Data Collection form to the State Education Department (SED).

Reporting of Material Incidents to the Commissioner of Education

Each school year, the District will submit to the Commissioner a report of material incidents of harassment, bullying, and/or discrimination that occurred during the school year in accordance with law and regulation. This report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or other date determined by the Commissioner.

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 harassment, bullying, and/or discrimination by an employee or student on school grounds or at a school function, and who acts reasonably and in good faith in reporting it to school officials, the Commissioner, or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. The District also prohibits any retaliatory behavior directed against any complainant, victim, witness, or any other individual who participated in the reporting or investigation of an incident of alleged harassment, bullying, and/or discrimination.

Publication of District Policy

At least once during each school year, all employees, students, and parents or persons in parental relation will be provided with a written or electronic copy of this policy, or a plain-language summary of it. The policy or summary will include information relating to how students, parents or persons in parental relation, and employees may report harassment, bullying, and/or discrimination. Additionally, the District will maintain a current version of this policy on its website at all times.

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

Education Law Sections 10-18 and 2801
8 NYCRR Section 100.2

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#5670 -- Records Management
#7551 -- Sexual Harassment of Students
#7552 -- Student Gender Identity
#7554 -- Equal Educational Opportunities
#8242 -- Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education
District *Code of Conduct*

Adoption Date

SUBJECT: SEXUAL HARASSMENT OF STUDENTS

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses sexual harassment of students. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Consistent with this commitment and in accordance with law and regulation, the District prohibits all forms of sexual harassment of students by any individual on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sexual harassment of students. The District will promptly respond to reports of sexual harassment of students, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)), Title IX Coordinator(s), and/or the Dignity Act Coordinator(s) (DAC(s)).

What Constitutes Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful. It includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment can occur between any individuals, regardless of their sex or gender.

Generally stated, sexual harassment consists of subjecting an individual to unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex.

This conduct may, among other things, have the purpose or effect of: creating an intimidating, hostile, or offensive environment; substantially or unreasonably interfering with a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting a student's educational opportunities. Petty slights or trivial inconveniences generally do not constitute harassing conduct.

Determinations as to whether conduct or an incident constitutes sexual harassment will be made consistent with applicable law and regulation, as well as any applicable District policy, regulation, procedure, or other document such as the District's *Code of Conduct*. The examples below are intended to serve as a general guide for individuals in determining what may constitute sexual harassment. These examples should not be construed to add or limit the rights that students possess as a matter of law.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

Examples of Sexual Harassment

Sexual harassment can be verbal, non-verbal, or physical. Examples of this conduct may include, but are not limited to, the following:

a) Unwanted physical acts of a sexual nature, such as:

1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body, or poking another person's body; and

2. Rape, sexual battery, molestation, or attempts to commit these assaults.

b) Engaging in sexual conduct with an individual who is unable to consent due to age, use of drugs or alcohol, intellectual disability, or other disability.

c) Unwanted sexual advances or propositions, such as:

1. Demanding sexual favors of a student, insinuating that refusal to acquiesce to such favors will adversely affect a student's grades, references, academic or scholastic placement, and/or participation in extracurricular activities; and

2. Subtle or obvious pressure for unwelcome sexual activities.

d) Verbal abuse or ridicule, including profanity, 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.

e) Asking or commenting about an individual's sexual activities.

f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender.

g) Displaying or distributing pornographic or other sexually explicit materials (print or digital) such as magazines, pictures, cartoons, etc.

h) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

i) Unwelcome and/or offensive public displays of sexual or physical affection.

j) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

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.

Reporting Allegations of Sexual Harassment

In order for the District to enforce this policy, and to take corrective action as warranted, it is essential that students who believe that they have been a victim of sexual harassment in the school environment, as well as any other person who has knowledge of or witnesses any possible sexual harassment, immediately report the alleged conduct or incident. Reports of sexual harassment may be made orally or in writing to any District employee including, but not limited to, a teacher, building principal, CRCO, Title IX Coordinator, or DAC.

All District employees who witness or receive an oral or written report of sexual harassment must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*.

Grievance Process for Complaints of Sexual Harassment

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of sexual harassment of students and will promptly take appropriate action to protect students from further sexual harassment.

Various District policies and documents address sexual harassment of students. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff such as the District's Title IX Coordinator(s) and/or DAC(s) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

If an investigation reveals that sexual harassment has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of sexual harassment.

Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Where appropriate, follow-up inquiries will be made to ensure that the sexual harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Equal Educational Opportunities Act of 1974, 20 USC Section 1701 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC Section 2000c et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
34 CFR Parts 106 and 270
45 CFR Part 86
Civil Rights Law Section 40-c
Education Law Sections 10-18, 313, 2801, and 3201-a
New York State Human Rights Law, Executive Law Section 290 et seq.
8 NYCRR Section 100.2
9 NYCRR Section 466 et seq.

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
District *Code of Conduct*

Adoption Date

SUBJECT: STUDENT GENDER IDENTITY

All students need a safe and supportive educational environment to progress academically and developmentally. The District is committed to fostering a safe learning environment for all students, free from discrimination and harassment on the basis of sex, gender, gender identity, gender nonconformity, and gender expression, and any other status protected under the law. In accordance with applicable law, regulations, and guidelines, students will have equal access to all school programs, facilities, and activities. The District will assess and address the specific needs of each student on a case-by-case basis with student safety and well-being as the paramount consideration.

Privacy

Following the submission of a name change order or other government issued document or court issued documentation of a name change for any current or past student, the District will update the student's name on any document or record issued or maintained by the District. This is not applicable to archival records that cannot be accessed or when modifying archival records is prohibited by law. The District will update any current or past student's gender upon submission of any form of government identification.

For any current or past student who has not officially changed their name or gender, the District will, upon request, update its records to reflect the student's asserted name and/or gender. However, the District may need to use the student's legal name and gender in certain, limited circumstances. Any student identification cards will be issued with the name reflecting the gender identity the student consistently asserts at school.

The District will maintain the confidentiality of student information and records as required by law. Further, any records with a student's assigned birth name and gender will be maintained in a separate, confidential file.

School staff shall not disclose any information that may reveal the student's transgender status to others, including parents or guardians, unless legally required to do so or unless the student has authorized such disclosure.

Names and Pronouns

When apprised of a student's status, the District will endeavor to engage the student and their parents or guardians, as appropriate, in an effort to agree upon a plan that will accommodate the student's individual needs at school. Students have the right to discuss and convey their gender identity and expression openly and to decide when, with whom, and how much to share this confidential information. The plan may therefore include when and how to initiate the student's preferred name and associated pronoun use and if, when, and how this is communicated to others. District staff will use the name and pronoun that corresponds to the gender identity the student consistently asserts at school.

(Continued)

SUBJECT: STUDENT GENDER IDENTITY (Cont'd.)

Restrooms and Locker Rooms

The District will allow a student to use the restroom and locker room that corresponds to the student's consistently expressed gender identity at school. Prohibiting a student from accessing the restrooms that match the student's gender identity is unlawful. Any student requesting increased privacy or other accommodations when using bathrooms or locker rooms will be provided with a safe and adequate alternative, but they will not be required to use that alternative. Additionally, the District will designate single-occupancy bathroom facilities as gender neutral for use by no more than one occupant at a time or for family or assisted use.

Physical Education and Sports

Physical education is a required part of the District's curriculum. Where these classes are sex-segregated, students will be allowed to participate in a manner consistent with their gender identity. Students will likewise be allowed to participate in intramural activities consistent with their gender identity.

Upon written notification that a student would like an opportunity to participate in the District's interscholastic athletics program consistent with their gender identity, the District will determine their eligibility in accordance with applicable law, regulations, and guidelines.

The District will confirm the student's asserted gender identity with documentation it considers appropriate from a parent/guardian, counselor, doctor, psychologist, psychiatrist, or other medical professionals. The student's gender identity should be the same as the identity used for District registration and other school purposes.

The District's Athletic Director will notify opposing team athletic directors or the New York State Public High School Athletic Association only if the situation warrants it in the Athletic Director's discretion, such as if a student needs any accommodations during competitions or if such disclosure is required by law, regulations or applicable guidelines. Any appeal regarding the District's eligibility decision will be directed to the Commissioner of Education.

Other Activities

Generally, in other circumstances where students may be sex-segregated, such as overnight field trips, students may be permitted to participate in accordance with the gender identity that the student consistently asserts at school. Student privacy concerns will be addressed individually and on a case-by-case basis in accordance with District policy and applicable law, regulations, and guidelines.

(Continued)

SUBJECT: STUDENT GENDER IDENTITY (Cont'd.)

Dress Code and Team Uniforms

Students may dress in accordance with the parameters of the District's dress code. The District will not restrict students' clothing or appearance on the basis of gender or gender identity.

The District's dress code applies while its athletes are traveling to and from athletic contests. Athletes will have access to uniforms that are appropriate for their sport.

Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
34 CFR Parts 99 and 106
Civil Rights Law Sections 40-c, 64, and 67
Education Law Article 2 and Sections 2-d, 313, and 3201-a
New York State Human Rights Law, Executive Law Section 290 et seq.
8 NYCRR Section 100.2

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#5633 -- Gender Neutral Single-Occupancy Bathrooms
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
#8242 -- Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education

Adoption Date

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES

Overview

The District is committed to creating and maintaining an environment which is free from discrimination and harassment. This policy addresses the provision of equal educational opportunities to students. It is just one component of the District's overall commitment to maintaining a discrimination and harassment-free educational and work environment.

Consistent with this commitment and in accordance with law and regulation, the District provides equal opportunity for students and does not discriminate against any student enrolled in (or any candidate for admission to) its programs and activities on the basis of any legally protected class or category including, but not limited to: race; color; religion; disability; national origin; sexual orientation; gender identity or expression; military status; sex; age; marital status; pregnancy; parental status; weight; ethnic group; or religious practice. Further, the District provides equal access to its facilities to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 (as a patriotic society).

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of discrimination. The District will promptly respond to reports of 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, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)).

Educational Services for Married/Pregnant Students

The opportunity to participate in all of the programs and activities of the District will not be restricted or denied because of pregnancy, parenthood, or marriage. Pregnant students will be encouraged to remain and participate in District programs. The forms of instruction provided to these students may include any or all of the following:

a) Remain in school with provisions for special instruction, scheduling, and counseling as needed;

b) Receive home instruction;

c) Attend BOCES programs.

The Superintendent or designee, in consultation with student services staff, the school physician, and the student's personal physician, may make program modifications which are feasible and necessary to accommodate the special needs of these students.

(Continued)

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)

Reporting Allegations of Discrimination

In order for the District to enforce this policy, and to take corrective action as warranted, it is essential that students who believe that they have been a victim of discrimination, as well as any other person who has knowledge of or witnesses any possible discrimination, immediately report the alleged conduct or incident. Reports of discrimination may be made orally or in writing to any District employee including, but not limited to, a teacher, building principal, or CRCO.

All District employees who witness or receive an oral or written report of discrimination must immediately inform the CRCO. Failure to immediately inform the CRCO may subject the employee to discipline up to and including termination. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Additionally, District employees must comply with reporting requirements in any other applicable District policy or document. Applicable policies or documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*.

Grievance Process for Complaints of Discrimination

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether oral or written, of discrimination and will promptly take appropriate action to protect students from further discrimination.

Various District policies and documents address discrimination. These policies and documents may include: Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #3421 -- Title IX and Sex Discrimination; Policy #7550 -- Dignity for All Students; and the District's *Code of Conduct*. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff such as the District's Title IX Coordinator(s) and/or Dignity Act Coordinator(s) (DAC(s)) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

If an investigation reveals that discrimination has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

(Continued)

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits retaliation against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing related to a complaint of discrimination.

Complaints of retaliation may be directed to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Where appropriate, follow-up inquiries will be made to ensure that the discrimination has not resumed and that those involved in the investigation have not suffered retaliation.

Age Discrimination Act of 1975, 42 USC Section 6101 et seq.
Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
Equal Educational Opportunities Act of 1974, 20 USC Section 1701 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC Section 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
28 CFR Part 35
34 CFR Parts 100, 104, 106, 110, and 270
45 CFR Part 86
Civil Rights Law Sections 40, 40-c, and 47-b
Education Law Sections 10-18, 313, 2801, 3201, and 3201-a
New York State Human Rights Law, Executive Law Section 290 et seq.
8 NYCRR Section 100.2
9 NYCRR Section 466 et seq.

NOTE: Refer also to Policies #3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
District *Code of Conduct*

Adoption Date

SUBJECT: NOTIFICATION OF SEX OFFENDERS

In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board supports the New York State Department of Criminal Justice Services (DCJS) in its effort to inform the community in certain circumstances of the presence of individuals with a history of sex offenses, particularly against children, in the school locality. The District intends to minimize the possibility that any sex offender will come in contact with school-age children, and to assist law enforcement agencies in preventing further criminal activity from occurring. Furthermore, the District will cooperate with local police authorities and the local community in promoting and protecting the safety and well-being of its students.

The District will disseminate all information it receives from local police authorities in conjunction with Megan's Law to designated staff members who might have possible contact with the offender during the course of their school duties. The Superintendent reserves the right to automatically disseminate this information to additional members of the staff, designated supervisors of non-school groups that regularly use District facilities and have children in attendance, parents or guardians of District students, and other community residents who, in the opinion of the Superintendent, have an immediate need to be notified of this data in order to maintain student safety.

All staff members will be informed of the availability of the information received by the District in accordance with Megan's Law upon written request to the applicable building principal or designee or supervisor. Community residents will be notified of the availability of this information, with written requests directed to the District Office. The District provides information to community residents through a link on the District's website to New York State's online Sex Offender Registry.

Staff members must inform their immediate supervisor if they observe within the school building, on school grounds, at school activities, or at or near bus routes any individual whose description matches the information which was provided to the District by local law enforcement authorities. Law enforcement officials will be notified of this information by the District as appropriate.

Information that is disseminated to the District in accordance with Megan's Law may or may not be disclosed by the District in its discretion. Any information the District receives regarding a sex offender from a source other than the Sex Offender Registry, and which is maintained independent of the requirements of Megan's Law, will be available from the District, upon written request, in accordance with the requirements of the Freedom of Information Law (FOIL).

Special Circumstances Whereby Sex Offenders May Enter Upon School Grounds

As a mandatory condition of the sentence for sex offenders placed on probation or conditional discharge whose victim was under the age of 18 or who has been designated a Level 3 sex offender, the court requires that the sentenced offender refrain from knowingly entering into or upon school grounds or any other facility or institution primarily used for the care or treatment of persons under the age of 18 while one or more of these individuals are present.

(Continued)

SUBJECT: NOTIFICATION OF SEX OFFENDERS (Cont'd.)

However, by exception, a sex offender may enter school grounds or facility with the written authorization of his or her parole officer and the Superintendent for limited authorized purposes. Entrance upon the premises is subject to the following conditions:

a) The offender is a registered student, participant, or employee of the facility;

b) The offender is an employee of an entity contracted by the facility;

c) The offender has a family member enrolled in the facility; or

d) If the school is the offender's designated polling place and he or she enters solely to vote.

Correction Law Article 6-C
Executive Law Section 259-c(14)
Penal Law Sections 65.10(4-a) and 140.15
Public Officers Law Section 84 et seq.

Adoption Date

SUBJECT: SAFE PUBLIC SCHOOL CHOICE

Any District student who is a victim of a violent criminal offense that occurred on the grounds of the District elementary or secondary school that the student attends, will be allowed to attend a safe public school within the District to the extent required by federal and state law and regulations.

In accordance with Commissioner's regulations, "safe public school" means a public school that has not been designated by the Commissioner of Education as a persistently dangerous public elementary or secondary school.

Violent Criminal Offense

The Superintendent will determine if the student has been the victim of a violent criminal offense. "Violent criminal offense" means a crime that:

a) Involves infliction of a serious physical injury upon another as defined in New York State Penal Law; or

b) A sex offense that involves forcible compulsion; or

c) Any other offense defined in New York State Penal Law that involves the use or threatened use of a deadly weapon.

Serious Physical Injury

"Serious physical injury" means a physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ.

Deadly Weapon

"Deadly weapon" means any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, plastic knuckles, or metal knuckles.

Determination Whether Student is a Victim

Procedures will be established for determination by the Superintendent of whether a student is a victim of a violent criminal offense that occurred on school grounds of the school the student attends. The Superintendent will, prior to making any determination, consult with any law enforcement agency investigating the alleged violent criminal offense and consider any reports or records provided by the agency. However, a criminal conviction is not required prior to the Superintendent's determination that a student has been a victim of a violent criminal offense.

(Continued)

SUBJECT: SAFE PUBLIC SCHOOL CHOICE (Cont'd.)

The Superintendent's determination may be appealed to the Board. However, this determination will not preclude any student disciplinary proceeding brought against the alleged victim or perpetrator of the violent criminal offense.

Once a student has been determined to be a victim, the District will, within 24 hours of the determination, notify the student's parents of their right to have the student transferred to an equivalent school within the District if one exists. If no alternative equivalent exists, no notification is required. Where an alternative does exist, the District will designate the school to which the student will be transferred, and (within the Commissioner's parameters) the duration of the transfer. Parents may elect to have the student remain in his or her current school.

20 USC Section 7912
Education Law Section 2802(7)
Penal Law Section 10.00
8 NYCRR Sections 120.3 and 120.5

Adoption Date

SUBJECT: SPECIAL EDUCATION: DISTRICT PLAN

A District plan will be developed describing the Special Education program in the District. The District plan will include the following:

a) A description of the nature and scope of special education programs and services currently available to students (including preschool students) residing in the District, including, but not limited to, descriptions of the District's resource room programs and each special class program provided by the District in terms of group size and composition;

b) Identification of the number and age span of students (school age and preschool) to be served by type of disability, and recommended setting;

c) The method to be used to evaluate the extent to which the objectives of the program have been achieved;

d) A description of the policies and practices of the Board to ensure the allocation of appropriate space within the District for special education programs that meet the needs of students and preschool children with disabilities;

e) A description of the policies and practices of the Board to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by Boards of Cooperative Educational Services (BOCES);

f) A description of how the District intends to ensure that all instructional materials to be used in the schools of the District will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to non-disabled students. The alternative format must meet the National Instructional Materials Accessibility Standard defined in federal law;

g) The estimated budget to support this plan;

h) The date on which the plan was adopted by the Board; and

i) A description of how the District plan is consistent with the special education space requirements plan for the region as developed by the BOCES.

The District plan, with personally identifiable student information deleted, will be filed and available for public inspection and review by the Commissioner.

20 USC Section 1474(e)(3)(B)
8 NYCRR Part 155 and Section 200.2(c)(1)

Adoption Date

SUBJECT: CHILDREN WITH DISABILITIES

A child with a disability means a student under the age of 21 who is entitled to attend public schools and who, because of mental, physical, or emotional reasons can only receive appropriate educational opportunities from a program of special education. A child is not considered as having a disability if his or her educational needs are due primarily to unfamiliarity with the English language; environmental, cultural, or economic factors; or lack of appropriate instruction in reading or mathematics.

The Board recognizes the existence of individual differences in the intellectual, social, emotional, and physical development of children attending school in the District. In recognizing these differences, the Board supports a system of services offered in the least restrictive environment (LRE) for children with disabilities which includes:

a) Not requiring any student to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substances Act as a condition of receiving services;

b) Education in regular classes with or without support services, education in a resource room, education for part of the day in a special class, full-time education in a special class, home instruction and education in a residential setting;

c) Providing for the education of students with disabilities with non-disabled peers to the extent appropriate;

d) The District will take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education programs and services:

    1. Special education teachers and administrators are required to complete enhanced training in the needs of autistic children.

e) Establishing the following guidelines for the provision of appropriate accommodations necessary to measure the academic achievement and functional performance of the student in the administration of District-wide assessments:

    1. Ensure that necessary accommodations are specified on individualized education program (IEP) and implemented in accordance with the IEP;

    2. Review the need for accommodations at Committee on Special Education (CSE) evaluations/re-evaluations;

    3. Ensure the accommodations specified in the IEP are implemented appropriate through appropriate communication to all teachers and service providers responsible;

(Continued)

SUBJECT: CHILDREN WITH DISABILITIES (Cont'd.)

f) To the extent feasible, using universal design principles (defined as a concept or philosophy for designing and delivering products and services that are usable by people with the widest range of functional capabilities, which include products and services that are directly usable without requiring assistive technologies and products and services that are made usable with assistive technologies) in developing and administering District-wide assessment programs by:

1. Addressing appropriate universal design principles in IEP;

2. Ensuring that instructional materials and activities allow learning goals to be achievable by individuals with wide differences in abilities;

3. Planning Specially Designed Instruction using flexible curricular materials and activities are built into the instructional design and operating systems;

4. Ensuring that instruction is diversified to deliver the general education curriculum to every student and diversify ways students may respond to that curriculum.

g) Consideration of the location of a school program(s) to a student's residence, before placement into an educational program.

h) Adoption of written policies and procedures ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with Commissioner's regulations.

i) Allocation of appropriate space within the District for special education programs that meet the needs of students with disabilities.

j) Collaborate with BOCES to support planning for appropriate space for resident students with disabilities who attend special education programs provided by BOCES.

Provision of Special Education Services to Nonpublic School Students with Disabilities who are Parentally Placed

The district of location is responsible for Child Find, including individual evaluations, CSE meetings, provision of special education services, and due process to parentally placed nonpublic school students attending nonpublic schools located in the geographic region of the public school district.

These requirements only pertain to students with disabilities parentally placed in elementary and secondary nonpublic schools, not to parental placements of preschool children with disabilities in private day care or preschool programs, or to CSE placements of students with disabilities in approved private schools, special act school districts, state-supported or state-operated schools, or to charter schools.

(Continued)

SUBJECT: CHILDREN WITH DISABILITIES (Cont'd.)

The actual cost for CSE administration, evaluations, and special education services provided to a student with a disability who is a resident of New York State, but a nonresident to the district of location, may be recovered from the student's school district of residence. Because federal regulations require parental consent before any personally identifiable information about the student relating to special education is shared between officials in the public school district of location and officials in the public school district of residence, parental consent to share special education information between the two public school districts is required before billing a district of residence for the cost of special education services provided to the student by the district of location.

The school district of location must consult with nonpublic school representatives and representatives of parents of parentally placed nonpublic school students with disabilities enrolled in nonpublic elementary and secondary schools located within the boundaries of the school district. The school district must engage in consultation regarding the Child Find process and services generally; consultation is not specific to individual students. Individual services are determined by the CSE.

The consultation process must be timely and meaningful and include discussion of:

a) Child Find;

b) Provision of Special Education Services; and

c) Use of Federal Funds.

The school district of location must provide, as appropriate, special education services to an eligible student who legally resides in another state and who is parentally placed in a nonpublic school located in New York State. The services to be provided to out-of-state students must be documented on a services plan that is developed by the CSE of the district of location. The services plan is the written plan that describes the specific special education and related service that the district of location will provide to the student consistent with the services that the school district of location has determined through the consultation process and in relation to the proportionate shares of federal IDEA Part B dollars, to be provided to the student.

Tuition Reimbursement Claims for Disabled Nonpublic School Students

The parent must comply with the IDEA's pre-hearing notice requirement for tuition reimbursement claims. Specifically, the IDEA directs that at least ten business days before submitting a request for an impartial due process hearing for tuition reimbursement, the parent must give the district written notice of intent to enroll the child in private school at public expense. The purpose of this requirement is to give the public school district's CSE the opportunity to meet and potentially develop a new IEP for the student that addresses the parent's concerns. A parent who does not provide written notice within ten days may have his or her request for reimbursement reduced or denied.

(Continued)

SUBJECT: CHILDREN WITH DISABILITIES (Cont'd.)

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
20 USC Section 9101(23)
21 USC Section 812(c)
34 CFR Part 300
Education Law Sections 3004(4), 3004(5), 3208, 3242, 3602-c, 4401-4407 and 4410-6
8 NYCRR Sections 52.21, 57-3, 100.5, 100.9, 177.2, 200.2(b), 200.2(c)(2)(v), 200.4(e)(9) and 200.6(a)(1)

NOTE: Refer also to Policies #7615 -- Least Restrictive Environment
#7650 -- Identification and Register of Children with Disabilities (Child Find)

Adoption Date

SUBJECT: GROUPING BY SIMILARITY OF NEEDS

The Board will provide appropriate special education and related services to students with disabilities. For those students for whom an appropriate education requires that they be placed together for purposes of special education, the following guidelines will apply:

a) Each student with a disability will be identified, evaluated, and placed as determined by the Committee on Special Education (CSE).

b) The CSE will determine written goals, including academic and functional goals, for each student with a disability by considering the special and individual needs of each student with a disability. Short-term instructional objectives and/or benchmarks will be created for each preschool student with a disability and for students who take New York State alternate assessments.

c) The CSE will recommend to the Board appropriate educational programs and services for each student with a disability based upon the CSE evaluation.

d) The CSE will provide information to those teachers and professionals who arrange instructional groups for students with disabilities. Information will include physical, psychological, and social information as well as achievement test results.

e) The curriculum and instruction provided to students with disabilities who are grouped by similarity of needs will be consistent with the individual needs of each student in the group.

f) Students with disabilities may be grouped according to:

1. Academic achievement, functional performance, and learning characteristics;
2. Social development;
3. Physical development; and
4. Management needs.

g) When grouping students by similarity of needs, the social needs or physical development of a student will not be the sole determinant for placement of a student in a special education program.

h) The management needs of these students may vary, provided that environmental modifications, adaptations, or human or material resources required to meet the needs of any one student in the group are provided and do not consistently detract from the opportunities of other students in the group to benefit from instruction.

8 NYCRR Sections 200.1(ww), 200.2(b), 200.4(d) and 200.6(a)(3)

Adoption Date

SUBJECT: THE ROLE OF THE BOARD IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM

The Board will establish at least one Committee on Special Education (CSE) and one Committee on Preschool Special Education (CPSE). The Board will also establish, as necessary, Subcommittees on Special Education to ensure timely evaluation and placement of students with disabilities.

Committee on Special Education

The Board will, upon completion of its review of the recommendations of the CSE, arrange for the appropriate special education programs and services to be provided to a student with a disability. The Board will also notify the parent or guardian of its action in accordance with federal and state law and regulations.

For a student not previously identified as having a disability, the CSE will provide a recommendation to the Board which will arrange for the appropriate special education programs and services to be provided within 60 school days of the date of receipt of consent to evaluate. For a student with a disability referred for review, a recommendation will be provided to the Board which will arrange for the appropriate special education programs and services to be provided within 60 school days of the referral for review. However, if the recommendation of the CSE is for placement in an approved in-state or out-of-state private school, the Board will arrange for special education programs and services for students with disabilities within 30 school days of the Board's receipt of the recommendation of the CSE.

If on review of the recommendation of the CSE, the Board disagrees with the recommendation, the Board will follow one of the following procedures:

a) The Board may remand the recommendation to the CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider the objections or concerns. The CSE will consider the Board's objections or concerns, revise the individualized education program (IEP) where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the CSE, the Board may continue to remand the recommendation to the original committee for additional reviews of its objections or concerns, or establish a second CSE to develop a new recommendation in accordance with the following paragraph, provided that the Board arranges for the programs and services in accordance with the student's IEP within the timelines as outlined above; or, in the alternative,

b) The Board may establish a second CSE to develop a new recommendation for the student. If the Board disagrees with the new recommendation, the Board may remand the recommendation to the second CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider the objections or concerns. The second CSE will consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree

(Continued)

SUBJECT: THE ROLE OF THE BOARD IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM (Cont'd.)

with the recommendation of the second CSE, the Board may continue to remand the recommendation for additional reviews of its objections or concerns by the second CSE, provided that the Board arranges for the programs and services in accordance with the student's IEP, as developed by the second CSE, within the timelines as outlined above.

In accordance with Commissioner's regulations, the Board may not select the recommendation of the original CSE once it has established a second CSE.

The Board will provide the student's parents or guardians with written notice and a copy of the statement of its objections or concerns and notice of due process rights in accordance with Commissioner's regulations.

Committee on Preschool Special Education

Upon receipt of the recommendation of the CPSE, the Board will arrange for the preschool student with a disability to receive appropriate programs and services in accordance with the student's IEP, commencing with the July, September, or January starting date for the approved program, unless the services are recommended by the CPSE less than 30 school days prior to, or after, the appropriate starting date selected for the preschool student with a disability; in that case, services will be provided no later than 30 days from the recommendation of the CPSE.

If the Board disagrees with the recommendation of the CPSE, the Board will send the recommendation back to the CPSE with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board will provide notice as required by federal and state law and regulations.

Subcommittee on Special Education

The number of Subcommittees on Special Education will be determined by the CSE which will be responsible for the oversight and monitoring of the activities of each subcommittee to ensure compliance with the requirements of applicable state and federal laws and regulations.

Each subcommittee may perform the functions for which the CSE is responsible, except:

a) When a student is considered for initial placement in a special class; or

b) When a student is considered for initial placement in a special class outside of the student's school of attendance; or

c) When a student is considered for placements in a school primarily serving students with disabilities or a school outside the District.

(Continued)

SUBJECT: THE ROLE OF THE BOARD IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM (Cont'd.)

Subcommittees will report annually to the CSE regarding the status of each student with a disability within its jurisdiction. Upon receipt of a written request from the parent or person in parental relation to a student, the Subcommittee will refer to the CSE any matter in which the parent disagrees with the Subcommittee's recommendation concerning a modification or change in the identification, evaluation, educational placement, or provision of a free appropriate education to the student.

Education Law Sections 4402 and 4410
8 NYCRR Sections 200.2(d)(1), 200.4(c), 200.4(d), 200.5, and 200.16(e)

NOTE: Refer also to Policy #7630 -- Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE)

Adoption Date

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

The Board recognizes the need for educational programs for three and four year old children with disabilities and directs that administrative practices and procedures be developed to:

a) Ensure the timely evaluation and placement of each preschool child with a disability residing in the District so the child has the opportunity to participate in preschool programs;

b) Establish a Committee on Preschool Special Education (CPSE) in accordance with applicable federal and state law and regulation;

c) Ensure that parents have received and understand the request for consent for evaluation and re-evaluation of a preschool aged child.

Evaluations for Preschool Children with Disabilities

The District will collect entry assessment data in the three outcome areas on all preschool children who receive an initial evaluation. As required by Commissioner's regulations, a parent must be fully informed about the proposed initial evaluation and must provide consent for an initial evaluation. This includes a description of the proposed evaluation.

The CPSE will receive entry-level assessment results in the three outcome areas from approved preschool evaluators conducting initial evaluations on all preschool children suspected of having disabilities. The CPSE will then meet to determine the child's eligibility for preschool education programs and/or services and complete the Child Outcomes Summary Form to determine the child's entry level of functioning in the three outcome areas for all preschool children evaluated and found to be eligible. The form will be kept in the student's record until the exit assessment information is due as a way to summarize complex assessment information in a format so that the data can be aggregated and reported to the State Education Department.

If the committee recommends placing a child in an approved program that also conducted an evaluation of the child, it will indicate in writing that this placement is an appropriate one for the child. In addition, the committee will provide notice to the Commissioner of this recommendation.

Individuals with Disabilities Act (IDEA), 20 USC Section 1400 et seq.
Education Law Section 4410
8 NYCRR Sections 200.2(b)(2), 200.2(b)(5) and 200.5

NOTE: Refer also to Policy #7630 -- Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE)

Adoption Date

SUBJECT: LEAST RESTRICTIVE ENVIRONMENT

The District has an obligation, in accordance with law and regulation, to educate students with disabilities in the least restrictive environment (LRE). LRE means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with use of supplementary aids and services, education in regular classes cannot be satisfactorily achieved. Supplementary aids and services refers to aids, services, and other supports that are provided in regular education classes and extracurricular and nonacademic settings to enable children with disabilities to be educated to the maximum extent appropriate.

The District will ensure that:

a) Placement is based on the student's individualized education program (IEP) and determined at least annually;

b) Placement is as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student will be educated in the school he or she would have attended if not disabled;

c) In selecting the LRE, consideration will be given to any potential harmful effect on the student or on the quality of services that he or she needs; and

d) A student with a disability will not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

The placement of an individual student with a disability in the LRE will:

a) Provide the special education and related services, as well as supplementary aids and services, needed by the student. The term "related services" does not include a medical device that is surgically implanted, the optimization of the device's functioning (e.g., mapping), maintenance of, or the replacement of the device; and

b) Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities.

The District will ensure that a continuum of alternative placements, in accordance with law and/or regulation, will be available to meet the needs of students with disabilities. To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may also be provided in the regular class, including, as appropriate, related services, consultant teacher services, paraprofessional support, resource room services, integrated co-teaching, and special class programs within the general education classroom.

(Continued)

SUBJECT: LEAST RESTRICTIVE ENVIRONMENT (Cont'd.)

Individuals with Disabilities Education Act (IDEA) 20 USC Section 1400 et seq.
34 CFR Part 300
Education Law Sections 4401-4410-a
8 NYCRR Sections 100.5, 100.9, 200.1(cc), 200.1(qq), 200.2(b), 200.4 and 200.6

Adoption Date

SUBJECT: PREREFERRAL INTERVENTION STRATEGIES

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

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

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

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

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

(Continued)

SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)

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

Academic Intervention Services

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

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

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

a) The District-wide procedure(s) used to determine the need for AIS;

b) Academic intervention instructional and/or student support services to be provided;

c) Whether instructional services and/or student support services are offered during the regular school day or during an extended school day or year; and

d) The criteria for ending services, including, if appropriate, performance levels that students must obtain on District-selected assessments.

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

Parental Notification

a) Commencement of Services: Parents or persons in parental relation to a student who has been determined to need AIS will be notified in writing by the building principal. This notice will be provided in English and translated into the parent's native language or mode of communication, as

(Continued)

SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)

necessary. The notice will also include a summary of the AIS to be provided to the student, why the student requires these services, and the consequences of not achieving expected performance levels.

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

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

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Sections 3602, 4401, and 4401-a
8 NYCRR Sections 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(t), 100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c), and Part 154

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

Adoption Date

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

The District will establish and implement a plan for the appropriate declassification of students with disabilities which includes:

a) The regular consideration for declassifying students when appropriate;

b) A reevaluation of the student prior to declassification; and

c) The provision of educational and support services to the student upon declassification.

Eligibility Determinations

The District must evaluate a student with a disability prior to determining that a student is no longer a student with a disability as defined in accordance with Commissioner's regulations, and the District will provide a copy of the evaluation report and the documentation of eligibility to the student's parent at no cost to the parent. The results of any reevaluations must be addressed by the Committee on Special Education (CSE) in a meeting to review and, as appropriate, revise the student's individualized education program.

Prior to the reevaluation, the District will obtain informed written parental consent unless otherwise authorized by law and/or regulation. Parental consent is not necessary if the District can demonstrate that it has taken reasonable measures to obtain that consent, and the student's parents fail to respond. The District must have a record of its attempts to obtain parental consent. Should the student's parents refuse consent for the reevaluation, the District may continue to pursue the reevaluation by using mediation or due process procedures.

The District will take whatever action is necessary to ensure that the parent understands the proceedings at the meeting of the CSE, including arranging for an interpreter for parents with deafness or whose native language is other than English.

Recommendation for Declassification

If the student has been receiving special education services, but it is determined by CSE that the student no longer needs special education services and can be placed in a regular educational program on a full-time basis, the recommendation will:

a) Identify the declassification support services, if any, to be provided to the student and/or the student's teachers; and

b) Indicate the projected date of initiation of the services, the frequency of provision of the services, and the duration of these services, provided that the services will not continue for more than one year after the student enters the full-time regular education program.

(Continued)

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES (Cont'd.)

Declassification Support Services

Declassification support services means those services provided to the student or the student's teacher(s) to aid in the student's transition from special education to full-time regular education. These services are provided by persons certified or licensed in the appropriate area of service in accordance with Commissioner's regulations. These services include:

a) For the student: psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services; and

b) For the student's teacher(s): the assistance of supplementary school personnel and consultations with appropriate personnel.

When appropriate, the District will provide declassification support services to students who have moved from special education to a full-time regular educational program in accordance with the recommendation of the CSE.

Procedural Safeguards Notice

The District will use the procedural safeguards notice prescribed by the Commissioner of Education. The District will further ensure that the procedural safeguards notice is provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the District will take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication, that the parent understands the content of the notice, and that there is written evidence that all due process procedures have been met.

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
34 CFR Part 300
Education Law Sections 4401-4410-a
8 NYCRR Sections 100.2(u), 100.6, 200.1(ooo), 200.4(b)(4), 200.4(b)(5), 200.4(c)(3), 200.4(c)(4), 200.4(d)(1) and 200.5(a)

NOTE: Refer also to Policies #7222 -- Diploma or Credential Options for Students with Disabilities
#7641 -- Transition Services

Adoption Date

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS

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 or her needs.

The Board shall also 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).

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 extracurricular activities with 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.

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 both 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 a parental relationship to the child as defined in Section 3212 of the Education Law; an individual designated as a person in parental relation

(Continued)

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS (Cont'd.)

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.

A free appropriate public education will be provided to all eligible students with disabilities:

a) 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.

b) 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 with the District (including religious schools), who are in need of special education.

c) 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). Colleague Consultation and Instructional Support Teams will develop, implement and evaluate pre-referral intervention strategies.

d) 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.

e) The Board will appoint a CSE, and, as appropriate, CSE subcommittees, to provide the timely identification, evaluation and placement of eligible students with disabilities.

(Continued

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS (Cont'd.)

f) The Board will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.

g) The Superintendent, or his or 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.

h) The Superintendent, or his or her designee, shall establish a comprehensive professional development plan so that personnel necessary to carry out IDEA and Article 89 possess the skills and knowledge required to meet the needs of students with disabilities.

i) The Superintendent 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 extracurricular 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 Superintendent, or his or her designee, will determine activities 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.

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 her 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 services 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.

(Continued)

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS (Cont'd.)

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.

a) 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.

b) If a parent refuses to give consent for a reevaluation, or fails to respond to such a request, District staff will proceed with the reevaluation without parental consent if it has engaged in documented reasonable efforts to obtain such consent and the parent has failed to respond. If the District cannot document its efforts to obtain consent, the Board will commence due process proceedings to conduct a reevaluation without parental consent.

c) 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 IEP or Individualized Education Services Program (IESP) 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.

(Continued)

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS (Cont'd.)

In the case of students suspected of having a specific learning disability, the District will follow the procedures established in Commissioner's Regulations.

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 essential components of reading, including phonemic awareness, phonics, vocabulary development, reading fluency (including oral 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 involve the parent's participation, in accordance with the following:

a) CSE and CSE subcommittee meetings will be scheduled at a time and place that is mutually agreeable to the parent and the District.

b) 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.

c) The parent and the District may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.

(Continued)

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS (Cont'd.)

d) District staff will take any action necessary so 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 though the use of alternative means of participation, and has a record of its attempts.

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 IEP, or an IESP 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, provision of transition services, which are a coordinated set of activities for students with disabilities that facilitates movement from school to post-school activities, 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:

a) Instruction

b) Related services

(Continued)

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN DISTRICT PROGRAMS (Cont'd.)

c) Community experiences

d) The development of employment and other post-school adult living objectives; and

e) 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.

Education Law Sections 4402(1)(b)(3-a) and 4410 (5)(b)(IV)
8 NYCRR Sections 200.2(b)(1) and 200.2(b)(2)

Adoption Date

SUBJECT: SECTION 504 OF THE REHABILITATION ACT OF 1973

The Board 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 will make its program and facilities accessible to all its students with disabilities.

The District will also identify, evaluate, and extend to every qualified student with a disability under Section 504 a free, appropriate public education, including modifications, accommodations, specialized instruction, or related aids and services, as deemed necessary to meet their educational needs as adequately as the needs of non-disabled students are met.

The District official responsible for coordination of activities relating to compliance with Section 504 is the Superintendent. The Superintendent will provide information, including complaint procedures, to any person who feels his or her rights under Section 504 have been violated by the District or its officials.

Prohibition Against Disability-Based Discrimination in Accelerated Programs

The practice of denying, on the basis of disability, a qualified student with a disability the opportunity to participate in an accelerated program violates both Section 504 and Title II, which extends the prohibition on discrimination established in Section 504. The District may not impose or apply eligibility criteria that screens out or tends to screen out a student with a disability from fully and equally enjoying any service, program, or activity, unless the criteria can be shown to be necessary.

It is also unlawful to deny a student with a disability admission to an accelerated class or program solely because of his or her need for special education or related aids or services (i.e., related services, supplementary aids and services, program modification and supports for school personnel) or because the student has an Individualized Education Program or Section 504 plan.

The District's schools may employ appropriate eligibility requirements or criteria in determining whether to admit students, including students with disabilities, into accelerated classes or programs. However, Section 504 and/or Title II does not require schools to admit into accelerated classes or programs students with disabilities who would not otherwise be qualified for these classes or programs.

Americans with Disabilities Act, 42 USC Section 12101 et seq.
Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
28 CFR Part 35
34 CFR Parts 104 and 300

NOTE: Refer also to Policy #3420 -- Non-Discrimination and Anti-Harassment in the District

Adoption Date

SUBJECT: COMMITTEE ON SPECIAL EDUCATION (CSE)/COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)

Committee on Special Education (CSE) Membership for a Full Committee

The Board will appoint a CSE in accordance with relevant law and regulations, whose membership will include, but not be limited to, the following members:

a) The parent(s) or persons in parental relation of the student;

b) At least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);

c) At least one special education teacher of the student, or, if appropriate, at least one special education provider (i.e., related service provider) of the student;

d) A school psychologist;

e) A District representative who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of District resources. This individual may also be the same individual appointed as the special education teacher or special education provider of the student or the school psychologist. The District representative will serve as the chairperson of the Committee;

f) An individual who can interpret the instructional implications of evaluation results, who may also be the CSE member appointed as the regular education teacher, the special education teacher, or special education provider, the school psychologist, the District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;

g) A school physician, if specifically requested in writing by the parent or by the District at least 72 hours prior to the meeting;

h) An additional parent member of a student with a disability residing in the District or a neighboring school district, provided that this parent's child has been declassified less than five years' prior or the child has graduated less than five years' prior, if specifically requested in writing by the parent of the student, the student, or member of the CSE at least 72 hours prior to the meeting;

i) Other persons having knowledge or special expertise regarding the student as designated by either the parent or District;

j) The student, if appropriate.

(Continued)

SUBJECT: COMMITTEE ON SPECIAL EDUCATION (CSE)/COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) (Cont'd.)

Subcommittee on Special Education Membership

The Board may appoint, as necessary, Subcommittees on Special Education to assist in the timely evaluation and placement of students with disabilities in accordance with applicable law and Commissioner's regulations. The Board will determine the number of subcommittees to be appointed upon the recommendation of the CSE.

Committee on Preschool Special Education (CPSE) Membership

The Board will appoint a CPSE whose membership and purpose varies slightly from the membership of the CSE. The CPSE must include:

a) The parent(s) or persons in parental relation of the student;

b) At least one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);

c) At least one special education teacher of the student, or, if appropriate, at least one special education provider (i.e., related service provider) of the student;

d) A District representative who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of District resources. This individual may also be the same individual appointed as the special education teacher or special education provider of the student or the school psychologist. The District representative will serve as the chairperson of the Committee;

e) An individual who can interpret the instructional implications of evaluation results, who may also be the CSE member appointed as the regular education teacher, the special education teacher, or special education provider, the school psychologist, the District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;

f) For a child in transition from early intervention programs and services, at the request of the parent or person in parental relation, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child; and

g) A representative of the municipality of the preschool child's residence.

(Continued)

SUBJECT: COMMITTEE ON SPECIAL EDUCATION (CSE)/COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) (Cont'd.)

Member Attendance

All members of the CSE or CPSE must attend committee meetings except that the parent and District may agree in writing prior to the meeting date that the attendance of a member or members is not necessary or impossible in accordance with applicable Commissioner's regulations and, as a result, may be excused from the meeting.

Training

The training of qualified personnel is essential to the effective implementation of Commissioner's regulations regarding the education of all students with disabilities.

The Director of Special Education will establish administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's regulations as well as members of the CSE and CPSE.

Alternative Means of Meeting

When conducting a meeting of the CSE or CPSE, the parent and the representative of the District appointed to the CSE or CPSE may agree to use alternative means of meeting participation, such as videoconferences and conference calls.

Individuals with Disabilities Education Act (IDEA) 20 USC Section 1400 et seq.
34 CFR Part 300 and Section 300.321
Education Law Section 4402, 4410
8 NYCRR Sections 200.2(b)(3), 200.3, and 200.4(d)(4)(i)(d)

NOTE: Refer also to Policies #7613 -- The Role of the Board in Implementing a Student's Individualized Education Program
#7614 -- Preschool Special Education Program

Adoption Date

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION

Development of Individualized Education Program

The Board directs the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) to prepare a written individualized education program (IEP) for each child with a disability. Each student with a disability will have an IEP in effect at the beginning of each school year.

The IEP will be developed by the CSE or CPSE upon referral, and reviewed or revised, as appropriate, for every child with a disability at least annually or when the program no longer appears to be appropriate to meet the student's needs.

Functional Behavioral Assessments/Behavioral Intervention Plans

A functional behavioral assessment (FBA) is an evaluative tool, requiring parental/guardian consent, which should be used throughout the process of developing, reviewing, and revising a student's IEP when the student's behavior impedes learning of the child or others. The FBA is the process of determining why a student engages in challenging behavior and how the student's behavior relates to his or her environment.

The FBA provides a baseline of the student's problem behaviors with regard to frequency, duration, intensity, and/or latency across activities, settings, people, and times of the day and includes the:

a) Identification of the problem behavior;

b) Definition of the behavior in concrete terms;

c) Identification of the contextual factors that contribute to the behavior (including cognitive and affective factors); and

d) Formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

The FBA must, as appropriate, be based on multiple sources of data such as structured interviews, behavior ratings scales, standardized assessments, and checklists. To this end, the FBA cannot be based solely on the student's history of presenting problem behavior.

In the case of a student whose behavior impedes his or her learning or that of others, the CSE or CPSE will consider strategies, including positive behavioral interventions and supports, to address that behavior. The need for a behavioral intervention plan (BIP) will be documented on the IEP which will be reviewed at least annually by the CSE or CPSE. In addition, regular progress monitoring of the frequency, duration, and intensity of the behavioral interventions will be conducted at scheduled intervals and documented and reported to the parent(s)/guardian(s) and CSE or CPSE.

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SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

Individual Evaluations

Parental/Guardian consent must be provided for an initial evaluation. If this consent is not received within 30 calendar days of receipt of the referral, the CSE or CPSE Chairperson will document all attempts made to obtain consent.

Unless a referral is withdrawn, an individual evaluation at no cost to the parent/guardian will be completed by the CSE or CPSE within 60 calendar days after written parental/guardian consent has been obtained or a parental/guardian refusal to consent is overridden, unless:

a) An extension is mutually agreed to by the parent/guardian and the CSE or CPSE for transfer students or students suspected of having learning disabilities; or

b) The parent/guardian or student repeatedly fails or refuses to produce the student for evaluation.

No student will be required to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substances Act as a condition of receiving an evaluation.

The individual evaluation will include a variety of assessment tools and strategies, including information provided by the parent/guardian. The purpose of the evaluation is to gather relevant functional, developmental, and academic information that may assist in determining whether the student is a student with a disability and the content of the student's IEP.

As part of any evaluation, a group that includes the CSE or CPSE and other qualified professionals, as appropriate, will review existing evaluation data on the student including evaluations and information provided by the parents/guardians of the student, current classroom-based assessments, local or state assessments, classroom-based observations, and observations by teachers and related services providers. In addition, the group will consider information about the student's physical condition, social or cultural background, and adaptive behavior.

On the basis of that review, and input from the student's parents/guardians, the group will identify what additional data, if any, are needed to determine a variety of factors including, if the student has or continues to have a disability, present levels of academic achievement and developmental needs of the student.

The District must notify the parents/guardians if additional data is not needed, and the reasons for that determination as well as their right to request an assessment to determine whether, the student continues to be a student with a disability. The District is not required to conduct the assessment unless requested to do so by the student's parents/guardians.

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

The determination that a student has a learning disability will be made in accordance with the procedures outlined in Commissioner's regulations.

Individual Re-evaluations

The CSE or CPSE will arrange for an appropriate re-evaluation of each student with a disability:

a) If the District determines that the educational or related services needs, including improved academic achievement and functional performance of the student warrant re-evaluation;

b) If the student's parent/guardian or teacher request a re-evaluation;

c) At least once every three years, unless the District and the parent/guardian agree in writing that the re-evaluation is unnecessary.

A re-evaluation will not be conducted more frequently than once a year unless the parent/guardian and the District representative appointed to the CSE or CPSE agree otherwise.

The re-evaluation will be conducted by a multi-disciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The re-evaluation will be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any re-evaluations must be addressed by the CSE/CPSE in reviewing, and as appropriate, revising the student's IEP.

To the extent possible, the District will encourage the consolidation of re-evaluation meetings for the student and other CSE or CPSE meetings for the student.

Amendments to the IEP

Amendments to the IEP made after the annual review by the CSE or CPSE may be made by reconvening the CSE or CPSE and rewriting the IEP or by developing a written document to amend or modify the student's current IEP, provided that there is a request for, and agreement to, the amendment by the parent(s)/guardian(s) and the District provides the parent(s)/guardian(s) a written proposal to amend the IEP conveyed in language understandable to the parent(s)/guardian(s) in their native language or other dominant mode of communication, informs and allows the parent(s)/guardian(s) the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes, and the parent(s)/guardian(s) agree in writing to the amendments.

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

If the parent(s)/guardian(s) agree to amend the IEP without a meeting, they must be provided prior written notice of the changes to the IEP and the CSE or CPSE must be notified of the changes. If the changes are made by rewriting the entire IEP, the District will provide the parents/guardians a copy of the rewritten IEP. If the amendment is made without rewriting the entire document, the District will provide a copy of the document that amends the IEP or, upon request, a revised copy of the entire IEP with the amendments incorporated.

Use of Recording Equipment at IEP Meetings

The Board will allow recording equipment to be used at meetings regarding IEPs for students with disabilities. The District will also record the meeting.

Provision of Individualized Education Program

The Superintendent or designee(s) will establish administrative practices and procedures to ensure that each regular education teacher, special education teacher, related service provider, and/or other service provider who is responsible for the implementation of a student's IEP is provided with either a paper copy of the IEP or is able to access a student's IEP electronically (including amendments to the IEP) prior to the implementation of the program. The individuals responsible for implementing a student's IEP will be notified and trained on how to access the IEP electronically. For purposes of this policy, "other service provider" means a representative of another public school district, charter school, Board of Cooperative Educational Services (BOCES), or school where the student receives or will receive IEP services. Further, the District will designate at least one school official who will be responsible for maintaining a record of the personnel who have received IEP copies for each student.

Any copy of a student's IEP will remain confidential in accordance with the Individuals with Disabilities Education Act, the Family Educational Rights and Privacy Act, and District policy regarding confidentiality of student records, and will not be disclosed to any other person other than the parent/guardian of the student, except in accordance with federal and state laws and/or regulations. Appropriate training and information will be provided to designated school personnel, as applicable, to ensure the confidentiality of this information. Procedures will be established to ensure that copies of students' IEPs are stored in secure locations and retrieved or destroyed when those professionals are no longer responsible for implementing a student's IEP.

The Chairperson of the CSE, CSE subcommittee, or CPSE will designate for each student one or, as appropriate, more than one professional employee of the District with knowledge of the student's disability and education program who will be responsible to, prior to the implementation of the IEP, inform each teacher, provider, or school personnel of his or her responsibility to implement the recommendations on a student's IEP. Relevant school personnel will have ongoing access to a copy of the student's IEP.

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

A copy of a student's IEP will be provided to the student's parents at no cost to the parent(s)/guardian(s).

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
21 USC Section 812(c)
Education Law Articles 81, 85 and 89 and Sections 207, 3208 and 4402(7)
8 NYCRR Sections 200.1(hh), 200.2(b)(10), 200.4(b)(4), 200.4(d)(3)(i), 200.4(e)(3), 200.4(f), 200.4(j), 200.16(e)(6) and 200.22

Adoption Date

SUBJECT: TRANSITION SERVICES

Transition services means a coordinated set of activities for a student with a disability, designed within a results-oriented process that is focused on improving the academic and functional achievement of this student to facilitate movement from school to post-school activities. Post-school activities include, but are not limited to, post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based on the student's strengths, preferences, and interests, and will include needed activities in the following areas:

a) Instruction;

b) Related services (the term "related services" does not include a medical device that is surgically implanted, the optimization of the device's functioning (e.g., mapping), maintenance of, or the replacement of such device);

c) Community experiences;

d) The development of employment and other post-school adult living objectives; and

e) When appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

Beginning not later than the first individualized education program (IEP) to be in effect when the student is age 15 (and at a younger age, if determined appropriate), and updated annually, the student's IEP must include:

a) A statement of the student's needs taking into account the student's strengths, preferences and interests as they relate to transition from school to post-school activities;

b) Appropriate measurable post-secondary goals based upon age appropriate transition assessments relating to training, education, employment and, where appropriate, independent living skills;

c) A statement of transition service needs that focuses on the student's courses of study, such as participation in advanced-placement courses or a vocational educational program;

d) Needed activities to facilitate the student's movement from school to post-school activities, including 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 functional vocational evaluation; and

e) A statement of the responsibilities of the District and participating agencies, when applicable, for the provision of such services and activities, before the student leaves the school setting, that promote movement from school to post-school opportunities.

(Continued)

SUBJECT: TRANSITION SERVICES (Cont'd.)

When developing transition goals and services, the District will discuss with the student's parents:

a) Graduation requirements;

b) The student's progress toward receiving a diploma; and

c) The appeal, safety net, and Superintendent determination pathway options that may be available.

At the CSE meeting where the District discusses transition services with parents, it will provide written information explaining the graduation requirements, including eligibility criteria and processes for seeking an appeal and for requesting a local diploma through the Superintendent's determination pathway. The District will also inform parents that graduating with a local or Regents diploma terminates their child's entitlement to a free public education and special education services.

The District must invite a student with a disability to attend the student's CSE meeting if a purpose of the meeting will be the consideration of the post-secondary goals for the student and the transition services needed to assist the student in reaching those goals. If the student does not attend the CSE meeting, the District must take other steps to ensure that the student's preference and interests are considered. To the extent appropriate, with the consent of the parent or a student who has reached the age of majority, the District must also invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

Graduation/Aging Out

The District is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for a free appropriate public education. However, the District must provide the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her post-secondary goals.

Before a student's graduation from high school with a Skills and Achievement (SA) Commencement Credential or Career Development and Occupational Studies Commencement Credential (CDOS), parents must receive prior written notice indicating that the student continues to be eligible for a free appropriate public education until the end of the school year in which the student turns 21 or until receipt of a regular high school diploma.

Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400 et seq.
34 CFR Sections 300.321, 300.343, 300.347, and 300.348
Education Law Section 4401
8 NYCRR Sections 200.1(qq), 200.1(fff), 2004.(d)(2)(ix), and 200.5(c)(2)(vii)

NOTE: Refer also to Policy #7617 -- Declassification of Students with Disabilities

Adoption Date

SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES (CHILD FIND)

The District will locate, identify, and evaluate all students with disabilities who reside within its boundaries, including homeless children, children who are wards of the state, home-schooled children, and children attending private schools or charter schools. Further, it is the policy of the Board to conduct a census in order to locate and identify all children with disabilities within the District under the age of 21, including those children as described above, and to establish a register of those students entitled to attend school or receive preschool services.

The Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) will maintain and annually revise the register of these students and others referred to the committee as possibly having a disability, as appropriate. In addition, census data will be reported by October 1 to the CSE or CPSE as appropriate.

The District understands that its Child Find obligations have been expanded to include notification to every parent or person in parental relation, upon enrollment of their child in the District, of their rights regarding referral and evaluation for the purposes of special education services or programs in accordance with applicable federal and state laws. The notification will contain the name and contact information for the chairperson of the District's CSE or other individual who is charged with processing referrals to the committee in the District. The District may, in its discretion, provide notice by directing parents or persons in parental relation to obtain information located on the State Education Department's website relating to a parent's guide to special education in New York State for children ages three through 21.

Any student suspected of having a disability should be referred to the applicable CSE or CPSE for evaluation and possible identification as a student with a disability.

Nonpublic School Students with Disabilities Who Are Parentally Placed

If the District boundaries encompass a nonpublic school, the District, as the district of location, must develop and implement methods to identify, locate, and ensure the identification and evaluation of students with disabilities who have been, or are going to be, parentally placed in the nonpublic school.

The child find activities must be similar to those for students with disabilities in public schools and must be completed in a time period comparable to that for other students attending public schools in the District.

As the district of location, the District must also consult with the appropriate representatives of the nonpublic schools and parents of parentally placed nonpublic school students to determine an accurate count of students with disabilities attending those schools and receiving special education services.

(Continued)

SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES (CHILD FIND) (Cont'd.)

These requirements only pertain to students with disabilities parentally placed in elementary and secondary nonpublic schools, not to parental placements of preschool children with disabilities in private day care or preschool programs; or to CSE placements of students with disabilities in approved private schools, special act school districts, state-supported or state-operated schools; or to charter schools.

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
34 CFR Part 300
Education Law Sections 3240-3242, 3602-c(2)(a), 4401-a, 4402, 4404, 4405 and 4410-6
8 NYCRR Sections 200.2(a) and 200.4

NOTE: Refer also to Policy #7130 -- Entitlement to Attend -- Age and Residency

Adoption Date

SUBJECT: DUE PROCESS COMPLAINTS: SELECTION AND BOARD APPOINTMENT OF IMPARTIAL HEARING OFFICERS

Due Process Complaints

The District will make every effort to amicably resolve disputes regarding educational programs for students with disabilities. If these disputes cannot be resolved, either a parent, person in parental relation, or the District may file a due process complaint challenging the identification, evaluation, or educational placement of a student with a disability, or a student suspected of having a disability, or the provision of a free appropriate public education to the student. The complainant may not receive an impartial due process hearing until the complainant, or the complainant's attorney, files a due process complaint notice that meets the requirements set forth in law for the notice. All due process hearings will be conducted in a manner consistent with the timelines and procedures set forth in law and regulation.

Except as otherwise provided by law, all requests for impartial due process hearings must be submitted within two years of the date the parent or the District knew or should have known about the alleged action forming the basis of the complaint. Upon receipt or filing of the due process complaint notice, the District will provide the most current version of the procedural safeguards notice to the parents. The District will also inform parents in writing of the availability of mediation and any free or low-cost legal and other relevant services available in the area.

An impartial due process hearing will be conducted at a time and location reasonable and convenient to the parent and student involved. The hearing will be closed to the public unless the parent requests otherwise. The impartial hearing officer (IHO) may conduct the hearing by videoconference or teleconference with parental consent which may be obtained at a pre-hearing conference, or at a minimum of ten days before the scheduled hearing date, provided that all personally identifiable data, information, or records pertaining to the student during the hearing is kept confidential in accordance with law and regulation.

A student whose education is the subject of a due process complaint will remain in their current placement during the pendency of the impartial due process hearing unless both parties agree or as otherwise permitted by law.

Resolution Process

Prior to the opportunity for an impartial due process hearing, the District will convene a meeting with the parents and the relevant member or members of the Committee on Special Education or Committee on Preschool Special Education who have specific knowledge of the facts identified in the complaint. This meeting will provide the parents with an opportunity to discuss their complaint and the facts that form the basis of the complaint, and an opportunity to resolve the complaint with the District. The District will take steps to ensure that one or both of the parents of the student with a disability are present at the resolution meeting, and will notify parents of the meeting early enough to ensure that they have the opportunity to attend. The resolution meeting will be at a mutually agreed upon time and place,

(Continued)

SUBJECT: DUE PROCESS COMPLAINTS: SELECTION AND BOARD APPOINTMENT OF IMPARTIAL HEARING OFFICERS (Cont'd.)

and in a location that is physically accessible to the parents. The parents and District may agree to use alternative means of meeting participation, such as videoconferences and conference calls. The District will ensure that all resolution meetings conform to the requirements set forth in the Commissioner's regulations.

The parents and the District may agree, in writing to waive the resolution process or agree to use the mediation process to resolve the dispute.

Selection and Board Appointment of Impartial Hearing Officers

When a due process complaint notice is properly filed, the Board will arrange for an impartial due process hearing to be conducted. In these instances, the Board will immediately, but not later than two business days after receipt of the due process complaint notice or mailing of the due process complaint notice to the parent, initiate the process to select an IHO through a rotational selection process. To expedite this process, the Board may designate one or more of its members to appoint the IHO on its behalf.

The District will utilize the New York State Education Department's (NYSED) Impartial Hearing Reporting System to access the alphabetical list of the names of each IHO certified in New York State and available to serve in the District. The appointment of an IHO will be made only from this list and in accordance with the alphabetical rotation selection process and the timelines and procedures established by the Commissioner of Education. The District will record and report required information relating to the selection of IHOs and the conduct of impartial due process hearings according to the manner and schedule specified by NYSED.

If an IHO is not appointed within 196 days from receipt by the District of a due process complaint, the District will, no later than five business days after the 196th day has elapsed, provide written notification to parents of their right to request accelerated review. When accelerated review is sought, the District will be deemed to have denied the student a free and appropriate public education (FAPE) by virtue of the 196 day (or more) delay in the appointment of an IHO.

The District will be responsible for compensating the IHO for pre-hearing, hearing, and post-hearing activities at the rate agreed upon at the time of the IHO's appointment. The District will also reimburse the IHO for certain travel and other hearing-related expenses in accordance with an annually determined schedule.

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
34 CFR Part 300
Education Law Sections 4404 and 4410(7)
8 NYCRR Sections 200.2 and 200.5

Adoption Date

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

Parents of children with disabilities have the right under federal and state regulations to obtain an independent educational evaluation (IEE) at public expense under certain conditions if they disagree with an evaluation obtained by the District.

A parent is entitled to only one IEE at public expense each time the District conducts an evaluation with which the parent disagrees. The District may ask the parent to explain the reason as to why they object to the District's evaluation although the parent is not required to answer.

The District will not unreasonably delay either providing the IEE or initiating an impartial hearing to defend its own evaluation.

34 CFR Sections 300.12 and 300.502
8 NYCRR Sections 200.1(z) and 200.5(g)

Adoption Date

Victor Central School District **NUMBER**

CURRICULUM (GENERAL)

1.1 Curriculum Development, Resources, and Evaluation 8110

ELEMENTARY AND SECONDARY INSTRUCTION

2.2 Career and Technical (Occupational) Education 8220
2.4 Instruction in Certain Subjects 8240
2.4.2 Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education 8242
2.5 Animals in the School (Instructional Purposes) 8250
2.6 Title I Parent and Family Engagement 8260
2.7 Instructional Technology
2.7.1 Internet Safety/Internet Content Filtering 8271
2.8 Instruction for English Language Learners 8280

INSTRUCTIONAL MATERIALS

3.2 Textbooks, Library Materials, and Other Instructional Materials 8320
3.3 Objection to Instructional and Library Materials and Controversial Issues 8330
3.4 Instructional Materials and Nonpublic School Students 8340
3.5 Use of Copyrighted Materials 8350
3.6 Religious Expression in the Instructional Program 8360

INSTRUCTIONAL ARRANGEMENTS

4.1 Homework 8410
4.3 Independent Study 8430
4.4 Home Schooling 8440
4.5 Home, Hospital, or Institutional Instruction (Homebound Instruction) 8450
4.6 Field Trips 8460

SUBJECT: CURRICULUM DEVELOPMENT, RESOURCES, AND EVALUATION

The Board of Regents and the New York State Education Department (NYSED) are responsible for setting state learning standards for what all students should know and be able to do as a result of skilled instruction. The District must provide students with instruction on certain specified topics as outlined in law, regulation, and guidance and will develop curriculum based on established state learning standards, laws, regulations, and guidance.

Definitions

For purposes of this policy, the following definitions apply:

a) "Curriculum" means the outline or scope and sequence of the content, concepts, and skills students will learn to enable them to meet state learning standards.

b) "Instruction" means the ways (e.g., approaches, strategies, environments, materials, interactions) that an educator chooses to teach the curriculum, based on the needs of their students.

c) "State learning standards" means the knowledge, skills, and understandings that individuals can and do habitually demonstrate over time as a consequence of instruction and experience. These standards reflect educational goals for students and are organized by subject area and grade levels.

Curriculum Development, Resources, and Evaluation

District curriculum will align with state learning standards and include any specific topics required by law, regulation, or guidance. The Board has the authority to prescribe curriculum in the District within the parameters established by state learning standards, law, regulation, and guidance. The Superintendent, Assistant Superintendent for Instruction, K through 12 Directors, and principals will be responsible for developing District-wide efforts toward the short and long-range improvement of curriculum and instruction.

Administration and instructional staff will be involved in curriculum development and improvement, responding to changing conditions in curriculum needs and requirements. Curriculum changes may be prompted by changes in state learning standards, trends in specific content areas, changes to educational best practices, and student input. Instructional staff are expected to continually evaluate District curriculum in order to improve learning and foster student growth.

There are many resources that instructional staff may utilize to develop and improve curriculum. Resources may originate from a variety of sources including NYSED, Board of Cooperative Educational Services (BOCES), and colleges and universities. Instructional staff, under the guidance of District administrators, are expected to consider those resources for possible improvement to the instructional program.

(Continued)

SUBJECT: CURRICULUM DEVELOPMENT, RESOURCES, AND EVALUATION (Cont'd.)

Program Review

District administrators will work with instructional staff to develop, improve, and evaluate the District's curriculum in long-range, cyclic program reviews. In a program review, stakeholder committees including District and building administrators, instructional staff, parents, students and ad hoc members will work together to establish priorities, review the research base and analyze data in order to develop recommendations related to their specific academic area. District administrators will work with program teams to ensure that curricular programs are evaluated on a regular basis.

Recommendations from program reviews will be presented to the Superintendent for review and action. Upon the Superintendent's approval, the recommended changes will then be presented to the Board for approval. District administrators and/or instructional staff may be invited to Board meetings to discuss changes to the District's curricular programs.

The Board may periodically request that the Superintendent and/or their designee present reports necessary to evaluate the effectiveness of the District's curriculum.

20 USC Section 6311
Education Law Sections 101, 101-a, 207, 305, 1604, 1709, 1711, 1804, 2503, and 2508
8 NYCRR Sections 3.35 and 100.1

NOTE: Refer also to Policies #8240 -- Instruction in Certain Subjects
#8242 -- Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education

Adoption Date

SUBJECT: CAREER AND TECHNICAL (OCCUPATIONAL) EDUCATION

The District recognizes the need for career and technical (occupational) education and reaffirms its policy of strengthening available career and technical education programs through utilization of any available federal and state funds for that purpose and supporting BOCES' programs. Accordingly, these programs may be offered by the District and/or through a BOCES.

Equal Opportunity

The District prohibits discrimination on the basis of any legally protected class or category including, but not limited to, race, color, creed, religion, disability, use of a service animal, national origin, sexual orientation, gender identity or expression, military status, sex, age, and marital status in any career and technical education program or activity of the District.

Career and technical education programs and activities will be readily accessible to students with disabilities.

Public Notification

Prior to the beginning of each school year or academic semester, the District will issue an appropriate public announcement which advises students, parents, employees, and the general public that career and technical education opportunities will be offered without regard to any legally protected class or category. Included in this announcement will be the name, address, telephone number, and email address of the District's Civil Rights Compliance Officer(s) (CRCO(s)) and Title IX Coordinator(s).

Grievance Procedure

Grievance procedures for resolving complaints regarding discrimination based on any legally protected class or category shall be disseminated to adequately inform students, parents/guardians and employees of the existence of these procedures.

Local Advisory Council

In accordance with Education Law, the Advisory Council of the BOCES is designated as the local Advisory Council for career education in the School District.

Age Discrimination Act of 1975, 42 USC Section 6101 et seq.
Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq.
Equal Educational Opportunities Act of 1974, 20 USC Section 1701 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 790 et seq.
Title IV of the Civil Rights Act of 1964, 42 USC Section 2000c et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.

(Continued)

SUBJECT: CAREER AND TECHNICAL (OCCUPATIONAL) EDUCATION (Cont'd.)

Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.
28 CFR Part 35
34 CFR Parts 100, 104, 106, 110, and 270
45 CFR Part 86
Civil Rights Law Sections 40, 40-c, and 47-b
Education Law Article 93 and Sections 10-18, 313, 2801, 3201, and 3201-a
New York State Human Rights Law, Executive Law Section 290 et seq.
8 NYCRR Sections 100.2 and 141 et seq.
9 NYCRR Section 466 et seq.

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#3421 -- Title IX and Sex Discrimination
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
#7554 -- Equal Educational Opportunities
District *Code of Conduct*

Adoption Date

SUBJECT: INSTRUCTION IN CERTAIN SUBJECTS

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

Driver Education

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

Physical Education Class

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

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

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

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

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

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

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

(Continued)

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

Sudden Cardiac Arrest

For purposes of this policy, the following definition applies:

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

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

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

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

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

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

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

Health and Mental Health Education

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

a) Mental health;

b) The relation of physical and mental health;

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

d) The prevention and detection of certain cancers.

(Continued)

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

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

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

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

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

Adoption Date

SUBJECT: CIVILITY, CITIZENSHIP, AND CHARACTER EDUCATION/ INTERPERSONAL VIOLENCE PREVENTION EDUCATION

Civility, Citizenship, and Character Education

The Board recognizes that teaching students respect, civility and understanding toward others, as well as the practice and reinforcement of appropriate behavior and values of our society, is an important function of the District.

The District wishes to foster an environment where students exhibit behavior that promotes positive educational practices, allows students to grow socially and academically, and encourages healthy dialogue in respectful ways. By presenting teachers and staff as positive role models, the District stresses positive communication and discourages disrespectful treatment. This policy is not intended to deprive and/or restrict any student of his or her right to freedom of expression but, rather, seeks to maintain, to the extent possible and reasonable, a safe, harassment free and educationally conducive environment for our students and staff.

Furthermore, the District will ensure that the course of instruction in grades K through 12 includes a component on civility, citizenship, and character education in accordance with Education Law, with an emphasis on discouraging acts of harassment, bullying, and/or discrimination. Character education is the deliberate effort to help students understand, care about, and act upon core ethical values.

Character education will instruct students on the principles of:

a) Honesty;

b) Acceptance;

c) Personal responsibility;

d) Respect for others;

e) Awareness and sensitivity to discrimination and/or harassment as defined in the Dignity for All Students Act (DASA);

f) Civility in relation to people of different races, weights, national origins, ethnic groups, religions, religious practices, physical or mental abilities, sexual orientations, genders or sexes;

g) Observance of laws and rules;

h) Courtesy;

(Continued)

SUBJECT: CIVILITY, CITIZENSHIP, AND CHARACTER EDUCATION/ INTERPERSONAL VIOLENCE PREVENTION EDUCATION (Cont'd.)

i) Dignity, and other traits which will enhance the quality of students' experiences in, and contributions to, the community; and

j) Safe and responsible use of the Internet and electronic communications.

As determined by the Board of Regents, and as further enumerated in Commissioner's regulations, the components of character education will be incorporated in existing District curricula as applicable.

The District encourages the involvement of staff, students, parents, and community members in the implementation and reinforcement of character education in the schools.

Interpersonal Violence Prevention Education

The District may utilize any interpersonal violence prevention education package made available by the New York State Education Department. These materials may be incorporated as part of the health or other related curricula or programs for students in grades K through 12.

Education Law Sections 801-a and 804
8 NYCRR Section 100.2(c)

Adoption Date

SUBJECT: ANIMALS IN THE SCHOOL (INSTRUCTIONAL PURPOSES)

Observation and experimentation with living organisms and animals gives students unique perspectives of life processes. Animals and animal materials should be used respectfully and for the purpose of meeting course objectives.

The Board, in recognizing the educational uses of animals in the classroom, requires that permission be obtained from the building principal before animals are brought into the school or classrooms. It is the principal's responsibility to ensure that there is an appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses with the exception of service animals.

Study and Care of Live Animals

It will be the responsibility of the principal or designee to develop a plan of care for those animals housed in school in the event of an emergency school closing or in the event the animals remain in the classroom on days when school is not in session.

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, will be provided the opportunity to undertake and complete an alternative project approved by the student's teacher; provided, however, that this 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 will not be penalized.

For courses that include animal dissection, principals, in collaboration with the teacher, will provide reasonable notice to all enrolled students and their parents or legal guardians of their right to submit a written request to have an alternate project assigned. The notice will establish a reasonable deadline for such requests. The deadline will be adjusted for students who enter a course after the beginning of the term.

Instruction in the Humane Treatment of Animals

Students in elementary school must receive instruction in the humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals that are subsequently abandoned and caused to suffer extreme cruelty. This instruction will be for a period of time as specified by the Board of Regents and may be joined with work in literature, reading, language, nature study, or ethnology.

Americans with Disabilities Act, 42 USC Section 12101 et seq.
Education Law Section 809
8 NYCRR Section 100.2(c)(9)
Adoption Date

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) Reasonably 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) Aim to 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) Build the schools', parents' and family capacity for strong involvement through implementing and encouraging participation in involvement strategies and activities aligned with other relevant federal, state, and local programs including but not limited to;: District and Building Shared Decision Making Teams, District committees, annual curriculum nights and/or open houses, community-based organizations and local Parent Teacher Student Associations;

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 barriers to greater participation by parents and family members in Title I activities, under the policy and use the findings of the evaluation to design strategies for more effective involvement and, to revise, if necessary, the involvement policies at the District and school level.

e) Involve parents in the activities of Title I schools, specifically in student progress conferences, Title I progress reports and Summer Academy activities. Other activities will include, but not be limited to annual open houses and curriculum nights, Parent Teacher Student Association (PTSA) activities, and building-based activities to promote community connections with students and families;

(Continued)

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

f) Reasonably involve parents and family members in discussions regarding how the District spent funds reserved for parent and family engagement activities annually. Parent involvement will include, but not be limited to participation in annual District and building Title I meetings.

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) 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. The District will work with parents and families to provide flexibility in meeting opportunities;

b) Involve parents and family members in an organized, ongoing, and timely way in planning, reviewing, and improving Title I programs, including this policy;

c) 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

d) Develop a school-parent 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.

e) The compact will include:

1. A description of 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;

(Continued)

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

2. A description of the ways in which each parent or family member will be responsible for supporting the child's learning, such as monitoring attendance, homework completion, supporting literacy and numeracy at home, 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. Address the importance of communication between teachers and parents or family members on an ongoing basis through, but not limited to:

   (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. This assistance will be provided through, but not exclusive to open houses and curriculum nights, Parent-Teacher/Family Conferences, building newsletters and updates, or other school-based activities. Translation services are available for ENL families;

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;

(Continued)

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

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. Teachers have access to professional learning opportunities through the Victor Teacher Center, the Office of Instruction and the District Mentoring Program;

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. Such programs and activities may include, but are not limited to Shared Decision Making Teams at the District and Building Level, Partners in Education (PIE), Victor's Outreach in Children's Education (VOICE), the Universal Pre-K Program and Primary Project;

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. Teachers are provided with professional training in Phonemic Awareness, Language Essentials for Teachers of Reading and Spelling (LETRS) in order to support the implementation of best practices associated with the Science of Reading within classroom instruction;

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) Reasonably train parents or family members to enhance the involvement of other parents or family members;

(Continued)

SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

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.

Comparability of Services

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 (ESSA) of 2015
20 USC Sections 6318 and 6321
34 CFR Parts 74-86, 97-99, and 200

Adoption Date

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING

In compliance with the Children's Internet Protection Act (CIPA) and regulations of the Federal Communications Commission (FCC), the District will ensure 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. These technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, pornographic, or, with respect to the use of computers by minors, considered harmful to students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking websites and in chat rooms and regarding cyberbullying awareness and response. To the extent practicable, appropriate monitoring of online activities of minors, as determined by the building or program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board'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 District, including the selection of appropriate 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 any inappropriate sites. Proper safety procedures, as deemed appropriate by the applicable administrator or program supervisor, will be provided to ensure compliance with the CIPA.

It shall be the responsibility of all members of the Victor Central School District staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act.

The determination of what is "inappropriate" for minors will be determined by the District and/or designated school official(s), the definition of which may vary depending on 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 or regulations.

The District will provide certification, in accordance with 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 or filtering of access to certain material on the Internet) for all District computers with Internet access.

(Continued)

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING (Cont'd.)

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 this 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.

Notification/Authorization

The District's AUP 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.

The District has provided reasonable public notice and has held at least one public hearing or meeting to address this policy prior to Board adoption. Additional public notice and a hearing or meeting is not necessary if and when amendments are made to this policy.

This 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.

This policy is required to be retained by the school for at least five years after the funding year in which the policy was relied upon to obtain E-rate funding.

20 USC Section 7131
47 USC Sections 254(h) and 254(l)
47 CFR Part 54
Education Law Section 814

NOTE: Refer also to Policies #7315 -- Student Acceptable Use Policy (AUP)
#7316 -- Use of Internet-Enabled Devices During the School Day
District *Code of Conduct*

Adoption Date

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS

The Board recognizes its responsibility to ensure that students who are identified as English Language Learners (ELLs) are provided with an appropriate bilingual education or English as a New Language (ENL) program.

The District has developed a comprehensive plan to meet the educational needs of ELLs. The plan will be kept on file in the District and submitted to the Commissioner of Education prior to the start of each school year. The plan includes:

a) The District's philosophy regarding the education of ELLs;

b) The District's administrative practices and procedures to screen, identify, and place ELLs in appropriate programs;

c) The District's plan to provide parents and other persons in parental relation with information about all bilingual education and ENL programs available in the District and notices regarding program placement and the rights of parents or persons in parental relation in the language or mode of communication they best understand;

d) The District's system to annually measure and track the academic progress and English language proficiency of ELLs and use of data to drive instruction;

e) A description of the District's curricular and extracurricular services provided to ELLs;

f) The District's administrative practices to annually evaluate ELLs;

g) The District's procedure to identify support services for ELLs;

h) The District's policies and procedures regarding ELLs who are students with disabilities;

i) The District's procedures to exit ELLs including those students with inconsistent/interrupted formal education;

j) The District's services to support former ELLs.

The District will follow New York State Education Department guidance for professional learning that addresses the specific needs of ELLs.

The Superintendent will ensure that all data, including plans, assurances, and reports as required by the Commissioner's regulations, is submitted to the State Education Department in a timely manner.

Education Law Section 3204
8 NYCRR Parts 117 and 154 and Section 100.2(g)

Adoption Date

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS

The District's instructional program is enriched and supported by the selection of quality print and non-print instructional materials. Selected instructional materials will align with New York State learning standards, reflect different viewpoints, and meet the varied needs and interests of staff and students.

Definitions

For purposes of this policy, the following definitions apply:

a) "Instructional material" means any print or non-print material with instructional content or an instructional function that is used to facilitate formal or informal learning either in the classroom, library media center, or elsewhere in the District. Examples of instructional materials include, but are not limited to: textbooks; workbooks; hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.

b) "Library material" means any print or non-print material which is catalogued and processed as part of the library media center for use by students and staff. Examples of library materials include, but are not limited to: hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.

c) "Textbook" means a text, or a text-substitute, that a student is required to use in a particular class or program of the District. Textbooks include:

1. Books, or book substitutes, including hardcover or paperback books, workbooks, or manuals; and

2. Courseware or other content-based instructional materials in an electronic format.

Overview of Instructional Materials

Textbooks and Instructional Materials

Textbooks for District students shall be selected on the basis of the District's instructional goals and appropriateness to the varied interests, abilities, and maturity levels of the pupils served. Responsibility for the process of all textbook selection shall rest with the Office of Instruction.

(Continued)

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS (Cont'd.)

Every care shall be taken to ensure that instructional materials and textbooks selected for adoption:

a) Support the District mission, vision, and values

b) Align to NYS Learning Standards and VCS curricular objectives

c) Are based on the most current research and development in the subject area

d) Address foundational knowledge as well as higher-order thinking skills

e) Reflect the District's commitment to inclusivity and culturally responsive practices, representing varying perspectives and viewpoints

f) Present various sides of controversial issues so that students may develop critical thinking skills resulting in the ability to make informed decisions

g) Meet the needs of students who need alternate formats

All textbook adoptions, instructional software, instructional e-books, and other materials used for instruction purposes shall be approved by the Board and provided for in the District's budget. Textbooks, once designated, cannot be superseded within a period of five years except by a 3/4 vote of the Board.

Specific selection criteria will be defined and implemented uniformly and consistently and communicated to the Board.

The District will be responsible to ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner. Students will be required to pay for lost books or for excessive damage to books.

Textbooks for Resident Students Attending Private Schools

Resident students attending private schools will be supplied non-sectarian textbooks in accordance with the requirements of Education Law.

Calculators

The New York State Education Department (NYSED) requires the use of calculators for intermediate and high school level mathematics and science assessments. Students are not required to purchase their own calculators. To the extent that calculators are a necessary part of the instructional program, the District will provide them.

(Continued)

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS (Cont'd.)

Calculators must be considered a classroom teaching material for which the District is authorized to levy a tax. Even if operating under a contingent budget, the District must purchase and provide calculators if required for participation in an instructional program. Students may be required to pay for lost calculators.

Library Materials

The District will establish and maintain a library media center in each school which will contain library materials. The library media center in each District school will meet the needs of students and staff, and provide an adequate complement to the instructional program in the various areas of the curriculum. The District will employ certified school library media specialists in accordance with specific standards contained in regulation, unless equivalent service is provided by an alternative arrangement approved by the Commissioner.

VCS Libraries

a) Support the learning and instructional needs of the school community by providing resources that develop and encourage critical thinking skills.

b) Provide free access to a wide variety of resources.

c) Encourage and support informational and recreational reading, viewing, or listening and help students develop the skills necessary to become lifelong learners.

Library Collection Development

Broad and varied collections will be developed considering the following: evaluative reviews from scholarly sources, recommendations from faculty, suggestions from parents and/or students. The responsibility for the selection of library materials ultimately rests with professionally trained library media specialists, with final approval on purchases provided by the building principal. Gifts and donated materials shall be judged by the selection criteria and shall be accepted or rejected according to those criteria.

Collection development is an ongoing process that includes removing materials that are no longer used or needed, adding materials, and replacing lost and worn materials that still have educational value. Acquisitions for the collection will not be excluded because of race, nationality, political opinion, sexual orientation or religious views.

(Continued)

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS (Cont'd.)

Library Media Selection

When selecting materials for libraries, the following list of criteria will be considered as a guide for proposed purchases. Materials selected for the collection will:

a) Support and enrich the curriculum and/or students' personal interests and learning.

b) Meet high standards in literary and artistic quality.

c) Be appropriate for the subject area and for the age, ability level, learning styles, social-emotional, and intellectual development of the intended audience for whom the materials are selected.

d) Incorporate accurate and factual content from authoritative sources, as appropriate.

e) Represent multiple viewpoints on complex issues without promoting intolerance, prejudice, or discrimination against protected persons or groups.

f) Provide a global perspective and promote representation by including materials by authors and illustrators of all identities.

g) Promote accessibility by including a variety of formats suitable to their intended use and audience, balancing cost with need.

Deselection Procedures

VCS library media specialists will evaluate collections regularly for deselection purposes. Decisions for deselection will be based on deselection criteria and data collected during the evaluation process.

Decisions for deselection will include ongoing considerations of the selection criteria as well as:

a) Usage

b) Relevance

c) Accuracy

d) Currency

e) Condition

(Continued)

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS (Cont'd.)

f) Format

Students may be required to pay for library materials that are lost, excessively damaged, or overdue.

20 USC Sections 1412, 1474, and 6311
34 CFR Section 300.172
34 CFR Part 300, Appendix C
Education Law Sections 701, 702, 711, 1604, 1709, 1804, 1950, 2503, and 3602
8 NYCRR Sections 91.1, 91.2, 100.1, and 200.2

NOTE: Refer also to Policies #5412 -- Alternative Formats for Instructional Materials
#8110 -- Curriculum Development, Resources, and Evaluation
#8330 -- Objection to Instructional and Library Materials and Controversial Issues

Adoption Date

SUBJECT: OBJECTION TO INSTRUCTIONAL AND LIBRARY MATERIALS AND CONTROVERSIAL ISSUES

The Board recognizes the right of District community members to voice concerns and objections about instructional materials and the discussion of controversial issues. This policy addresses how those concerns and objections can be raised.

Definitions

For purposes of this policy, the following definitions apply:

a) "Controversial issues" means questions, subjects, or problems which can create a difference of opinion. They can include issues which may have political, social, environmental, or personal impacts on students and/or the wider community: locally, nationally, or internationally.

b) "Instructional material" means any print or non-print material with instructional content or an instructional function that is used to facilitate formal or informal learning either in the classroom, library media center, or elsewhere in the District. Examples of instructional materials include, but are not limited to: textbooks; workbooks; hardcover and paperback books; e-books; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.

c) "Library material" means any print or non-print material which is catalogued and processed as part of the library media center for use by students and staff. Examples of library materials include, but are not limited to: hardcover and paperback books; e-books; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.

d) "Textbook" means a text, or a text-substitute, that a student is required to use in a particular class or program of the District. Textbooks include:

1. Books, or book substitutes, including hardcover or paperback books, workbooks, or manuals; and

2. Courseware or other content-based instructional materials in an electronic format.

Objections to Instructional Materials

The Board has authority to prescribe curriculum in the District and to designate the textbooks to be used in the District. The parent of a student cannot compel the Board to use a particular textbook or discontinue the use of a particular textbook. Further, the District may not be compelled to assign an alternate curriculum to a student based upon a parent's disapproval of classroom assignments. Students may be able to be excused from instruction in very limited circumstances outlined in law and regulation.

(Continued)

SUBJECT: OBJECTION TO INSTRUCTIONAL AND LIBRARY MATERIALS AND CONTROVERSIAL ISSUES (Cont'd.)

District community members who wish to formally object to instructional materials must submit their objections in writing to the Superintendent using the District form, *Reconsideration of Instructional Materials*. District staff who object to instructional materials must follow the same process as all District community members. Challenged instructional materials will remain in use and/or circulation until a final decision has been made. The Board will be informed of any objection the Superintendent receives.

The Superintendent will designate a review committee to investigate and evaluate the challenged instructional material. The committee will include, among others, the school library media specialist from the building where the objection originated and the building principal. The committee will evaluate the challenged material according to the District's criteria for the evaluation and selection of instructional materials.

The review committee will submit a written report of the results of their review to the Superintendent within 60 days of receipt of the formal written objection, unless the 60 days extends into the summer. No reviews will occur between July 1 -- Labor Day.

Appeals of decisions by the review committee may be submitted in writing to the Superintendent who will then submit the appeal to the Board for action.

If subsequent objections after an appeal are issued for the same material within a period of five years, the Superintendent can deny the objection based on the previous review and decision.

Controversial Issues

Controversial issues may be studied as part of the curriculum. Instructional staff will present these issues in their classrooms in an impartial and objective manner. It is expected that a library media center's collection, both print and digital, will include items that are considered to be controversial.

Instructional staff wishing to call upon outside speakers to present on controversial issues are required to work with the building principal who will keep in mind the obligation to present balanced viewpoints. The building principal will inform the Superintendent of the presentation on the controversial issue prior to it occurring.

Any objection to how a controversial issue is being taught, including the use of a guest speaker, should be directed to the building principal who will consult with appropriate instructional staff to address the objection.

If the objection is related to an instructional material being used in the teaching of a controversial issue, the process requesting reconsideration of library or instructional materials should be followed.

(Continued)

SUBJECT: OBJECTION TO INSTRUCTIONAL AND LIBRARY MATERIALS AND CONTROVERSIAL ISSUES (Cont'd.)

Library Materials

If a parent/guardian has a concern or objection about a library material that is housed in the library media center of the school their child currently attends, the parent/guardian can voice that concern to the library media specialist and request their child not be allowed to check that material out of the library media center. The library media specialist will forward the concern to the building principal and the Assistant Superintendent of Instruction, who will review the material. However, because the use of such materials is voluntary rather than required, library materials will not be subject to a formal reconsideration process.

Education Law Sections 701, 711, 809, 1604, 1709, 1804, 2503, and 3204
8 NYCRR Sections 16.2 and 135.3

NOTE: Refer also to Policies #8320 -- Textbooks, Library Materials, and Other Instructional Materials
#8360 -- Religious Expression in the Instructional Program

Adoption Date

SUBJECT: INSTRUCTIONAL MATERIALS AND NONPUBLIC SCHOOL STUDENTS

Textbooks

Upon written request, textbooks will be purchased and loaned free of charge to resident nonpublic school students in grades K through 12 in accordance with law and regulation.

Written requests for textbook loans may be presented directly to the Board, or with the Board's consent, to an appropriate official of the nonpublic school the student attends. The loan request should include information necessary to identify the book, such as title, author, publisher, and copyright date, as well as the name and address of the child or parent requesting the loan and the nonpublic school attended.

Textbook purchase and loan requests must be received by the District by June 30 of the school year prior to which the textbooks are being requested. Notice of this date will be given to all nonpublic schools. For resident students not enrolled by June 1, requests may also be submitted within 30 days of enrollment in the nonpublic school. Additionally, in no event will a late request be denied where a reasonable explanation is given for the delay in making the request.

Any textbook purchased and loaned cannot be religious and must be approved by any school board in New York State. The District may request evidence that a requested textbook is used in one or more public school districts in the state. This evidence may include an authenticated list of public school districts using the textbook from the publisher.

All textbooks will be loaned to resident students enrolled in public and nonpublic schools on an equitable basis.

Textbooks loaned to resident nonpublic school students remain the property of the District. Like public school students, nonpublic school students may be required to pay for lost or excessively damaged textbooks. The District will provide notification of this at the time a textbook is loaned.

Instructional Computer Hardware

Upon written request, instructional computer hardware will be purchased and loaned free of charge to nonpublic school students in the District in grades K through 12 in accordance with law and regulation. The instructional computer hardware must be required for use as a learning aid in a particular class or program.

Written requests for a loan of instructional computer hardware may be presented directly to the Board, or with the Board's consent, to an appropriate official of the nonpublic school the student attends. The loan request should include information necessary to identify the instructional computer hardware.

(Continued)

SUBJECT: INSTRUCTIONAL MATERIALS AND NONPUBLIC SCHOOL STUDENTS (Cont'd.)

Instructional computer hardware purchase and loan requests must be received by the District by June 30 of the school year prior to which the instructional computer hardware is being requested. Notice of this date will be given to all nonpublic schools. For students not enrolled by June 1, requests may also be submitted within 30 days of enrollment in the nonpublic school. Additionally, in no event will a late request be denied where a reasonable explanation is given for the delay in making the request.

Any instructional computer hardware containing software programs which are religious in nature or content will not be purchased or loaned by the District. Additionally, any instructional computer hardware purchased and loaned must be approved by any school board in New York State.

Instructional computer hardware will be loaned to students enrolled in nonpublic schools on an equitable basis.

Instructional computer hardware loaned to nonpublic school students remains the property of the District. Like public school students, nonpublic school students may be required to pay for lost or excessively damaged instructional computer hardware. The District will provide notification of this at the time instructional computer hardware is loaned.

Smart Schools Classroom Technology

Upon written request, Smart Schools classroom technology will be purchased and loaned free of charge to nonpublic school students in the District in grades K through 12 in accordance with requirements in law and regulation.

Written requests for a loan of Smart Schools classroom technology may be presented directly to the Board, or with the Board's consent, to an appropriate official of the nonpublic school the student attends. The loan request should include information necessary to identify the Smart Schools classroom technology.

Smart Schools classroom technology purchase and loan requests must be received by the District by June 30 of the school year prior to which the Smart Schools classroom technology is being requested. Notice of this date will be given to all nonpublic schools. For students not enrolled by June 1, requests may also be submitted within 30 days of enrollment in the nonpublic school. Additionally, in no event will a late request be denied where a reasonable explanation is given for the delay in making the request.

Any Smart Schools classroom technology purchased and loaned cannot contain religious content and must be approved by any school board in New York State.

Smart Schools classroom technology will be loaned to students enrolled in nonpublic schools on an equitable basis.

(Continued)

SUBJECT: INSTRUCTIONAL MATERIALS AND NONPUBLIC SCHOOL STUDENTS (Cont'd.)

Computer Software

Upon written request, computer software programs will be loaned free of charge to nonpublic school students in the District in grades K through 12 in accordance with requirements in law and regulation.

Written requests for a loan of computer software programs may be presented directly to the Board, or with the Board's consent, to an appropriate official of the nonpublic school the student attends. The loan request should include information necessary to identify the computer software program.

Any computer software which is religious in nature or content will not be purchased or loaned by the District.

Computer software will be loaned to students enrolled in public and nonpublic schools on an equitable basis.

Computer software loaned to nonpublic school students remains the property of the District. Like public school students, nonpublic school students may be required to pay for lost or excessively damaged computer software. The District will provide notification of this at the time computer software is loaned.

Library Materials

Upon written request, library materials will be loaned free of charge to nonpublic school students in the District in grades K through 12 in accordance with law and regulation. Library materials must be required for use as a learning aid in a particular class or program and will be loaned for individual student use only.

Written requests for a loan of library materials may be presented directly to the Board, or with the Board's consent, to an appropriate official of the nonpublic school the student attends. The loan request should include information necessary to identify the book, such as title, author, publisher, and copyright date, as well as the name and address of the child or parent requesting the loan and the nonpublic school attended.

Library materials which are religious in nature or content will not be purchased or loaned by the District.

All library materials will be loaned to students enrolled in public and nonpublic schools on an equitable basis.

(Continued)

SUBJECT: INSTRUCTIONAL MATERIALS AND NONPUBLIC SCHOOL STUDENTS (Cont'd.)

Library materials loaned to nonpublic school students remain the property of the District. Like public school students, nonpublic school students may be required to pay for lost or excessively damaged library materials. The District will provide notification of this at the time a library material is loaned.

Education Law Sections 701, 712, 752, 754, and 755
8 NYCRR Sections 21.1, 21.3, and 21.4

Adoption Date

SUBJECT: USE OF COPYRIGHTED MATERIALS

The District will abide by the provisions of the United States Copyright Law (Title 17 United States Code Section 101 et seq.). All employees and students are prohibited from copying materials not specifically allowed by the copyright law, fair use guidelines, licenses or contractual agreements, or the permission of the copyright proprietor.

A copyright officer may be appointed by the Superintendent to provide information for all personnel regarding current copyright law and to maintain copyright records. The copyright officer will also serve as the designated agent registered with the U.S. Copyright Office to expeditiously respond to any notices of claimed copyright infringement.

Any person who willfully disregards the copyright policy will be in violation of Federal Copyright Laws and District policy and will assume all liability. Appropriate copyright notices will be placed on or near all equipment used for duplication.

Digital Millennium Copyright Act (DMCA), 17 USC Sections 101 et seq., 512 and 1201 et seq.
37 CFR Part 201

Adoption Date

SUBJECT: RELIGIOUS EXPRESSION IN THE INSTRUCTIONAL PROGRAM

The Board acknowledges the importance of religion to the understanding of society and the richness of the human experience. The District will be guided by three concepts when making decisions about the appropriateness of activities for inclusion in the school program: the activity should have a secular purpose, the activity should neither advance nor inhibit religion, and the activity must not foster an excessive entanglement of government with religion.

Nurturing the development of knowledge and respect for the rights of all cultural and religious groups is a continuing goal of the District. Students, faculty, and administration are reminded of the pluralism of religious beliefs and are urged to be conscious of and respect the sensitivity of others.

Opportunities to learn about cultural and religious traditions should be provided within the framework of the curriculum. Information about religious and cultural holidays and traditions focusing on how and when they are celebrated, their origins, and their histories should be part of this instruction. This educational opportunity should be handled with great care, sensitivity, and respect for the feelings and beliefs of individuals.

An environment should be created and encouraged where students of various ethnic backgrounds feel comfortable in sharing comments about their religious and cultural traditions. No student should be singled out to share or participate in discussions solely on the basis of that student's identification with the cultural or religious heritage being addressed. A student's preference not to share or participate in these discussions should be honored and respected without penalty.

School Activities Related to Religious Holidays or Themes

School activities related to the teaching about religious holidays or themes must be consistent with, and representative of, the District's curriculum.

In planning school activities related to the teaching about religious holidays or themes, special effort must be made to ensure that the activity is not devotional and that students of all faiths can join without feeling they are betraying their own beliefs. Similarly, age appropriate activities are encouraged within the framework of the curriculum. With the goal of mutual understanding and respect for differences, instruction should reflect the fact that religious holidays are observed differently by different groups. Teaching should be factual and not devotional.

Symbols in the Schools

The purpose of using religious symbols should be to teach about religious concepts and traditions, and to convey historical or cultural content, not to promote or celebrate religious concepts, events, or holidays.

(Continued)

SUBJECT: RELIGIOUS EXPRESSION IN THE INSTRUCTIONAL PROGRAM (Cont'd.)

Music in the Schools

The purpose of using religious music should be to teach musical concepts, to convey historical and cultural content, or to create aesthetic experiences in a setting which emphasizes artistic expression and educational value, not to promote or celebrate a religious faith.

School Calendar and Religious Observances

In planning the school year calendar, administration and staff should recognize the effects of religious holidays on attendance. For many observant persons, participation in school activities (i.e., homework, exams, extracurricular activities, etc.) on certain holidays is a violation of religious teachings and observances.

Curriculum Areas in Conflict with Religious Beliefs

Students will be given the option to be excused from participating in those parts of an activity, program, or area of instruction involving a religious theme which conflicts with their own religious beliefs or that of their parents or guardians in accordance with applicable law and regulations. Alternatives may be provided that are of comparable instructional value.

The District will make this policy available in order to ensure community, faculty, student, and parental or guardian awareness.

United States Constitution, First Amendment
Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA) of 2015
Equal Access Act, 20 USC Sections 4071-4074
Education Law Sections 1609(9), 1609(10), 1709(1), 1709(3), 3204(5), and 3210
8 NYCRR Sections 16.2 and 109.2

NOTE: Refer also to Policy #8330 -- Objection to Instructional and Library Materials and Controversial Issues

Adoption Date

SUBJECT: HOMEWORK

The Board of Education acknowledges the educational value of homework as an adjunct to and extension of the instructional program of the schools. For the purposes of this policy, homework shall refer to those assignments to be prepared by the student outside of the school or independently while in attendance at school.

Adoption Date

SUBJECT: INDEPENDENT STUDY

Independent study, for credit, will be available to meet the individual needs of students in grades 9 through 12. The principal, after consultation with relevant faculty, will award credit to the student based on successful completion of the independent study and demonstrated mastery of the learning outcomes of the subject.

Students enrolled in the District may earn a maximum of three units of elective credit toward a Regents diploma through independent study. The student's participation in independent study must be approved by a school-based panel consisting of, at a minimum, the principal, a teacher in the subject area for which independent credit is sought, and a school counselor or administrator.

Credit for independent study may be awarded for elective courses only and will not be awarded for courses required for the Regents diploma as specified in Commissioner's regulations.

8 NYCRR Section 100.5(9)

Adoption Date

SUBJECT: HOME SCHOOLING

The District will attempt to cooperate with parents who wish to provide home instruction for their children. A child who is educated at home should receive an education in a manner consistent with an educational plan and at least substantially equivalent to that given to students of like age and attainments in the local public schools. The required subjects should be taught in a competent, systematic, and sequential manner, specifically in relation to the required courses set forth in Commissioner's regulation Section 100.10.

Primary responsibility for determining compliance with Commissioner's regulations addressing home instruction rests with the Superintendent.

Provision of Services to Home-Instructed Students

Home-instructed students are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents or the District.

a) Extracurricular Participation

Students instructed at home are *not* eligible to participate in interscholastic or intramural sports. Commissioner's Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic or intramural sports. However, the District *does* permit, as space is available, home-instructed students to participate in other school-sponsored extracurricular activities for grades 2 through 6 specifically in music lessons, and music ensembles. Secondary level home school students are eligible to participate in robotics. Other requests are reviewed on a case-by-case basis.

b) Textbooks and Materials

The District *will not* provide textbooks and other materials, including technology tools, to home-instructed students.

c) Health Services

The District is *not required* to furnish health services.

d) Remedial Programs

The District *is not responsible* for providing remedial programs.

e) Career and Technical/Gifted Education

The District is *not authorized* to provide Career and Technical (Occupational) or gifted educational programs to home-instructed students.

(Continued)

SUBJECT: HOME SCHOOLING (Cont'd.)

f) Special Education Services

Solely for the purpose of Education Law Section 3602-c, home-instructed students with disabilities are deemed to be students enrolled in and attending a nonpublic school, which enables them to receive special education services, as well as to be included for computation of state aid for the education by the District.

The Committee on Special Education will develop an Individualized Education Services Program (IESP) for the student. The IESP will be developed in the same manner and with the same content as an individualized education program. The Board will determine a location where special education services will be provided to a home-instructed student. This location may, but is not required to be, in the student's home.

g) Use of School Facilities

Students instructed at home will not be allowed to use school facilities, except as provided for community organizations in Policy #3280 -- Use of School Facilities, Materials, and Equipment.

Education Law Sections 3204, 3205, 3210(2), 3212(2), 3240-42, 3602-c, 3602-c(2-c), and 4402
8 NYCRR Sections 100.10, 135.4(c)(7)(ii)(b)(2) and 200.2(a)

Adoption Date

SUBJECT: HOME, HOSPITAL, OR INSTITUTIONAL INSTRUCTION (HOMEBOUND INSTRUCTION)

Overview

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

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

Definitions

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

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

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

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

Request for Home, Hospital, or Institutional Instruction

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

(Continued)

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

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

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

Review

Students eligible for home, hospital or institutional instruction will be reviewed every 30 days to assess progress and determine the need for home, hospital or institutional instruction.

Appeals

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

Home, Hospital, or Institutional Instruction Requirements

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

Students with Disabilities

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

(Continued)

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

Recordkeeping

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

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

Adoption Date

SUBJECT: FIELD TRIPS

The Board of Education recognizes the value of field trips in enhancing the instructional and co-curricular programs. For the purpose of this policy, a field trip shall be defined as a journey away from the school premises, under the supervision of an approved supervisor. Field trips may be curricular or extracurricular in nature. A curricular field trip is an integral part of an approved course of study and is conducted under the supervision of the classroom teacher. An extracurricular field trip supports the goals or purpose of the extracurricular activity and is conducted under the supervision of a teacher, coach, advisor and/or other approved chaperone.

All trips in which students shall be away from campus overnight, or any international day trips, require prior Board approval.

The District *Code of Conduct* applies to all participants at all times. Field trips are a part of the school experience, and student conduct and attendance on field trips are governed by the same rules as regular classroom or extracurricular activities. The District must obtain written or digital parental or guardian permission for students going on school-sponsored field trips.

The Superintendent or designee will prepare procedures for the operation of a field trip activity. Field trip support will be determined annually by the Board during its budget deliberations. Regardless of the fiscal support for field trips, the rules of the District for approval and conduct of these trips will apply.

The Superintendent or designee may cancel previously approved field trips due to extenuating circumstances.

NOTE: Refer also to Policies #3410 -- Code of Conduct
#5720 -- Transportation of Students
District *Code of Conduct*

Adoption Date