

SUBJECT: DIAPERING AND TOILETING OF STUDENTS IN THE DISTRICT**Overview**

The District will provide students access to safe, sanitary, accessible, and developmentally appropriate facilities to support diapering and toileting in the school.

Definitions

"Diapering" means the process of disposing of soiled diapers, cleansing the skin, and reapplying a clean, dry diaper to ensure hygiene and comfort.

"Toileting" means any activity related to a student's use of restroom facilities, including bathroom breaks, assistance with specific tasks related to toileting, and management of toileting accidents.

"Toilet learning" means a series of steps aimed at helping a student develop the skills and independence necessary for using the toilet.

"School" means a school district, public school, board of cooperative educational services, special act school district, approved preschool special education programs that are not licensed or otherwise regulated by other state agencies, state-supported school, or approved private school for the education of students with disabilities.

"School personnel" means any applicable staff members identified by the school, which may include but not be limited to teachers, aides, administrators, nurses, or custodians.

"Student" means school-age students, prekindergarten students, and preschool students with disabilities attending a school as defined in this section.

"Prekindergarten students" means children enrolled in state-administered universal prekindergarten (UPK) programs overseen by a public school district.

Diapering and Toileting Requirements

The District will:

- a) Define basic procedures to promote a safe and healthy environment to support diapering and toileting, and establish a plan with protocols that outline clear, age-appropriate routines to support student privacy, hygiene, and supervision.
- b) Provide annual training on health and safety procedures for all relevant school personnel.
- c) Ensure that every restroom and diaper changing area is consistently maintained and cleaned, operational, safe, and appropriately equipped.

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- d) Ensure that toileting facilities and changing areas provide students with privacy in a separate area that is developmentally appropriate and accessible for all students, including students with disabilities. Toilet seats and changing tables must be appropriate to the age and size of students.
- e) Provide students with access to restroom facilities during the school day, including during instructional and extracurricular time, as needed.
- f) Provide access to diapering, toileting, or restroom use without unreasonable delay.
- g) Ensure that restrooms and changing areas are safe and clean.
- h) Ensure that essential diapering and toileting supplies and equipment are accessible at all times and are appropriate per student need.
- i) Not suspend, disenroll, or exclude a student from enrollment or participation in school or school programs based on their toileting status.
- j) Manage toileting accidents with sensitivity and without punishment, exclusion, or shaming.
- k) Provide all supports, services, and specialized equipment to preschool and school-age students with disabilities who require assistance with toileting, in accordance with their Individualized Education Program (IEP) or Section 504 Plan.
- l) Ensure that school personnel adhere to developmentally appropriate toileting policies and supports for younger students and school-age students, where toileting independence depends on developmental stages.
- m) Ensure that, upon request, multilingual learners and their families receive information about toileting procedures, expectations, and supports in their preferred language.

8 NYCRR Section 136.10

Adoption Date