SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

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 race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of religion or creed, sexual orientation, military status, genetic status, marital status, domestic violence victim status, criminal arrest or conviction record, or any other basis prohibited by state or federal non-discrimination laws.

Investigation of Complaints and Grievances

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination, and will promptly take appropriate action to protect individuals from further discrimination. All complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #6121 -- Sexual Harassment of District Personnel; and Policy #6122 -- Employee Grievances.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including, but not limited to, the designation of the Civil Rights Compliance Officer (CRCO), knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

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 participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity, or to the Superintendent.*

When appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.

Age Discrimination in Employment Act, 29 USC § 621
Americans with Disabilities Act, 42 USC § 12101 et seq.
Genetic Information Non-Discrimination Act of 2008 (GINA) Public Law 110-233
§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
Civil Rights Law § 40-c

(Continued)

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

Civil Service Law § 75-B
Executive Law § 290 et seq.
Military Law §§ 242 and 243

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#6121 -- Sexual Harassment of District Personnel
#6122 -- Employee Grievances

Revised: 6/24/97; 11/12/03; 1/9/07; 10/28/08; 4/7/09; 4/9/13;

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

The Board affirms its commitment to provide an environment free from sex-based discrimination and sexual harassment, including sexual violence and intimidation. The Board, therefore, prohibits all forms of sexual harassment against District personnel by employees, school volunteers, students, and non-employees, such as contractors and vendors, which occurs on school grounds or at school-sponsored events, programs, or activities, including those that take place at locations off school premises.

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute harassment on the basis of sex when:

a) Submission of this conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

b) Submission to or rejection of this conduct by an individual is used as a basis for employment decisions affecting these individuals; or

c) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment includes, but is not limited to, sexual violence. For the purpose of this policy, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, supervisors, co-workers, or third parties such as visitors and school volunteers.

Prohibited Conduct

Sexual harassment can be verbal, non-verbal, or physical. Examples of this conduct may include, but are not limited to, the following:

a) Verbal abuse or ridicule, including innuendoes, stories, and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

b) Direct or indirect threats or bribes for unwanted sexual activity.

c) Asking or commenting about a person's sexual activities.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

d) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.

e) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.

f) The use of profanity or other obscenities that are sexually suggestive or degrading in nature.

g) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

h) Unwelcome and/or offensive public displays of sexual or physical affection.

i) Clothing that reflects sexually obscene or sexually explicit messages, slogans, or pictures.

j) Engaging in sexual conduct with an individual who is unable to consent due to his or her age, use of drugs or alcohol, intellectual disability, or other disability.

k) Any other unwelcome and unwanted sexually oriented or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Investigation of Complaints and Grievances

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he or she has been a victim of sexual harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report the alleged harassment to the District's designated Civil Rights Compliance Officer (CRCO). In the event that the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated an additional individual to serve in that capacity, or to the Superintendent.*

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of sexual harassment, and will promptly take appropriate action to protect individuals from further harassment. All complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including, but not limited to, the designation of the CRCO, knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

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 participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity, or to the Superintendent.*

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

Civil Rights Act of 1991, 42 USC § 1981(a)
29 CFR § 1604.11(a)
Civil Service Law § 75-B
Executive Law §§ 296 and 297
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
34 CFR § 100 et seq.

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#6122 -- Employee Grievances

Adopted: 1992
Revised: 1/9/07; 10/28/08;

SUBJECT: NON-RESIDENT STUDENTS

~~Non-resident students will not be admitted in the North Rose-Wolcott Central School District.~~

~~Current tuition-paying students will be allowed to graduate but their status will be evaluated annually. Continuance will be dependent on class size and past disciplinary record. Cooperative agreements with other school districts may be entered into.~~

~~Education Law Sections 2045 and 3202~~
~~Commissioner's Regulations Section 174.2~~

~~The Board affirms its primary responsibility to educate children who are residents of the District and who are of legal age to attend school. Non-resident families who wish to enroll children in the District must submit a request in writing to the Superintendent. The Superintendent will review these requests and make recommendations regarding non-resident student admission to the Board. The Board will have final authority to approve or deny such requests.~~

~~Non-resident student enrollment requests will only be considered where:~~

~~a) There is sufficient space to accommodate the non-resident student;~~

~~b) No increase in the size of faculty or staff will be necessary; and~~

~~c) Admittance will not result in the establishment of a new section.~~

~~In making determinations regarding the admittance of non-resident students, the District will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, or other legally protected category.~~

~~In the event a non-resident student is permitted to attend the District's schools, his or her attendance will be subject to the following conditions:~~

~~a) Parents or guardians must work out transfer conditions with the home school district or provide their own transportation;~~

~~b) All rules and regulations in effect for District students will be applicable to non-District students; and~~

~~c) Tuition may be charged to families of non-resident students in accordance with formulas approved by the State Education Department.~~

Future Students

~~The children of families who have signed a contract to buy or build a residence in the District may be enrolled for the semester in which they expect to become residents. Non-resident tuition will be charged, payable in advance, with an adjustment to be made when the family becomes a resident in the District.~~

(Continued)

SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

Former Residents

In the following limited circumstances, children who are not District residents will be permitted to attend the District's schools ~~without payment of tuition~~:

a) Students of any grade who move from the District during the school year may be given permission to finish the semester in which the move occurs. The Superintendent of Schools may allow students to extend beyond this time period, not to exceed the current school year, on a case by case basis. In all cases, the parent is responsible for transportation to and from school.

b) Students who move from the District after completion of the first semester of the year preceding their anticipated graduation year may be given permission to remain in the District until graduation. In all cases, the parent/guardian is responsible for transportation to and from school.

Foreign Exchange Students

Foreign students participating in a recognized Student Exchange Program may attend District schools without payment of tuition.

Reservation of Claims

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

Tuition Fees

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

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

Legal Residence

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

(Continued)

SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

Education Law §§ 1709(13) and 3202
8 NYCRR § 174.2

NOTE: Refer also to Policies #7130 -- Entitlement to Attend -- Age and Residency
#7133 -- Education of Homeless Children and Youth

Revised: 6/24/97;

SUBJECT: SUSPENSION OF STUDENTS

The Superintendent or the Principal may suspend the following students from required attendance upon instruction:

a) A student who is insubordinate or disorderly; or

b) A student who is violent or disruptive; or

c) A student whose conduct otherwise endangers the safety, morals, health or welfare of others.

Suspension

Five School Days or Less

The Superintendent or the Principal of the school where the student attends ~~shall have~~has the power to suspend a student for a period not to exceed five school days. In the absence of the Principal, the designated "Acting Principal" may then suspend a student for a period of five school days or less.

When the Superintendent or the Principal (the "suspending authority") proposes to suspend a student for five school days or less, the suspending authority ~~shall~~must provide the student with **notice** of the charged misconduct. If the student denies the misconduct, the suspending authority ~~shall~~will provide an **explanation** of the basis for the suspension.

When suspension of a student for a period of five school days or less is proposed, ~~administration shall~~the Superintendent or principal will also immediately notify the parent/person in parental relation in writing that the student *may be* suspended from school.

Written notice ~~shall~~will be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address or addresses of the parents or persons in parental relation. Where possible, notification ~~shall~~will also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

The notice ~~shall~~will provide a description of the incident(s) for which suspension is proposed and ~~shall~~will inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the Principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference ~~shall~~will be in the dominant language or mode of communication used by the parents or persons in parental relation. At the informal conference, the student and/or parent or person in parental relation ~~shall be authorized~~will have the opportunity to present the student's version of the event(s) and to ask questions of the complaining witnesses.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

The notice and opportunity for informal conference ~~shall~~will take place prior to suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference ~~shall~~will take place as soon after the suspension as is reasonably practical.

Teachers ~~shall~~will immediately report or refer a violent student to the Principal or Superintendent for a violation of the District's *Code of Conduct* and a minimum suspension period.

More Than Five School Days

In situations where the Superintendent determines that a suspension in excess of five school days may be warranted, the student and parent/person in parental relation, upon reasonable notice, ~~shall~~will have had an opportunity for a fair hearing. At the hearing, the student ~~shall~~will have the right of representation by counsel, ~~with~~ the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf.

Where the basis for the suspension is, in whole or in part, the possession on school grounds or school property by the student of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the weapons, instruments or appliances specified in Penal Law Section 265.01, the hearing officer or Superintendent ~~shall~~will not be barred from considering the admissibility of the weapon, instrument or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of the weapon, instrument or appliance was the result of an unlawful search or seizure.

Minimum Periods of Suspension

~~Pursuant to~~In accordance with law, Commissioner's Regulations and the District's *Code of Conduct*, minimum periods of suspension ~~shall~~will be provided for the following prohibited conduct, subject to the requirements of federal and state law and regulations:

a) Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a firearm to school or possessed a firearm on school premises ~~shall~~will be suspended for a period of not less than one calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.

b) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce the period on a case-by-case basis to be consistent with any other state and federal law. The definition of "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority" ~~shall be determined in accordance with the Regulations of the Commissioner~~is set forth in Commissioner's regulations.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

c) A minimum suspension period for acts that would qualify the student to be defined as a violent student ~~pursuant to~~in accordance with Education Law Section 3214(2-a)(a), provided that the suspending authority may reduce the period on a case-by-case basis to be consistent with any other state and federal law.

Suspension of Students with Disabilities

Generally, ~~should a student with a disability infringe upon the established rules of the schools,~~ disciplinary action against a student with a disability or presumed to have a disability ~~shall~~will be in accordance with procedures set forth in the District's *Code of Conduct* and in conjunction with applicable law and the determination of the Committee on Special Education (CSE).

For suspensions or removals up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten consecutive school days or ~~constitutes a pattern~~is a pattern of removals which constitutes a change of placement, a manifestation determination must be made. The District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

Manifestation Determinations

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made by a manifestation team immediately, if possible, but in no case later than ten school days after a decision is made:

a) By the Superintendent to change the placement to an interim alternative educational setting (IAES);

b) By an Impartial Hearing Officer (IHO) to place the student in an IAES; or

c) By the Board, District Superintendent, Superintendent or Building Principal to impose a suspension that constitutes a disciplinary change of placement.

The manifestation team ~~shall~~will include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the District. The parent must receive written notice prior to the meeting to ensure that the parent has an opportunity to attend. This notice must include the purpose of the meeting, the names of those expected to attend and notice of the parent's right to have relevant members of the CSE participate at the parent's request.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

The manifestation team ~~shall~~will review all relevant information in the student's file including the student's individualized education program (IEP), any teacher observations, and any relevant information provided by the parents to determine if: the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the District's failure to implement the IEP. If the team determines the conduct in question was the direct result of failure to implement the IEP, the District must take immediate steps to remedy those deficiencies.

Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of his/her disability the CSE ~~shall~~will conduct a functional behavioral assessment (FBA), if one has not yet been conducted, and implement or modify a behavioral intervention plan (BIP).

An~~Functional behavioral assessment (~~FBA~~)~~ ~~means~~is the process of determining why the student engages in behaviors that impede learning and how the student's behavior relates to the environment. An FBA must be developed consistent with the requirements of Commissioner's regulations Section 200.22(a) and ~~shall~~will include, but not be limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

~~Behavioral intervention plan (~~BIP~~)~~ ~~means~~is a plan that is based on the results of a functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, the student must be returned to the placement from which the student was removed unless the parent and the District agree to a change of placement as part of the modification of the ~~behavioral intervention plan~~BIP.

No Finding of Manifestation

If it is determined that the student's behavior is not a manifestation of his/her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration for which they would be applied to students without disabilities, subject to the right of the parent/person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to the student.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

Provision of Services Regardless of the Manifestation Determination

Regardless of the manifestation determination, students with a disability ~~shall~~will be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as delineated below:

a) During suspensions or removals for periods of up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age ~~shall~~will be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age ~~shall~~will be entitled to receive services during suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.

b) During subsequent suspensions or removals for periods of ten consecutive school days or less that in the aggregate total more than ten school days in a school year but do not constitute a disciplinary change in placement, students with disabilities ~~shall~~will be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, ~~a functional behavioral assessment~~an FBA, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, ~~shall~~will determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

c) During suspensions or other disciplinary removals, for periods in excess of ten school days in a school year which constitute a disciplinary change in placement, students with disabilities ~~shall~~will be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, ~~a functional behavioral assessment~~an FBA, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services ~~shall~~will be determined by the CSE.

Interim Alternative Educational Setting (IAES)

Students with disabilities who have been suspended or removed from their current placement for more than ten school days may be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.

Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to 45 school days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the students or others.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

There are three specific instances when a student with a disability may be placed in an IAES for up to 45 school days without regard to a manifestation determination:

a) Where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or

b) Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the District; or

c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:

1. Substantial risk of death;

2. Extreme physical pain; or

3. Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

~~A s~~School function ~~shall~~ 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.

School premises means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

In all cases, the student placed in an IAES ~~shall~~will:

a) Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student's IEP, and

b) Receive, as appropriate, ~~a functional behavioral assessment~~an FBA and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

Suspension from BOCES

The BOCES Principal may suspend School District students from BOCES classes for a period not to exceed five school days when student behavior warrants that action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student ~~shall~~will be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

BOCES Activities

BOCES activities, such as field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES ~~is to be~~will be considered as an act within the School District itself.

A student who is ineligible to attend a District school on a given day may also be ineligible to attend BOCES classes. The decision rests with the Superintendent or his/her designee.

Exhaustion of Administrative Remedies

If a parent/person in parental relation wishes to appeal the decision of the Building Principal and/or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent/person in parental relation must appeal to the Board of Education prior to commencing an appeal to the Commissioner of Education.

Procedure After Suspension

When a student has been suspended and is of compulsory attendance age, immediate steps ~~shall~~will be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

When a student has been suspended, the suspension may be revoked by the Board of Education whenever it appears to be for the best interest of the school and the student to do so. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

(Continued)

SUBJECT: SUSPENSION OF STUDENTS (Cont'd.)

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 § 615(k)(l)]
18 USC § 921
Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq.
20 USC § 7151, as reauthorized by the No Child Left Behind Act of 2001
34 CFR Part 300
Education Law §§ 2801(1), 3214 and 4402
Penal Law § 265.01
8 NYCRR §§ 100.2(l)(2), 200.4(d)(3)(i), 200.22 and Part 201

NOTE: Refer also to Policy #7361 -- Weapons in School and the Gun-Free Schools Act

Revised: 6/24/97; 4/8/01; 11/12/03; 3/14/06; 11/14/06; 10/28/08; 5/5/15;

SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES

The Board recognizes that the misuse of alcohol, drugs, tobacco, and other illegal substances is a serious problem with legal, physical, emotional, and social implications for our students, as well as the entire community. Therefore, the consumption, sharing, selling, use or possession of alcoholic beverages, tobacco products, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs is prohibited at any school sponsored function, on school grounds, and on school buses at all times. The unauthorized use of prescription and over-the-counter drugs is also prohibited.

Students will not be under the influence of alcohol or other prohibited substances on school grounds or at school sponsored events. A school sponsored function includes a school sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place.

Smoking

Smoking will not be permitted and no person will smoke within 100 feet of the entrance, exits, or outdoor areas of any public or private elementary or secondary schools. However, this does not apply to smoking in a residence, or within the real property boundary lines of residential real property.

Non-Medical Use of Prescription Drugs

Non-medical use of prescription drugs is prohibited. Should a student be found in possession of any such substance, he or she will be disciplined in accordance with the District *Code of Conduct*.

Disciplinary Measures

Disciplinary measures for students consuming, sharing, selling, using or possessing alcoholic beverages, tobacco products, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of these drugs will be outlined in the District *Code of Conduct*.

Education Law §§ 409 and 2801(1)
Public Health Law 1399-o

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials, and Equipment
#3410 -- Code of Conduct on School Property
#5640 -- Smoking/Tobacco Use
#8210 -- Safety Conditions and Prevention Instruction
District *Code of Conduct*

Adopted: 1992
Revised: 11/12/03; 1/9/07; 10/28/08;

SUBJECT: SEARCHES AND INTERROGATIONS OF STUDENTS

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

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

a) The age of the student;

b) The student's school record and past history;

c) The predominance and seriousness of the problem in the school where the search is directed;

d) The probative value and reliability of the information used as a justification for the search;

e) The school official's prior knowledge of and experience with the student; and

f) The urgency to conduct the search without delay.

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

~~Strip Searches~~

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

(Continued)

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

Scope of Search

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

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

Searches and Seizure of School Property

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

Parent Notification

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

Documentation of Searches

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

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

(Continued)

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

Questioning of Students by School Officials

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

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

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

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

Law Enforcement Officials

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

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

(Continued)

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

School Resource Officers

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

Dissemination of Information

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

Interrogation of Students by Law Enforcement Officials

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

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

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

Child Protective Services' Investigations

Occasionally, Child Protective Services (CPS) may desire to conduct interviews of students on school property. These interviews generally pertain to allegations of suspected child abuse or neglect. The Board encourages cooperation with CPS with respect to access to records and access to any child named as a victim, any of the victim's siblings, or any other child residing in the same home as the named victim, in accordance with applicable law. *Whenever possible a staff member will be present as designated by the principal.*

Education Law §§ 1604(9), 1604(30), 1709(2), 1709(33), and 2801
Family Court Act § 1024
Social Services Law §§ 411-428
8 NYCRR § 100.2(l)
Adopted: 1992
Revised: 11/12/03; 10/28/08;

SUBJECT: EXTRACURRICULAR ACTIVITIES

Eligibility for Attendance

Students who are suspended from school on a day of an athletic game or practice session, party, school dance, or other school affair scheduled after regular school hours are not eligible for participation or attendance at these events. In order for students to attend a school sponsored function, they must attend classes for at least 1/2 of the school day on the day of the activity, unless otherwise excused by the building administrator.

The Board considers extracurricular activities to be a valuable part of the program of the school and will support these activities within the financial means of the District.

Censorship of School Sponsored Student Publications and Activities

The District may exercise editorial control over the style and content of student speech in school sponsored publications and activities that are part of the educational curriculum.

Limited Open Forum

The Board maintains a limited open forum where secondary students may meet for voluntary student-initiated activities unrelated directly to the instructional program, regardless of religious, political or philosophical content.

To provide "a fair opportunity" to students who wish to conduct a meeting, the Board, in accordance with the provisions of the Equal Access Act, will ensure that:

a) The meeting is voluntary and student-initiated;

b) There is no sponsorship of the meeting by the school, the government, or its agents or employees;

c) Employees or agents of the school or government are present at religious meetings only in a nonparticipatory capacity;

d) The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and

e) Nonschool persons may not direct, conduct, control, or regularly attend activities of student groups.

The Board prohibits student organizations whose activities may be unlawful or may cause disruption or interference with the orderly conduct of the educational process.

(Continued)

SUBJECT: EXTRACURRICULAR ACTIVITIES (Cont'd.)

Equal Access Act, 20 USC §§ 4071-4074
Education Law §§ 1709 and 1709-a, 2503-a and 2554-a
Vehicle and Traffic Law § 142
8 NYCRR Part 172

Revised: 6/24/97; 1/9/07;

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 State Education Department.

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) as specified in the Commissioner's regulations.

b) Obtain medical clearance from the school physician or nurse practitioner or the student's personal physician. The school physician or nurse practitioner retains final approval on any physicals performed by a student's personal physician.

c) Meet the requirements for interscholastic competition as set forth by the Commissioner's regulations and the NYSPHSAA.

d) Comply with all District rules, codes, and standards applicable to athletic participation.

Title IX Compliance

The Board supports equal athletic opportunities for members of both sexes through interscholastic and intramural activities. To ensure equal athletic opportunities for its students, the District will consider:

a) Its accommodation of athletic interests and abilities (the nature and extent of sports offered, including levels of competition, team competition, and team performance);

b) Equipment and supplies;

c) Scheduling of games and practice time;

d) Travel costs and opportunities for travel;

e) Assignment and compensation of coaches;

f) Locker rooms, practice, and competitive facilities;

g) Available medical and training facilities and services; and

(Continued)

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

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 Civil Rights Compliance Officer will coordinate the District's efforts to comply with and carry out its responsibilities under Title IX. This person 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, therefore, 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 all secondary school interscholastic team members. 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

No injured student will be allowed to practice or play in an athletic contest. An appropriate medical professional should diagnose and treat an athlete's injuries. The coach should ensure that any player injured while under his or her 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 his or her coach of all injuries. No student will be allowed to practice or compete if there is a question whether he or she is 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;

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.

Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
45 CFR Part 86
8 NYCRR §§ 135 and 136

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#7522 -- Concussion Management

Revised: 6/24/97; 1/9/07; 7/1/08; 6/9/15;

SUBJECT: ~~PEDICULOSIS~~ HEAD LICE

~~All instances of suspected pediculosis (head lice) of North Rose-Wolcott Central School students will be reported to parents, teachers, administrators, and medical personnel. Regulations and procedures identified by the District will be followed.~~

While a nuisance, head lice do not pose a public health risk. Consistent with accepted medical knowledge, no healthy child will be excluded from school due to an active case of head lice or the presence of nits (louse eggs). Children identified by the school nurse as having an active infestation of head lice will be sent home at the end of the day and their parents will be informed by the school nurse of their condition and advised to begin treatment.

In the event regulations or procedures are developed implementing this policy, the Superintendent/*or designee* will work with the District's medical director or one or more school nurses to ensure those regulations or procedures are consistent with accepted medical knowledge and best nursing practice.

Adopted: 1992
Revised:

SUBJECT: CHILD ABUSE AND MALTREATMENT

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

a) Mandatory reporting of suspected child abuse or maltreatment;

b) Reporting procedures and obligations of persons required to report;

c) Provisions for taking a child into protective custody;

d) Mandatory reporting of deaths;

e) Immunity from liability and penalties for failure to report;

f) Obligations for provision of services and procedures necessary to safeguard the life of a child; and

g) Provision of information in recognizing signs of ~~unlawful methamphetamine laboratories~~ *production of illegal substances* 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 such staff to carry out their reporting responsibilities.

Reporting Information

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

Persons Required to Report

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

(Continued)

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

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

Prohibition of Retaliatory Personnel Action

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

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

Report Form

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

Child Abuse in an Educational Setting

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

"Child abuse" means any of the following acts committed in an educational setting by an employee or volunteer against a child:

a) Intentionally or recklessly inflicting physical injury, serious physical injury, or death; or

b) Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury, or death; or

c) Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263; or

d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Penal Law Article 235.

(Continued)

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

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

In any case where an oral or written allegation is made to a teacher, school registered professional nurse, school guidance counselor, school psychologist, school social worker, school administrator, Board member, or other school personnel required to hold a teaching or administrative license or certificate, that a child (defined in the law as a person under the age of 21 years enrolled in a school district in this state) has been subjected to child abuse by an employee or volunteer in an educational setting, that person will upon receipt of the allegation:

a) Promptly complete a written report of the allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. This written report will be completed on a form as prescribed by the Commissioner of Education.

b) Except where the school administrator is the person receiving such an oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred.

In any case where it is alleged the 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 school district where the abuse allegedly occurred.

Any employee or volunteer 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 such actions.

Upon receipt of a written report alleging child abuse in an educational setting, the school administrator or Superintendent must then determine whether there is "reasonable suspicion" to believe that an act of child abuse has occurred. Where there has been a determination as to the existence of reasonable suspicion, the school administrator or Superintendent must follow the notification or reporting procedures mandated in law and further described in administrative regulations including parental notification. When the school administrator receives a written report, he or she must promptly provide a copy of the report to the Superintendent.

(Continued)

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

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

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits such a report to a person or agency as required by law, will have immunity from civil liability which might otherwise result by reason of such actions.

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

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

Prohibition of "Silent" (Unreported) Resignations

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

Superintendents (or a designated administrator) who reasonably and in good faith report 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 such actions.

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

Adopted: 1992
Revised: 11/12/03; 1/9/07; 10/28/08;

SUBJECT: SUICIDE

~~The suicide of a student has an extremely disturbing effect on the school and the local community. Unfortunately, there has been a significant increase in the number of adolescents who choose suicide as a way to resolve their problems. It is the intent of this district to alert school personnel to the implications of suicide by a student, to help the school and the community cope with the aftermath of such a tragic event should it occur, to recommend ways of identifying children and adolescents at risk of attempting suicide and to suggest ways to prevent such occurrences.~~

~~Suicide prevention will be incorporated into the curriculum to make students aware of this growing problem. This will be done in a manner so as not to glamorize the situation but to educate students in regard to this policy.~~

~~If any District employee is aware of or has reason to suspect a potential problem involving a student, that employee is to report his/her concerns to his/her immediate supervisor, Building Principal or Superintendent of Schools.~~

~~The administration is responsible for informing staff of regulations and procedures of suicide prevention, intervention, and post-intervention that have been developed by the administration.~~

The Board will enact clear guidelines for prevention, intervention, and post-intervention of suicide, reflecting the District's concern for this serious mental health issue. The Board recognizes the need for suicide prevention and will instruct the Superintendent to establish a District crisis intervention team whose responsibility will be to develop a suicide response plan. This plan will be integrated into the existing school safety plan. The plan will include education and awareness of risk factors for youth suicide, procedures for intervening if a student exhibits risk factors, including referral services, and a post intervention plan to help the school and community cope with the aftermath of such a tragic event should it occur.

Suicide prevention will also be incorporated into the curriculum to educate students. This will be done in a manner so as not to sensationalize the matter, but to provide students with information and resources on this important mental-health issue. In addition, the District will foster interagency cooperation that will enable staff to identify and access appropriate community resources to aid students in times of crisis.

The administration is responsible for informing staff of procedures of suicide prevention, intervention, and post-intervention that have been developed by the District. The District will actively respond to any situation where a student verbally or behaviorally indicates intent to attempt suicide or to do physical harm to himself or herself. Staff training and professional development on suicide and crisis intervention will be made available.

NOTE: Refer also to Policies: #3420 -- Non-Discrimination and Anti-Harassment in the District
#5681 -- School Safety Plans
#7550 -- Dignity for All Students
#7553 -- Hazing of Students

Adopted: 1992
Revised:

SUBJECT: SEXUAL HARASSMENT OF STUDENTS

The Board affirms its commitment to provide an environment free from sex-based discrimination and sexual harassment, including sexual violence and intimidation. The Board, therefore, prohibits all forms of sexual harassment against students by other students, employees, school volunteers, and non-employees such as contractors and vendors, which occur on school grounds or at school sponsored events, programs, or activities, including those that take place at locations off school premises.

Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature including sexual violence. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes, but is not limited to: rape, sexual assault, sexual battery, and sexual coercion.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, District employees, or third parties such as visitors or school volunteers.

Prohibited Conduct

Sexual harassment can be verbal, non-verbal, or physical. Examples of this conduct may include, but are not limited to, the following:

a) Verbal abuse or ridicule, including innuendoes, stories and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

b) Direct or indirect threats or bribes for unwanted sexual activity.

c) Asking or commenting about a person's sexual activities.

d) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.

e) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.

f) The use of profanity and/or other obscenities that are sexually suggestive or degrading in nature.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

g) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

h) Unwelcome and/or offensive public displays of sexual or physical affection.

i) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

j) Demanding sexual favors of a student, insinuating that refusal to acquiesce in such favors will adversely affect a student's grades, references, academic or scholastic placement, and/or participation in extracurricular activities.

k) Engaging in sexual conduct with an individual who is unable to consent due to his or her age, use of drugs or alcohol, intellectual disability, or other disability.

l) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Investigation of Complaints and Grievances

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he or she has been a victim of sexual harassment in the school environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment. The District recognizes that sexual harassment is a sensitive issue and that students may choose to inform any trusted staff member of suspected discrimination or harassment. Staff members who receive such complaints will immediately inform the Civil Rights Compliance Officer (CRCO). Where appropriate, the CRCO may seek the assistance of the relevant Dignity Act Coordinator in investigating, responding to, and remedying student complaints of discrimination and/or harassment. In the event that the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated one, or to the Superintendent.*

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of sexual harassment and will promptly take appropriate action to protect individuals from further sexual harassment. All complaints 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.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the CRCO, knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

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 participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if one has been designated or to the Superintendent.*

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

Civil Rights Act of 1991, 42 USC § 1981(a)
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
34 CFR § 100 et seq.
Education Law § 2801(1)
OCR Dear Colleague Letter, April 4, 2011

Adopted: 1992
Revised: 1/9/07; 10/28/08;

SUBJECT: HAZING OF STUDENTS

The Board is committed to providing a safe, productive, and positive learning environment within its schools. 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. As such, the District's response to reports of hazing will be governed by applicable law, the District's *Code of Conduct*, and Policy #7550 -- Dignity for All Students, and its implementing regulations. In the event allegations involve hazing based on a student's race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District, and its implementing regulations.

Education Law §§ 1709-a, 2503-a, and 2801
Penal Law §§ 120.16 and 120.17
8 NYCRR § 100.2

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#3420 -- Non-Discrimination and Anti-Harassment in the District
#7550 -- Dignity for All Students
#7551 -- Sexual Harassment of Students
District *Code of Conduct*

Adopted: 1/9/07
Revised:

SUBJECT: ~~NOTIFICATION~~ NOTICE OF SEX OFFENDERS

In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board of Education 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. ~~This policy is enacted in order~~The District intends to minimize the possibility that ~~the~~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 ~~shall~~will cooperate with local police authorities and the local community in promoting and protecting the safety and well-being of its students.

~~It is the policy of the Board of Education to~~ The District will disseminate all information which ~~the District~~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 including, but not limited to, Building Principals, supervisors, teachers, office personnel, coaches, custodians, bus drivers, and security personnel. 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/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 protect the safety of our students.

All staff members ~~shall~~will be informed of the availability of the information received by the District ~~pursuant to~~in accordance with Megan's Law upon written request to the applicable Building Principal/designee or supervisor.

Staff members ~~shall~~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. ~~Such l~~Law enforcement officials will be notified of this information by the District as appropriate.

Information that is disseminated to the ~~School~~ District ~~pursuant to~~in accordance with Megan's Law may be disclosed or not disclosed by the District in its discretion. Any information which the ~~School~~ 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.

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 such persons are present.

(Continued)

SUBJECT: NOTIFICATION OF SEX OFFENDERS (Cont'd.)

However, by exception, entrance upon the premises shall be provided to the sentenced sex offender under the following conditions subject to the written authorization of his or her parole officer and the Superintendent or chief administrator of the facility for the limited purposes authorized by that person:

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; or

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.

~~**Implementation**~~

~~Administrative regulations shall be developed to implement this policy.~~

Correction Law Article 6-C
Executive Law 259-c(14)
Penal Law 65.10(4-a)
Public Officers Law Section 84 et seq.

Adopted: 6/24/97
Revised: 8/29/97; 7/24/98; 9/9/98; 3/4/99; 8/23/99; 11/19/99; 2/13/01; 1/9/07;

SUBJECT: SUPERVISION OF STUDENTS

Students working on any activity must be supervised by the teacher or staff member in charge of the activity. This applies to all in school and extracurricular activities as well as sports activities and events. Permission to hold practices or meetings will not be granted unless a teacher or staff member is ~~definitely~~clearly in charge.

a) District personnel will be fully responsible for the supervision of all students in either their class or their after school activities.

b) Coaches will maintain supervision over the dressing rooms by personally being present during the dressing periods. Coaches are responsible for the supervision of their athletes at the end of practice~~.~~, including ~~This may entail~~ bus duty, or making sure students have transportation home~~.~~otherwise.

c) Teachers or assigned school personnel in the elementary grades will be responsible for the playground supervision of all children under their jurisdiction during the recess periods and before the regular afternoon sessions. The principal will distribute the responsibility so that the playground situation ~~will be properly~~is appropriately controlled.

d) Students ~~are~~will not ~~to~~ be sent on any type of errand away from the building.

e) All teachers and staff working directly with students who have a history of wandering or elopement (i.e., ~~the act of a student who~~ leav~~es~~ing or run~~s~~ning away from the premises without permission or notification~~, often referring to students who have autism spectrum disorder or diminished cognitive impairment~~) will be made aware of these concerns and of any existing behavioral intervention plan formulated to prevent or respond to instances of wandering or elopement.

NOTE: Refer also to Policies #5681 -- School Safety Plans
#5720 -- Transportation of Students

Adopted: 1992
Revised: 6/9/15;

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION ~~TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE~~

Any District student who is a victim of a violent criminal offense, as defined in Education Law and Commissioner's regulations, 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, a "safe public school shall mean 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 Section 10.00(10); or

b) A sex offense that involves forcible compulsion; or

c) Any other offense defined in New York State Penal Law Section 10.00(12) that involves the use or threatened use of a deadly weapon.

Serious Physical Injury

"Serious physical injury," as defined in Penal Law Section 10.00(10), 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," as defined in Penal Law Section 10.00(12), 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, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, or metal knuckles."

(Continued)

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION ~~TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE~~ (Cont'd.)

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 incident 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.

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.

Notice to Parents or Persons in Parental Relation

The District will establish procedures for notification of parents of, or persons in parental relation to, students who are victims of violent criminal offenses of their right to transfer to a safe public school within the District and procedures for the transfer. This notice will be, to the extent practicable, provided in the dominant language or mode of communication used by the parents or persons in parental relation to the student. The District will notify the parents of, or persons in parental relation to, the student within 24 hours of the determination that the student has been the victim of a violent criminal offense on school grounds at the school he or she attends.

Written notice will be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of the determination at the last known address or addresses of the parents or persons in parental relation to the student. Where possible, notification will also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents or persons in parental relation.

Designation of Safe Public School

It is the responsibility of the District, based on objective criteria, to designate a safe public school or schools within the District to which students may transfer. Any student who transfers to a safe public school, in accordance with the provisions of this policy and applicable law and regulation, will be enrolled in the classes and other activities of the public school to which the student transfers in the same manner as all other students at the public school. The receiving school will be identified by the District and must be at the same grade level as the school from which the student is transferring. To the extent possible the District will allow transferring students to transfer to a school that is making adequate yearly progress and has not been identified as requiring school improvement, corrective action, or restructuring. The District will provide transportation for any student permitted to transfer to the safe public school within the District designated by the School System within the transportation limits established in

(Continued)

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION ~~TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE~~ (Cont'd.)

Education Law Sections 3635 and 4401(4). Any student who transfers to a safe public school will be permitted to remain in the safe public school until the student has completed the highest grade level in the school transferred to, or for such other period prescribed by the U.S. Department of Education, whichever is less.

While the parents or persons in parental relation to the student must be offered the opportunity to transfer their child, they may elect to have the child remain at the school he or she currently attends.

Education Law § 2802(7)
8 NYCRR § 120.5

Adopted: 11/12/03
Revised:

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 § 1400 et seq.
34 CFR Part 300
Education Law §§ 4401-4410-a
8 NYCRR §§ 100.5, 100.9, 200.1(cc), 200.1(qq), 200.2(b), 200.4 and 200.6

Adopted: 7/12/00
Revised: 1/9/07; 10/28/08;

SUBJECT: PREREFERRAL INTERVENTION STRATEGIES ~~IN GENERAL EDUCATION (PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)~~

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 ~~IN GENERAL EDUCATION (PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)~~

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 ~~IN GENERAL EDUCATION (PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)~~

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.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Education Law §§ 3602, 4401, and 4401-a
8 NYCRR §§ 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(t), 100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c), and Part 154

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

Adopted: 11/12/03
Revised:

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

The ~~School~~ District ~~shall~~will establish and implement a plan for the appropriate declassification of students with disabilities which ~~must~~ 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 ~~School~~ 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 ~~shall~~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 (IEP).

Prior to the reevaluation, the ~~School~~ District ~~shall~~will obtain informed written parental consent unless otherwise authorized ~~pursuant to~~by law and/or regulation. Parental consent ~~need not be obtained~~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 and/or due process procedures.

The District ~~shall~~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.

~~**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 (Student Exit Summary see website: http://www.p12.nysed.gov/specialed/idea/studentexit.htm) of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting his/her post-secondary goals. In addition, parents must receive prior written notice indicating that the student is not eligible to receive a free appropriate public education after graduation with the receipt of the local high school or Regents diploma.~~

(Continued)

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES (Cont'd.)

~~In accordance with Commissioner's Regulations, 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 twenty-one (21) or until receipt of a regular high school diploma. However, New York State Law does not grant a child who has reached the age of majority all rights previously granted to parents under IDEA.~~

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 ~~shall~~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 services, the frequency of provision of such services, and the duration of these services, provided that the services ~~shall~~will not continue for more than one year after the student enters the full-time regular education program.

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 ~~pursuant to~~in accordance with Commissioner's regulations Part 80. 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 ~~shall~~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.

(Continued)

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES (Cont'd.)

Procedural Safeguards Notice

The District ~~shall~~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 ~~shall~~will take steps to ensure that the notice is translated orally or by other means to the parent in his/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~~, pursuant to law and/or regulations,~~ have been met.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Sections 614(a) and 615(m)(l)]
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), 200.1(ooo), 200.2(b)(8), 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

Adopted: 11/12/03
Revised: 1/9/07; 4/9/13; 4/14/15;

SUBJECT: ~~APPOINTMENT AND TRAINING OF~~ COMMITTEE ON SPECIAL EDUCATION (CSE)/~~SUB~~COMMITTEE ON PRESCHOOL SPECIAL EDUCATION ~~MEMBERS~~(CPSE)

Committee on Special Education (CSE) Membership

The Board will appoint a Committee on Special Education (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 ~~than~~ one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);

c) At least ~~than~~ one special education teacher of the student, or, if appropriate, not less than one special education provider (i.e., related service provider) of the student;

d) A school psychologist;

e) A representative of the District who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of resources of the District. An individual who meets these qualifications may also be the same individual appointed as the special education teacher or special education provider of the student or the school psychologist. The representative of the District 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 of the student 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 member may be the parent of a student who has been declassified not longer than five years' prior or the parent of a student who has graduated not longer 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: ~~APPOINTMENT AND TRAINING OF~~ COMMITTEE ON SPECIAL EDUCATION (CSE)/~~SUB~~COMMITTEE ON PRESCHOOL SPECIAL EDUCATION ~~MEMBERS~~(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 Committee on Preschool Special Education (CPSE) whose membership varies slightly from the membership of the CSE and will include, but not be limited to, the following members:

a) The parent(s) of the preschool child;

b) At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

c) At least one special education teacher of the child or, where appropriate, at least one special education provider (i.e., related service provider) of the child;

d) A representative of the District who is qualified to provide, or supervise the provision of, special education and who is knowledgeable about the general education curriculum and the availability of preschool special education programs and services and other resources of the District and the municipality (who will serve as Chairperson of the CPSE);

e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the District representative, or a person having knowledge or special expertise regarding the student as determined by the District;

f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;

g) An additional parent member of a child with a disability who resides in the District or a neighboring school district, and whose child is enrolled in a preschool or elementary level education program if specifically requested in writing by the parent of the student or by a CSE member at least 72 hours prior to the meeting;

(Continued)

SUBJECT: ~~APPOINTMENT AND TRAINING OF~~ COMMITTEE ON SPECIAL EDUCATION (CSE)/~~SUB~~COMMITTEE ON PRESCHOOL SPECIAL EDUCATION ~~MEMBERS~~(CPSE) (Cont'd.)

h) 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

i) A representative of the municipality of the preschool child's residence.

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 § 1400 et seq.
34 CFR Part 300 and § 300.321
Education Law § 4402, 4410
8 NYCRR §§ 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

Adopted: 1992
Revised: 7/12/00; 11/12/03; 1/9/07; 10/28/08; 2/12/13;

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION

Development of Individualized Education Program

The Board directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) prepare a written individualized education program (IEP) for each child with a disability.

The IEP will be developed by the CSE or CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

The District will ensure that each student with a disability has an IEP in effect at the beginning of each school year.

Functional Behavioral Assessments/Behavioral Intervention Plans

A functional behavioral assessment (FBA) is an integral part of the evaluation and reevaluation of a student with a disability 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 the environment. An FBA for a student with a disability is an evaluation requiring parental consent, pursuant to Commissioner's Regulation 200.5(b).

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:

a) The identification of the problem behavior,

b) The definition of the behavior in concrete terms,

c) The identification of the contextual factors that contribute to the behavior (including cognitive and affective factors), and

d) The 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. It must include, but is not limited to:

a) Information obtained from direct observation of the student;

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

b) Information from the student, the student's teacher(s) and/or related service providers; and

c) A review of available data and information from the student's record and other sources including any relevant information provided by the student's parent.

The FBA cannot be based solely on the student's history of presenting problem behavior. The CSE/CPSE will ensure that FBAs, when appropriate, are conducted and reviewed to:

a) Identify supplementary aids and services, modifications and/or related services appropriate to address the identified behaviors to promote the student's involvement and progress in the general curriculum;

b) Determine a student's eligibility for special education services;

c) Develop the IEP which includes behavioral goals and objectives and positive behavioral supports and strategies.

In the case of a student whose behavior impedes his/her learning or that of others, the CSE/CPSE will consider strategies, including positive behavioral interventions and supports and other strategies to address that behavior. The need for a behavioral intervention plan (BIP) will be documented on the IEP and the plan will be reviewed at least annually by the CSE/CPSE. In addition, regular progress monitoring of the frequency, duration, and intensity of the behavioral interventions will be conducted at scheduled intervals, documented and reported to the parents and CSE/CPSE.

A BIP may not include the use of aversive interventions or time out rooms except in accordance with specific Board policy regulating these techniques.

Individual Evaluations

Parental 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/CPSE Chairperson will document all attempts made to obtain the consent and, if appropriate, advise the Board of its right to utilize the due process procedures to conduct an evaluation without parental consent.

Unless a referral is withdrawn, an individual evaluation at no cost to the parent will be completed by the CSE/CPSE within 60 calendar days after written parental consent has been obtained or a parental refusal to consent is overridden, unless:

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

a) An extension is mutually agreed to by the parent and the CSE/CPSE for the following situations:

1. Transfer students: A student enrolls in the District after 60 days and prior to a determination by the student's previous school district as to whether the student has a disability, but only if the new school district is making sufficient progress to ensure a prompt completion of the evaluation and the parent and the new district agree in writing to a specific timeframe for completion; or

2. Students suspected of having learning disabilities; or

b) The parent 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. 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. This includes information relating to enabling the student to participate and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).

As part of any evaluation, a group that includes the CSE/CPSE and other qualified professionals, as appropriate, will review existing evaluation data on the student including evaluations and information provided by the parents 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, the group will identify what additional data, if any, are needed to determine:

a) Whether the student has or continues to have a disability;

b) The present levels of academic achievement and related developmental needs of the student, including:

1. Academic achievement, functional performance, and learning characteristics;

2. Social development;

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

3. Physical development; and

4. Management needs.

c) In the case of a reevaluation of a student, whether the student continues to need special education; and

d) Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

The District must notify the parents 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.

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

A CSE/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 or teacher request a re-evaluation;

c) At least once every three years, unless the District and the parent/person in parental relation 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 and the District representative appointed to the CSE/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.

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

To the extent possible, the District will encourage the consolidation of re-evaluation meetings for the student and other CSE/CPSE meetings for the student.

Amendments to the IEP

Amendments to the IEP made after the annual review by the CSE/CPSE may be made by reconvening the CSE/CPSE and rewriting the IEP or by developing a written document to amend or modify the student's current IEP, provided that:

a) The parents or persons in parental relation request an amendment to the IEP and the District and parents or persons in parental relation agree to the amendment in writing; or

b) The District provides the parents or persons in parental relation a written proposal to amend a provision or provisions of the IEP conveyed in language understandable to the parents or persons in parental relation in their native language or other dominant mode of communication, informs and allows the parents or persons in parental relation the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes, and the parents or persons in parental relation agree in writing to the amendments.

If the parents or persons in parental relation agree to amend the IEP without a meeting, they must be provided prior written notice (notice of recommendation) of the changes to the IEP and the Committee notified of the changes. If the changes are made by rewriting the entire IEP, the District will provide the parents or persons in parental relation 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.

Provision of Individualized Education Program

The Board directs that the Superintendent or designee(s) 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,

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

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 compliance 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 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 such 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 regular education teacher, special education teacher, related service provider, other service provider, supplementary school personnel (i.e., a teaching assistant or a teacher aide as defined in Commissioner's regulations), and other provider and support staff person of his or her responsibility to implement the recommendations on a student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. In selecting the professional staff person(s), the Chairperson could select him or herself for this responsibility, another administrator, or a teacher, related service provider or other professional based on the particular circumstances of the student's disability and education program.

The District will also ensure that each teaching assistant, teacher aide and each other provider responsible for assisting in the implementation of a student's IEP has the opportunity to review a copy of the student's IEP (including amendments) prior to the implementation of such program. Further, each teaching assistant, teacher aide, and such other provider responsible for assisting in the implementation of a student's IEP will have ongoing access to a copy of the IEP, which may be the copy provided to the student's special education teacher or the teacher or related service provider under whose direction the supplementary school personnel or other provider works. However, the District may, at its discretion, provide a copy of the IEP to teaching assistants and/or teacher aides.

A copy of a student's IEP will be provided to the student's parents at no cost to the student's parents.

(Continued)

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont'd.)

Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 § 615(k)(l)
Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq.
21 USC § 812(c)
Education Law Articles 81, 85 and 89 and §§ 207, 3208 and 4402(7)
8 NYCRR §§ 200.1(hh), 200.2(b)(11), 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

NOTE: Refer also to Policy #7618 -- Use of Time Out Rooms

Adopted: 1992
Revised: 11/12/03; 1/9/07; 10/28/08;

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 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 postsecondary 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, including the courses the student has passed, the number of credits earned, and the assessments required for graduation that the student has taken and passed.

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 postsecondary 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.

(Continued)

SUBJECT: TRANSITION SERVICES (Cont'd.)

Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 § 614(a)
Individuals with Disabilities Education Act (IDEA), 20 USC §§ 1400 et seq.
34 CFR §§ 300.321, 300.343, 300.347, and 300.348
Education Law § 4401
8 NYCRR §§ 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

Adopted: 6/24/97
Revised: 11/12/03; 1/9/07; 10/28/08;

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 such 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 such 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 such 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 § 1400 et seq.
34 CFR Part 300
Education Law §§ 3240-3242, 3602-c(2)(a), 4401-a, 4402, 4404, 4405 and 4410-6
8 NYCRR §§ 200.2(a) and 200.4

NOTE: Refer also to Policies #7130 -- Entitlement to Attend - Age and Residency
#7140 -- School Census

Adopted: 1992
Revised: 1/9/07; 10/28/08;

SUBJECT: CURRICULUM DEVELOPMENT, RESOURCES AND EVALUATION

The Board supports and encourages development of a District-wide, articulated curriculum that conforms to state mandates and is responsive to the needs of children in a rapidly changing society. In order to help our students achieve success, the District will ensure that:

a) All curriculum is aligned with ~~current~~ New York State and ~~Common Core~~ Learning standards;

b) Approved curriculum is taught in every classroom.

The principals of the elementary and secondary schools will be responsible to the Superintendent for developing District-wide efforts toward the short and long-range improvement of curriculum and instruction.

Curriculum Resources

There are many resources for curriculum development that exist in our District, and the instructional staff, under the guidance of the administration, is expected to delve into those resources for possible improvement of the instructional program. Each teacher has the privilege of being an initiator of improvement, as well as a reactor to changing conditions, and the principals will be involved in curriculum development.

From the staff, the Superintendent may appoint curriculum study committees; and their findings, as well as the collective judgments of the staff about the pertinence of various possible changes, will be submitted by the Superintendent to the Board for consideration in the forming of curriculum policy.

Curriculum Evaluation

The Board will direct a continuing evaluation of the curriculum as part of a program of instructional improvement. All aspects of the curriculum will be subjected to a searching and critical analysis in an attempt to improve the learning and growth of students.

The administrative staff will evaluate the curriculum in a systematic manner involving school personnel and others as appropriate and make periodic recommendations for action by the Board. The Board from time to time may invite teachers or others to discuss the curriculum.

Evaluation of the Instructional Program

The Board expects staff members to maintain a continual program of evaluation at every level to determine the extent of progress toward the schools' objectives. The Board will periodically request the Superintendent to present factual information that it considers necessary to evaluate the effectiveness of the School System.

(Continued)

SUBJECT: CURRICULUM DEVELOPMENT, RESOURCES AND EVALUATION (Cont'd.)

Education Law §§ 1604, 1709, 2503 and 3204
8 NYCRR § 100.2(m)

Adopted: 1992
Revised:

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES

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 actual or perceived race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of weight, ethnic group, religion, religious practice, sexual orientation, gender, or any other basis prohibited by state or federal non-discrimination laws, and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Educational Services for Married/Pregnant Students

The District will not discriminate against students based on their parental and/or marital status. The opportunity to participate in all of the services, 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.

In this regard, 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.

Investigation of Complaints and Grievances

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination and will promptly take appropriate action to protect individuals from further discrimination. All complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3420 -- Non-Discrimination and Anti-Harassment in the District and Policy #7551 -- Sexual Harassment of Students.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including, but not limited to, the designation of the Civil Rights Compliance Officer (CRCO), knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

(Continued)

SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)

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 participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity, or to the Superintendent.*

When appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.

Americans with Disabilities Act, 42 USC § 12101 et seq.
§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
20 USC § 1701, et seq.
45 CFR § 84.40

NOTE: Refer also to Policy #3420 -- Non-Discrimination and Anti-Harassment in the District *Code of Conduct*

Adopted: 11/12/03
Revised: 10/28/08;

SUBJECT: SAFETY CONDITIONS ~~AND PROGRAMS~~ AND PREVENTION INSTRUCTION

The practice of safety will be considered an integral part of the instructional program through fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety. Each principal will be responsible for the supervision of a safety program for his or her school. The safety program may include, but not be limited to, in-service training, plant inspection, fire prevention, accident recordkeeping, driver and vehicle safety programs, emergency procedures and drills, and traffic safety programs relevant to students, employees and the community. It will be the duty of the Board to provide inspections and supervision of the health and safety aspects of the school facilities.

Acquired Immune Deficiency Syndrome (AIDS) Instruction in Health Education

The Board will provide a health education program that will include appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention will be provided in an age-appropriate manner, and will be consistent with community values and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

A representative community advisory group consisting of appropriate school personnel, Board members, parents, religious representatives, and other community members will be established in order to make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

No student will be required to receive instruction concerning the methods of AIDS prevention if his or her parent or legal guardian files with the principal a written request that the student not participate in this instruction, with an assurance that the student will receive this instruction at home.

AIDS instruction in the elementary grades will be taught by the regular classroom teachers, while this instruction in the middle and high school grades will be a part of the required health education curriculum.

Hands-Only Cardio Pulmonary Resuscitation and Automated External Defibrillator Instruction

High school students will be provided instruction in hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator. Standards for this instruction will be based on a nationally recognized instructional program that utilizes the most current guidelines for cardiopulmonary resuscitation and emergency cardiovascular care issued by the American Heart Association or a substantially equivalent organization, that are consistent with the requirements of the programs adopted by the American Heart Association or the American Red Cross, and that will incorporate instruction designed to:

a) Recognize the signs of a possible cardiac arrest and to call 911;

(Continued)

SUBJECT: SAFETY CONDITIONS ~~AND PROGRAMS~~ AND PREVENTION INSTRUCTION (Cont'd.)

b) Provide an opportunity to demonstrate the psychomotor skills necessary to perform hands-only compression cardiopulmonary resuscitation; and

c) Provide awareness in the use of an automated external defibrillator.

The Committee on Special Education or a Multidisciplinary Team, in accordance with Section 504 of the Rehabilitation Act, may determine, on an individual student basis, if a student with a disability should be excused from the requirement for instruction in hands-only CPR and the use of AEDs.

Substance Abuse - Prevention Instruction

The Board recognizes the need to educate students on the hazards of alcohol, tobacco, and drug abuse. An educationally sequential health prevention program, utilizing, as appropriate, community, staff, and student input, will be developed to inform students of:

a) Causes for substance abuse;

b) Physical and psychological damage associated with substance abuse;

c) Avoidance of alcohol, tobacco, and drugs; and

d) Dangers of driving while under the influence of alcohol or drugs.

Environmental Conservation Instruction

The Board supports and encourages the development of a District-wide, articulated curriculum of environmental conservation integrated into other program disciplines.

Fire and Arson Prevention/Injury Prevention/Life Safety Education

The Board directs the administration to provide instruction in fire and arson prevention, injury prevention and life safety education relating to protection against injury or death and property loss or damage as a result of criminally initiated or other preventable fire.

This instruction will include materials to educate children on the dangers of falsely reporting a criminal incident, an impending explosion or fire emergency involving danger to life or property, an impending catastrophe, or a life safety emergency.

The Board directs the administration to provide this instruction for all students for a period of not less than 45 minutes in each month that school is in session.

(Continued)

SUBJECT: SAFETY CONDITIONS ~~AND PROGRAMS~~ AND PREVENTION INSTRUCTION (Cont'd.)

Student Safety

Instruction in courses in technology education, science, home and career skills, health and safety, physical education, and art will include and emphasize safety and accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in the courses listed above, and instructors will teach and enforce all safety procedures relating to the particular courses. These procedures will include wearing protective eye devices during appropriate activities.

Eye Safety

The Superintendent or designee will ensure that eye safety devices are distributed as necessary and that these devices are properly repaired, cleaned, and stored to prevent the spread of germs or diseases after individuals use them. Each classroom teacher is responsible for the safe and proper use of all instructional materials and equipment by students in his or her classroom.

Emergency Planning

The District will maintain updated plans and operating procedures to be followed in the event of natural or manmade disasters or enemy attack. Students will be provided instruction to respond effectively in emergency situations.

Instruction on Prevention of Child Abduction

All students in grades K through 8 in District schools will receive instruction designed to prevent the abduction of children. This instruction will be provided by or under the direct supervision of regular classroom teachers and the Board will provide appropriate training and curriculum materials for the regular classroom teachers who provide this instruction. However, at the Board's discretion, this instruction may be provided by any other public or private agency.

The Commissioner of Education will provide technical assistance to assist in developing curricula for these courses of study which must be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness skills, information, self-confidence, and support to aid in the prevention of child abduction.

(Continued)

SUBJECT: SAFETY CONDITIONS ~~AND PROGRAMS~~ AND PREVENTION INSTRUCTION (Cont'd.)

For purposes of developing these courses of study, the Board may establish local advisory councils or utilize the school-based shared decision making and planning committee established under the Commissioner's regulations to make recommendations concerning the content and implementation of these courses. Alternatively, the District may utilize courses of instruction developed by consortia of school districts, boards of cooperative educational services, other school districts, or any other public or private agency. The advisory council will consist of, but not be limited to, parents, school trustees and Board members, appropriate school personnel, business and community representatives, and law enforcement personnel having experience in the prevention of child abduction.

Instruction on Child Development and Parenting Skills

Instruction regarding child development and parenting skills may be offered by the District. The curriculum will include instruction on the consequences and prevention of shaken baby syndrome, which may include the viewing of a video presentation for students in secondary schools.

Education Law §§ 409, 409-a, 807-a and 906
8 NYCRR Part 136 and § 141.10
AIDS Instruction:
  8 NYCRR §§ 135.3(b)(2) and 135.3(c)(2)
Cardiopulmonary Resuscitation and Automated External Defibrillators:
  Education Law § 804-d, 8 NYCRR § 100.2(c)(11)
Civil Preparedness:
  New York State Office of Disaster Preparedness
Fire and Arson/Injury Prevention/Life Safety:
  Education Law § 808
  8 NYCRR § 100.2(c)(5)(11)
Prevention of Child Abduction:
  Education Law § 803-a
Student Safety:
  Education Law § 808
  8 NYCRR §§ 107 and 155
Substance Abuse:
  Education Law § 804
  8 NYCRR § 135.3(a)
Instruction on Child Development and Parenting Skills
  Education Law § 804

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#7320 -- Alcohol, Tobacco, Drugs and Other Substances
District *Code of Conduct*

Adopted: 1992
Revised:

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING ~~POLICY~~

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District ~~has adopted and~~ will ~~enforce this Internet safety policy that~~ ensure~~s~~ 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, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking websites and in chat rooms, and regarding cyberbullying awareness and response. Further, 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~~ of Education~~'s decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate ~~teaching/~~instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet ~~and World Wide Web~~ *may* include, but ~~shall~~will not be limited to, the following guidelines:

a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of email and chat rooms may be blocked as deemed necessary to ensure the safety of students;

b) Monitoring logs of access in order to keep track of the websites visited by students as a measure to restrict access to materials harmful to minors;

c) In compliance with this Internet Safety Policy as well as the District's Acceptable Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and

d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

(Continued)

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING ~~POLICY~~ (Cont'd.)

The determination of what is "inappropriate" for minors ~~shall~~will be determined by the District and/or designated school official(s). It is acknowledged that the determination of "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws or regulations as may be appropriate.~~and implemented pursuant to the District's educational mission.~~

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The ~~School~~ District ~~shall~~will provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all ~~School~~ District computers with Internet access.

Internet Safety Instruction

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the Internet. The Commissioner ~~shall~~will provide technical assistance ~~to assist~~ in the development of curricula for this course of study which ~~shall~~will be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

Under the Protecting Children in the 21st Century Act, students will also be educated on appropriate interactions with other individuals on social networking websites and in chat rooms, as well as cyberbullying awareness and response.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events.

(Continued)

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING ~~POLICY~~ (Cont'd.)

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.

~~Consent for Student Use~~

~~Student access to the District's computer system will automatically be provided unless the ;parent has submitted written notification to the District that such access not be permitted. Procedures will be established to define the process by which parents may submit a written request to deny or rescind student use of District computers.~~

Notification~~/Authorization~~

The District's Acceptable Use Policy ~~and accompanying Regulations~~ will be disseminated to parents and student in order to provide notice of the school's requirements, expectations, and student obligations when accessing the Internet.

The District has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Safety/Internet Content Filtering Policy prior to Board adoption. Additional public notice and a hearing or meeting is not necessary when amendments are made to the Internet Safety Policy in the future.

The District's Internet Safety/Internet Content Filtering Policy must be made available to the FCC upon request. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of this policy as well as any other District policies relating to the use of technology.

The Internet Safety/Internet Content Filtering Policy is required to be retained by the school for at least five years after the funding year in which the policy was relied upon to obtain E-rate funding.

47 USC §§ 254(h) and 254(l)
47 CFR Part 54
Education Law § 814

NOTE: Refer also to Policies #7315 -- Student Acceptable Use Policy
#7316 -- Student Use of Personal Technology
District *Code of Conduct*

Adopted: 3/1/01
Revised: 1/9/07, 10/28/08, 1/11/11, 7/12/11; 3/20/12;

SUBJECT: PURPOSES OF INSTRUCTIONAL MATERIALS AND ACADEMIC FREEDOM

The purpose of instructional materials shall be to implement, enrich, and support the educational program of the school.

Instructional materials should contribute to the development of positive social and intellectual values of the students.

The Board of Education shall provide the faculty and students in the District with such instructional materials as are educationally needed and financially feasible to make the instructional program meaningful to students of all levels of ability. In addition, the Board will ensure that all instructional materials 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 (NIMAS) defined in federal law.

Academic Freedom

The Board of Education recognizes the right of the teacher to provide information that will enrich and support the curriculum while, at the same time, taking into consideration the needs of the individual student, especially as it regards the diversity of learning styles, varied interests, abilities and maturity levels of students. Classroom discussion and/or selection of supplemental instructional materials by the teacher must be of educational merit, reflect the appropriate curriculum and/or course of study, and reflect the diverse needs of the students served.

Use of ~~Video Tapes/Films~~ *Media* in Classroom Instruction

Teachers who wish to use ~~video tapes and/or films~~ *media* in classroom instruction must follow established administrative regulations for the school. Additionally, teachers who wish to utilize such ~~video tapes and/or films~~ *media* in their classroom must not use such purchased or rented visual technology resources which are marked "For Home Use Only." Teachers are authorized to use for classroom instruction, and are responsible for securing, those films, videos and other visual technology resources which are designated for public performance, or for which permission for public performance has been obtained. When such resources are not selected from designed curriculum guides utilized by the school, prior to such use, teachers must report to their Building Principal or his/her designee, of their intention to use such materials in the classroom.

20 USC Section 1474(e)(3)(B)
Education Law Section 701 et seq.
8 NYCRR Parts 155 and 200.2

Revised: 10/28/08;

SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS AND CONTROVERSIAL ISSUES

Any criticism of instructional materials that are in the schools should be submitted in writing to the Superintendent~~.~~ and t~~T~~he Board ~~of Education~~ will be informed. A committee, including the librarian and Building Principal, will be designated by the Superintendent to investigate and judge the challenged material according to the principals and qualitative standards stated in Policy #8320 --Selection of Library and Audiovisual Materials.

Curriculum Areas In Conflict With Religious Beliefs

In accordance with applicable law and regulation, a student may be excused from the study of specific materials relating to health and hygiene if these materials are in conflict with the religion of his or her parents or guardians. Alternatives may be provided that are of comparable instructional value.

Controversial Issues

Controversial issues may be studied as part of the curriculum and teachers will present these issues in their classrooms in an impartial and objective manner.

Teachers wishing to call upon outside speakers in the presentation of controversial issues are required to obtain the approval of the principal who will keep in mind the obligation for presenting opposing views as well, and who will inform the Superintendent prior to the presentation.

It is recognized that parents and citizens of the community have a right to protest to the school administration when convinced that unfair and biased presentations are being made by the teacher. In considering such protests, the Superintendent will provide for a hearing so that both parties may fairly express their views. If requested, the Superintendent's decision may be appealed to the Board.

Education Law § 3204(5)
8 NYCRR § 135.3

NOTE: Refer also to Policies #8320 -- Selection of Library and Audiovisual Materials
#8360 -- Religious Expression in the Instructional Program

Adopted: 1992
Revised: 1/9/07;

SUBJECT: ~~TEXTBOOKS/WORKBOOKS/CALCULATORS/~~INSTRUCTIONAL ~~COMPUTER HARDWARE~~ MATERIALS

Textbooks

Textbook refers to a book supplied to a student for a fixed period of time for his or her personal use and basic to the study of a subject. The Board will make provision for funds to be budgeted for the purchase of textbooks and related instructional materials.

Upon the recommendation of the Superintendent, the Board will designate the textbooks to be used. Textbooks, once designated, cannot be superseded within a period of five years except by a 3/4 vote of the Board.

The District participates in the National Instructional Materials Access Center (NIMAC). 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 and in a format that meets NIMAS standards. Contracts with publishers executed on and after December 3, 2006 for textbooks and other printed core materials must include a provision that requires the publisher to produce NIMAS files and send them to the NIMAC (this will not add any cost to the contract).

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. The District may ask for evidence that the selected 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.

Workbooks

The term "workbook" refers to the type of book that provides spaces to write in and is consumed each year. It is usually paper-covered and designed to be used in connection with a textbook. The Board must approve the expenditure of funds for the purchase of workbooks and manuals.

Calculators

The District can require students to provide their own "supplies" such as pencils, pens, paper, etc. Calculators do not fall into this category and must be considered like classroom teaching materials for which the District is authorized to levy a tax. In addition, the District may purchase, and must still provide, calculators even if operating under a contingent budget if the calculators are required for participation in an educational program.

(Continued)

SUBJECT: ~~TEXTBOOKS/WORKBOOKS/CALCULATORS/~~INSTRUCTIONAL ~~COMPUTER HARDWARE~~ MATERIALS (Cont'd.)

The New York State Education Department requires the use of calculators for intermediate and high school level mathematics and science assessments. To the extent that calculators are a necessary part of the educational program, the District must provide them. Under no circumstances should students be charged for a calculator or otherwise required to purchase one in order to participate in an educational program of the District.

Instructional Computer Hardware

Loan to Students Attending Nonpublic Schools in the District

The District will loan, upon request of an individual or a group of individual students, to all students legally attending nonpublic elementary or secondary schools located in the District, instructional computer hardware which is designated for use in any public elementary or secondary schools of the State or is approved by any school authorities as the term is defined in Education Law Section 2(12).

Instructional computer hardware is to be loaned free to these children, subject to rules and regulations as are or may be prescribed by the Board of Regents and school authorities and will be required for use as a learning aid in a particular class or program. Instructional computer hardware containing computer software programs which are religious in nature or content will not be purchased or loaned by the District.

The District will not be required to loan instructional computer hardware to nonpublic school students in excess of that acquired in accordance with Education Law Section 753 and will be loaned on an equitable basis to children attending nonpublic schools in the District and to students with disabilities residing in the District who attend approved programs. However, the District will not be required to loan instructional computer hardware purchased with local or federal funds or with State funds, other than Instructional Computer Hardware Aid funds.

School authorities will specify a date by which written requests for the purchase and loan of instructional computer hardware must be received by the District. This date will not be earlier than the first day of June of the school year prior to that for which instructional computer hardware is being requested. For a child not attending a nonpublic school prior to June first, the parent or guardian may submit a written request for instructional computer hardware within 30 days after the child is enrolled in the nonpublic school. In no event, however, will a request made later than the times otherwise provided in accordance with Education Law Section 754 be denied where a reasonable explanation is given for the delay in making the request. All nonpublic schools in the District will be notified of the specified date.

(Continued)

SUBJECT: ~~TEXTBOOKS/WORKBOOKS/CALCULATORS/~~INSTRUCTIONAL ~~COMPUTER HARDWARE~~ MATERIALS (Cont'd.)

The form of request used by a lending District may provide for a guarantee by a parent or guardian for the return of the hardware or, in the case of loss or damage, for payment of its value.

20 USC § 1474(e)(3)(B)
Education Law §§ 2(12), 701 et seq., 753, 754, 3602(6), 3602(26), 4401(2)(c), 4401(2)(e), 4401(2)(g), 4401(2)(i) and 4401(2)(l)
8 NYCRR §§ 21.3, 100.12, 155.1(a)(4) and 175.25

NOTE: Refer also to Policy #5412 -- Alternative Formats for Instructional Materials

Adopted: 1992
Revised: 1/9/07; 11/27/07;

SUBJECT: INDEPENDENT STUDY

~~Independent study, for credit, will be available to meet the individual needs of students in grades nine (9) through twelve (12). The Principal, after consultation with relevant faculty, may award transfer credit for work done through independent study. The decision should be based on whether the student's record indicates that the work is consistent with New York State commencement level learning standards and is of comparable scope and quality to that which would have been done in the school awarding the credit. Credit shall be granted only for courses in the approved curriculum.~~

~~Regulations to implement this policy shall be developed under the direction of the High School Principal.~~

~~8 New York Code of Rules and Regulations (NYCRR) Section 100.5(d)(5)(i)(b)~~

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 towards 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 guidance director 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 § 100.5(9)

Adopted: 1992
Revised: 1/9/07;

SUBJECT: HOME INSTRUCTION (HOME SCHOOLING)

~~From time to time, parents will choose to instruct their children at home.~~ The ~~School~~ District will attempt to cooperate with parents who wish to provide home schooling for their children realizing that the 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 ~~as enumerated~~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 of the school district in which a home-instructed student resides.

Provision of Services to Home-Instructed Students

~~Regarding~~ Home-Instructed Students~~:~~

~~They~~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~~, the school~~ or the District.

a) Extracurricular Participation

~~They~~Students instructed at home are not eligible to participate in interscholastic sports. Commissioner's Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic sports.

~~However, at the option of the District, they *may* participate in intramural and other school-sponsored club activities. The School District does not permit home-instructed students to participate in such extracurricular activities.~~

b) Textbooks and Materials

The District is not required to loan available textbooks and other materials (e.g., library materials, microscopes, computer software, eTextbooks, and movie projectors).

However, tThe District shallwill not provide such textbooks and other materials to the extent available to home-instructed students.

c) Health Services

The ~~School~~ District is not required to furnish health services.

(Continued)

SUBJECT: HOME INSTRUCTION (HOME SCHOOLING) (Cont'd.)

d) Remedial Programs

The District is not responsible for providing remedial programs.

e) Career and Technical/Gifted Education

The District is *not* ~~*permitted*~~*authorized* to provide Occupational and Vocational Education programs (career and technical education) nor programs for the gifted to home-instructed students.

f) Special Education Services

~~The District shall offer a home-instructed student with disabilities the special education services as addressed in the approved Individualized Education Program (IEP) by the Committee on Special Education. *However, there is no requirement that such services be provided in the student's home.* Further, the District shall conduct a census and register of students with disabilities who reside in the District in accordance with Education Law and Commissioner's Regulations.~~
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 such education by the District.

The Committee on Special Education (CSE) 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 IEP. The Board will determine a location where special education services are to 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 ~~shall~~will not be allowed to use school facilities, except as provided for community organizations in Policy #3270 -- Use of School Facilities, Materials and Equipment.

~~Primary responsibility for determining compliance with Commissioner's Regulations addressing home instruction rests with the Superintendent of Schools of the school district in which a home-instructed student resides.~~

Education Law Sections 3204, 3205, 3210(2), 3212(2), 3240-42, 3602-c and 4402
8 New York Code of Rules and Regulations (NYCRR)
Sections 100.10, 135.4(c)(7)(ii)(b)(2) and 200.2(a)

Adopted: 1992
Revised: 11/12/03; 1/9/07;