

MINUTES OF BABYLON SCHOOL BOARD REGULAR BUSINESS MEETING

DATE OF MEETING: August 26, 2019

PLACE: Babylon Junior-Senior High School, 50 Railroad Avenue, Babylon, NY 11702

Members Present

Ms. Elizabeth O'Brien, President
Mrs. Carol Ann Dell'Erba, Vice President
Mrs. Ann Donaldson
Mrs. Linda Jurs
Mr. Dominick Montalto
Mrs. Donna Noesi
Mrs. Tricia Pané

District Superintendent

Mrs. Linda J. Rozzi

Central Office Administration

Dr. Peter Daly, Deputy Superintendent
Mr. Daniel D'Amico, Assistant Superintendent for Curriculum and Instruction

District Clerk

Linda Pesce

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Ms. O'Brien, President. A motion to enter executive session for the purpose of discussing the employment history of a particular individual, administrative negotiations and advice from counsel was made by T. Pané, seconded by D. Montalto and approved. (7-0) Public session resumed at 7:07 p.m. at which time Ms. O'Brien, President, led the assemblage in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Minutes of the Regular Business Meeting of August 5, 2019 was approved on motion by C. Dell'Erba and seconded by T. Pané. (7-0)

APPROVAL OF TREASURER'S AND BUSINESS OFFICE FINANCIAL REPORTS

The Treasurer's and Business Office Financial Reports and Extra Curricular Fund Report for July 2019 and Internal Claims Audit Report for June 2019 was approved on motion by L. Jurs, seconded by D. Noesi. (7-0)

SUPERINTENDENT'S REPORT

Mrs. Rozzi, Superintendent of Schools, reported that the District is gearing up for the opening of schools. Welcome letters have been sent to all families, faculty and staff. The new teacher institute will be held this week and we are getting reading for Superintendent's Conference Days.

COMMITTEE REPORTS

Mrs. Donaldson, audit committee chairperson, reported that the external auditors have completed their onsite work. We will be scheduling the independent audit presentation which usually occurs at the end of October during the Work/Study meeting. Mr. Montalto, buildings and grounds committee chair, reported that the walk through went very well. Schools are in great shape. The buildings have been inspected by Enviro Science and there is no presence of mold. The grade school assistant principal's office is complete and looks great. Ms. Noesi, technology committee chair, reported that the technology department has been very busy this summer. A wiring project will be going on for the next two months. The 1:1 distribution for 7th graders is still ongoing. The technology department is reaching out to the families of those students who have not picked up their device. New entrant devices should be available by the first week of school. Students in grades 9 and 10 will be getting new devices and hopefully by November they should all have devices. There will be IT support in the high school from 7:30 am to 3:30 pm. Teachers and students can visit the IT department to get help. 54 new LED screens have been installed. The IT department is working on security with some new cameras and cable and that should be up and running before the start of school. Ms. Dell'Erba, curriculum committee chair, reported that the committee will be meeting in September to start discussing professional development. Ms. Pané, policy committee chair, reported that the committee met on August 5th. In our last report the homeless children policy and regulation and board procedure was discussed. As noted on the agenda we will be adopting the homeless children policy and regulation waiving the first reading as this is a mandated policy and need to have this in place by September. We will be having a first reading of the Board Procedures policy tonight and will be adopted at the next meeting. The policy committee will meet on October 8th at 4:00 p.m. Committee meetings are posted on the district website.

QUESTIONS FROM VISITORS ON AGENDA ITEM

The Board of Education addressed questions from a visitor on an agenda items. As there was no discussion, the Board moved to the next item

New Business

OMNIBUS MOTION

On motion by D. Noesi, seconded by D. Montalto, a motion to omnibus Resolutions 1-22 were approved (7-0).
On omnibus motion by T. Pané, seconded by L. Jurs an omnibus motion to approve Resolutions 1-22 were approved (7-0)

PROBATIONARY SOCIAL STUDIES TEACHER

1. **PROBATIONARY SOCIAL STUDIES TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the probationary appointment of Nicole Blair as a social studies teacher effective September 1, 2019 through September 1, 2023*. Compensation for this assignment to be Step 1/BA of the 2019-2020 Babylon Teachers' Association salary schedule. (\$55,932). Ms. Blair holds an initial certificate in social studies 5-9.

LEAVE OF ABSENCE

2. **LEAVE OF ABSENCE: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves an unpaid childcare leave of absence for Sarah Ryczek, elementary teacher, effective December 11, 2019 to March 24, 2020.

LEAVE REPLACEMENT

3. **LEAVE REPLACEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of Megan Connolly as a leave replacement elementary teacher effective December 11, 2019 to March 24, 2020. Compensation for this assignment to be Step 1/MA of the 2019-2020 Babylon Teachers' Association salary schedule prorated. (\$63,205) Ms. Connolly holds an initial certificate in childhood education Birth-2 and 1-6, SWD Birth-2 and 1-6.

LEAVE REPLACEMENT

4. **LEAVE REPLACEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of Anne May as a leave replacement special education teacher effective September 1, 2019 to November 11, 2019. Compensation for this assignment to be Step 1/MA75 of the 2019-2020 Babylon Teachers' Association salary schedule prorated (\$83,898 prorated).

PART-TIME ELEMENTARY TEACHER

5. **PART-TIME ELEMENTARY TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of Jacklyn Fantozzi as a part-time (.4) elementary teacher effective September 1, 2019 to June 30, 2020. Compensation for this assignment to be .4 FTE of MA/Step 1 of the 2019-2020 Babylon Teachers Association contract. (\$63,205 prorated) Ms. Fantozzi holds professional certificates B-2 and 1-6 and an initial certificate in Spanish 7-12.

PART-TIME SCHOOL GUIDANCE COUNSELOR

6. **PART-TIME SCHOOL GUIDANCE COUNSELOR: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of Sarah Abbate as a part-time (.4) school guidance counselor effective September 1, 2019 to June 30, 2020. Compensation for this assignment to be .4 FTE of MA/Step 1 of the 2019-2020 Babylon Teachers Association contract. Ms. Abbate holds a provisional certificate in School Counseling. (\$63,205 prorated)

PART-TIME SECURITY GUARD APPOINTMENTS

7. **PART-TIME SECURITY GUARD APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the following part-time security guard appointments effective September 1, 2019 to June 30, 2020. Compensation for these positions to be at the security guard hourly rate of pay of \$18.00, senior guard hourly rate of pay \$22.00/hour*

Melaine Balsdon	Ryan Bellittiere	Adolfo Berrios	Timony Bivona
Anthony Buonincontri	Tina Cardinal	Robert Carlock	Joseph Cautela
Kristopher Charubin	Thomas Coll	Alyssa Colletti	Michael Connolly
David Cronemeyer	Michael Cusumano	Steven DiMaio	Daniel McHugh
Melissa Farrell	Daniel Gargan	Gerard Grant	Kathleen Kaplan
Michael Koubek	Thomas McGrane	John McSweeney	Maria McSweeney
Michael Mertz	Kenneth Meyerback	Justin Muller	Thomas Parson
Jeffrey Rhoades	Patrick Walker	James Wood	Christina Dahling
Michael Petriello	William Walsh	Vincent Weiss	Joseph Arlotta

*Michael Tenety

PER DIEM SUBSTITUTE TEACHER APPOINTMENTS

8. **PER DIEM SUBSTITUTE TEACHER APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of following per diem substitute teachers for the 2019-2020 school year. Compensation for these assignments to be at the substitute teacher per diem rate of pay scale: Days: 1-30 \$110.00; Days: 31-60 \$120.00; Days: 61-90 \$130.00; Over 91 days: \$140.00. This resolution reflects the established pay scale for per diem substitute teachers.

Allison Buser	Nicholas Frizalone	Sarah Kendrick	Victoria Leichert
Joanne Longo	Joanne Marino	Marie Michele	Michael Pello
Timothy Piligra	Jennifer Rumel	Paula Savinetti	Cynthia Theiss
Jennifer Velazquez	Anne May	Caroline Figoski	Patrick Metzger
Kathleen Reynolds	Olivia Aebli	Alyssa Sardone	Marissa Anderson
Jaclyn Esposito	Kristen Pacello		

SUBSTITUTE NURSE APPOINTMENTS

9. **SUBSTITUTE NURSE APPOINTMENTS: RESOLVED**, that on the recommendation of the Superintendent of Schools, the Board of Education approves the following substitute nurse appointments for the 2019-2020 school year. Compensation for these assignments to be \$175.00/day. Roberta Carlock Maryann Leap Denise Adamo (BES only)

SUBSTITUTE AIDE/MONITOR APPOINTMENTS

10. **SUBSTITUTE AIDE/MONITOR APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the following substitute aide/monitor appointments for the 2019-2020 school year. Compensation for these assignments to be \$13.60/hour.

Mary Batura	Debbie Cannetti	Rosanne Corso	Christine Ferraro
Amanda Lotruglio	Robin Maya	Margaret Ryan	Patricia Tonno
Cynthia Theiss	Mercedes Bautista	Diane Papeo	Kathleen Manoleas
Paolo Fiore	Michelle Melanphy	Elizabeth Corrado	Deena Lepper
Kristin Boccio			

SUBSTITUTE CUSTODIAL APPOINTMENT

11. **SUBSTITUTE CUSTODIAL APPOINTMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the following substitute custodians for the 2019-2020 school year. Compensation for this assignment to be at the substitute custodial rate of pay of \$12.00/hour. Mike Otte Milagros Anderson

CASUAL APPOINTMENTS

12. **CASUAL APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the following casual appointments from September 1, 2019 to June 30, 2020. Compensation for these positions to be in accordance with the 2019-2020 Babylon Teachers' Association Contract:

JH Girls Soccer Coach	Nicole Blair	(\$4649)
Lead Nurse	Grace McHugh	(\$5000)

MEMORANDUM OF AGREEMENT

13. **MEMORANDUM OF AGREEMENT: RESOLVED**, on the recommendation of the Superintendent of Schools, the Board of Education hereby approves a Memorandum of Agreement between the Board and the CSEA, Inc., Local 1000, AFSCME, AFL-CIO, Clerical/Nursing/Network & Systems Technicians, dated the 26th day of August, 2019, as more fully discussed in executive session, and hereby authorizes the President of the Board to execute a new agreement on behalf of the Board setting forth such terms and conditions.

ESTABLISH HALLDUTY HOURLY RATE OF PAY

14. **ESTABLISH HALL DUTY HOURLY RATE OF PAY: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education establishes the hourly rate of pay for hall duty before and/or after the contractual work day at \$10.00/half hour and \$20.00/hour.

DISTRICT & SCHOOL SAFETY PLANS

15. **DISTRICT & SCHOOL SAFETY PLANS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education adopts the District and School Safety Plans for the 2019-2020 school year.

FIRST READING POLICY 2350-BOARD MEETING PROCEDURES

16. **FIRST READING POLICY 2350-BOARD MEETING PROCEDURES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby conducts a first reading of policy 2350-Board Meeting Procedures and **BE IT FURTHER RESOLVED**, that the Board of Education waives the formal first reading of policy 2350-Board Meeting Procedures, as attached.

ADOPTION POLICY 5151/5151-R HOMELESS CHILDREN

17. **ADOPTION POLICY 5151/5151-R-HOMELESS CHILDREN: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby waives the first reading requirement under Policy 2410 for the presentation of the proposed policy and adopts, as determined to be necessary, the attached policy 5151-Homeless Children and implementing Regulation 5151-R Homeless Children.

STUDENT OVERNIGHT TRIP

18. **STUDENT OVERNIGHT TRIP: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves an overnight field trip for student participation to attend a theater conference in Callicoon, New York from January 10-12, 2020.

APPROPRIATION TRANSFERS

19. **APPROPRIATION TRANSFERS: RESOLVED**, that on the recommendation of the Superintendent of Schools, the Board of Education approves the following appropriation transfers for the 2018-2019 school year:

1. From:	A 9010.8001-00-000	Employ Bene/ERS	(35,430.00)
To:	A 9020.8002-00-000	Employ Bene/TRS	35,430.00
2. From:	A 9010.8001-00-000	Employ Bene/ERS	(210,193.00)
To:	A 9061.8008-00-000	Employ Bene/Medical Ins	210,193.00
3. From:	A 2251.4900-00-000	Spec Ed-Boces	(212,065.00)
To:	A 9900.9500-00-000	InterfundTransfer/Spec Aid Fund	212,065.00
4. From:	A 2251.4102-00-000	Spec Ed-Prof/Tech Services	(151,265.00)
From:	A 2251.4900-00-000	Spec Ed-Boces	(66,153.00)
To:	A 2110.1283-02-000	Tch/Reg Sch-Career Incr	217,418.00

These are end of year budget transfers recommended by auditors to satisfy ST-3 reporting codes.

SPECIAL EDUCATION SERVICES CONTRACT

20. **SPECIAL EDUCATION SERVICES CONTRACT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the special education services contract for the 2019-2020 school year between the Babylon UFSD and Green Chimneys. (SPED-2019/20-C)

**SPECIAL
EDUCATION
CONSULTANT
SERVICES
CONTRACT**

21. SPECIAL EDUCATION CONSULTANT SERVICES CONTRACT: RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the special education consultant service contract between the Babylon UFSD and the following providers. Debra Cavaliere (SECSC-2019/2020-#10) and Developmental Disabilities Institute (SECSC-2019/20-#24)

**COMMITTEE ON
SPECIAL
EDUCATION**

22. COMMITTEE ON SPECIAL EDUCATION: RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the recommendations from the Committee on Special Education for cases dated August 2019.

OTHER BUSINESS

As there was no other business, the Board moved to the next item.

**REPRESENTATIVES
OF ORGANIZATIONS**

As there was no report from representatives of organizations, the Board of Education moved to the next item.

**QUESTIONS FROM
VISITORS**

As there were no questions from visitors, the Board moved to the next item.

**FUTURE BOARD
MEETINGS**

The Board of Education will hold a Regular Business Meeting on Monday, September 9, 2019 at 7:30 p.m. and a Work/Study Meeting on Monday, September 23, 2019 at 7:30 p.m. in the library of the Babylon Junior-Senior High School

ADJOURNMENT

At 7:16 p.m., there being no other items for discussion, the meeting was adjourned on motion by L. Jurs, seconded by D. Montalto and approved (7-0)

**In order to be eligible for tenure, an individual receiving a probationary appointment as a classroom teacher or building principal shall have received composite or overall annual professional performance review ratings pursuant to Education Law section 3012-c and/or 3012-d of either effective or highly effective in at least three of the four preceding years and if the classroom teacher or building principal receives an ineffective composite or overall rating in the final year of the probationary period he or she shall not be eligible for tenure at that time. Classroom teacher and building principal means a classroom teacher or building principal as such terms are defined in sections 30-2.2 and 30-3.2 of the regulations of the Commissioner of Education.*

BOARD MEETING PROCEDURES

Each Board of Education meeting shall be conducted in an orderly manner which provides time for and encourages community involvement. The order of business at each regular meeting shall be as follows:

1. Call to order
2. Pledge of Allegiance
3. Approval of minutes of previous meeting
4. Treasurer's Report
5. Superintendent's Report
6. Committee Reports
7. New Business
8. Other Business
9. Representatives of Organizations
10. Questions/Comments from Visitors
11. Future Board Meetings
12. Adjournment

The regular order of business may be changed at any meeting (and for that meeting only) by an affirmative vote of a majority and voting for the proposed change in the regular order of business.

A copy of the agenda shall be posted in a conspicuous place at each regular monthly meeting of the Board.

The Board may adjourn a regular or special meeting at any place in the agenda providing that arrangements are made to complete the items of business on the agenda at a future meeting. The minutes shall make notice of the adjournment, and the reconvened session shall be considered an addition to these minutes.

Adoption date: April 2, 2001
Revised date: March 8, 2010
Revised date:

HOMELESS CHILDREN

The Board of Education recognizes its responsibility under federal (McKinney-Vento) and state laws and regulations to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their identification, enrollment, attendance, or success in school which may exist in district practices. The Board will provide homeless children attending the district's schools with access to the same free and appropriate public education and other school programs and activities, including publicly funded preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital; or is a migratory child who qualifies as homeless. An unaccompanied youth is a homeless child not in the physical custody of a parent or guardian.

To assist in determining eligibility for services under the McKinney-Vento Act, the district shall use a housing questionnaire for all enrolling students, and those reporting a change of address, which asks for a description of the student's current living arrangements.

A homeless child or youth has the right to attend his/her school of origin, or any school that permanently housed students who live in the attendance area in which the homeless student is actually living are eligible to attend. For homeless students, a school of origin can be:

1. the public school where he/she attended when permanently housed (i.e., before becoming homeless); or
2. the public school where he/she was last enrolled, or
3. the public school he/she was entitled or eligible to enroll in when the child became homeless, if that child became homeless after such child was eligible to apply, register, or enroll in a public preschool or kindergarten, or he/she is living with a school-age sibling who attends school in the district; or
4. the designated receiving school at the next grade level for any feeder school, where the child has completed the final grade in the feeder school.

Such schools include publicly-funded preschools administered by the district or the State Education Department (SED).

The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of his or her homelessness. If the child becomes permanently housed, the child is entitled to continue attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. If a homeless child completes the final grade level in his/her school of origin, the child may also attend the designated receiving school at the next grade level for all feeder schools.

Feeder school means:

- a preschool whose students are entitled to attend a specified elementary school or group of elementary schools upon completion of that preschool; or
- a school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle, intermediate, or high schools upon completion of the terminal grade of such school; or
- a school that sends its students to a receiving school in a neighboring school district.

NY Education Law §3209(1)(f)

Receiving school means:

- a school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or
- a school that enrolls students from a feeder school in a neighboring District.

Preschool means a publicly funded prekindergarten program or a Head Start program administered by the District and/or services under the Individuals with Disabilities Education Act administered by the District.
NY Education Law §3209(1)(g)

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

1. **Admission:** Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records (however, the district may temporarily exclude a child from attendance if there are actual symptoms of a communicable disease that poses a significant risk of transmission to others), proof of age or residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals. Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless. The district shall eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines or absences.
2. **Transportation:** The district shall promptly provide transportation for homeless students currently attending district schools as required by applicable law, as described in the accompanying regulation. In general, the district shall ensure that transportation is provided to homeless students enrolled in the district who attend a school of origin, including a publicly funded preschool administered by the district or SED, even if the student lives outside the district's boundaries. Transportation shall be provided for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school. Transportation shall be provided to the school of origin up to fifty (50) miles each way, even if such service is not available to students who are permanently housed. Transportation shall also be provided for students who are homeless in order that they can participate in extra-curricular activities and summer school if the lack of transportation poses a barrier.
3. **School Records:** For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship

paper, if applicable. For homeless students attending school in the district, the district shall request the student's records (academic, medical, etc.) from the school the student last attended.

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

A portion of the district's Title I, Part A funds shall be set aside for homeless children and youth to provide educationally related support services and services not ordinarily provided to other students.

Information about a homeless child's living situation shall be treated as a student education record, and shall not be considered directory information under FERPA. See policy 5500, Student Records, for more information.

The Superintendent shall also designate a McKinney-Vento liaison for homeless children and ensure that this person is aware of, and able to carry out, his or her responsibilities under the law. The Superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. parents or guardians of homeless children are informed of the educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
2. parents and guardians and unaccompanied youth are fully informed of all transportation services available to them, and are assisted in accessing them;
3. enrollment disputes involving homeless children are promptly mediated and resolved;
4. school personnel, through outreach and in coordination with shelters and social service agencies and other appropriate entities, identify homeless children, including homeless preschoolers;
5. homeless children receive educational services, including but not limited to Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families;
6. public notice of the educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, and where such students receive services, such as schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of students in temporary housing, and homeless unaccompanied youth; A record is maintained of all appeals of enrollment, school selection and transportation; and
7. staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students;
8. homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same state academic standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations; homeless unaccompanied youth are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C.1087vv) and that the youths may obtain assistance from the District McKinney-Vento liaison to receive verification of such status

Policy 5151

for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).

9. School personnel, service providers, advocates working with students in temporary housing, parents and guardians of students in temporary housing, and students in temporary housing are informed of the duties of the McKinney-Vento liaison.

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation). A student shall be entitled to continued enrollment in the district's schools, and transportation, pending resolution of the dispute and all available appeals. The District shall provide written notice to the parent/guardian/youth explaining the decision. The District shall inform the parents and guardians of the homeless student and homeless unaccompanied students concerning the right to appeal to the State Education Department within 30 days, and that the McKinney-Vento liaison is available to help with any appeal. The District shall also provide a copy of the appeal to the parents and guardians and unaccompanied youth.

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

Cross-ref: 5150, School Admissions
5420, Student Health Services
5500, Student Records

Ref: 20 USC § 6313(c)
42 USC §§11431 et seq.
McKinney-Vento Education for Homeless Children and Youth Program, 81 Fed. Reg. 14432-14436 (3/17/16)
U.S. Department of Education, Education for Homeless Children and Youths Program, Non-Regulatory Guidance (7/27/16),
<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>
Education Law §§207; 305; 3202; 3205; 3209
Executive Law §§532-b; 532-e
Social Services Law §§17; 62; 397
8 NYCRR §§100.2(x); 175.6

Adoption date: November 14, 2005

Revised date: August 26, 2019

HOMELESS CHILDREN REGULATION

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

School placement decisions for homeless children will be based on the "best interest of the child" and shall:

1. presume that keeping the child in the school of origin is in the child's best interest, except when doing so is contrary to the wishes of the parent or guardian or unaccompanied youth; and
2. consider student-centered factors such as the effect of mobility on student achievement, education, health and safety of the child, giving priority to the wishes of the child's parent or guardian or unaccompanied youth.

If the district determines that it is in the best interests of the student to attend a school other than the school of origin or a school requested by the parent or guardian, the Superintendent or designee shall provide the parent or guardian or unaccompanied youth with a written explanation of its decision, together with a statement regarding the right to appeal the placement, which shall be in a manner and form understandable to them. The Superintendent or designee shall refer any such dispute to the district's McKinney-Vento liaison for resolution. The student must be enrolled in the school sought by the parent or guardian or unaccompanied youth and provided with requested transportation pending final resolution of the dispute, including all available appeals.

Admission Procedures

Upon identifying a student experiencing homelessness, the Superintendent of Schools or designee shall immediately:

1. ensure that a designation form is given to the parent or guardian or unaccompanied youth and review the designation form to ensure that it is complete;
2. admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment, or the student has missed application or enrollment deadlines, or there is an unresolved dispute regarding eligibility, school selection or enrollment;
3. where applicable, make a written request to the school district where a copy of the child's records are located for a copy of the homeless child's school records;
4. notify the McKinney-Vento liaison of the child's admission. The liaison shall:
 - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation to the school of origin, and help arrange for transportation and other services such as those under Title I, Section 504, IDEA, and federal school meals;
 - b. ensure that the child receives the educational services for which they are eligible, including Head Start and Early Head Start, early intervention services, and preschool programs administered by the district;

Regulation 5151-R

- c. make necessary referrals for the homeless children or their families to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;
- d. ensure that any enrollment disputes are mediated promptly and in accordance with law;
- e. when assisting unaccompanied youth in placement or enrollment decisions, give priority to the views of such youth, and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist with that process; and
- f. assist in obtaining required immunizations, health screenings, immunization records or health records.

The Superintendent or designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where applicable.

Transportation

Unless the homeless child is receiving transportation provided by the Department of Social Services, the district shall provide transportation services to the child in accordance with applicable law. Where the district is designated by the parent/guardian or unaccompanied youth, and the student attends the school of origin as defined in law described in the accompanying policy (including a publicly funded preschool administered by the district or the State Education Department), the district shall provide transportation, even if transportation is not generally provided to permanently housed students and the student is residing outside the district’s boundaries. A designated school district that must provide transportation to a homeless child is not required to provide transportation in excess of 50 miles one way, unless the Commissioner of Education determines that it is in the best interest of the child.

Transportation must be provided to the school of origin when the district receives notice of a child’s homeless status, for the duration of the student’s homelessness, as well as during the pendency of any disputes. Transportation must be provided to the receiving school as defined in Education Law §3209(1)(h) if the student is homeless over multiple school years. If a child becomes permanently housed during the school year, the student has the right to transportation services to the school of origin until the end of the academic year, as well as one additional year if it is the student’s final grade level or terminal year in the building.

If the district recommends that a homeless child attend a summer educational program, and lack of transportation is a barrier to participation, the district shall provide transportation. The district shall provide transportation to extracurricular or school activities for homeless students eligible for such activities where lack of transportation is a barrier to participation.

Dispute Resolution Process

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

1. Contact the district’s McKinney-Vento liaison to assist in dispute resolution process.

Regulation 5151-R

2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the district making a final determination.

If, after consideration of any additional information and input from the McKinney-Vento liaison, the Superintendent makes a final determination that a student is not homeless, or not entitled to enrollment or transportation, he/she must provide the student's parent or guardian, or the student, if the student is an unaccompanied youth, with written notice that the student is not entitled to their request. This written notice must also:

1. state the rationale/basis for the district's determination;
2. state the date as of which the student will be excluded from the district's schools (or transportation), which shall be at least 30 days from receipt of the written notice;
3. advise that the district's final determination may be appealed to the Commissioner of Education (Commissioner);
4. provide the name and contact information for the district's McKinney-Vento liaison;
5. inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the district's McKinney-Vento liaison is required to assist him/her in filing such an appeal; and
6. include, as an attachment, the form needed to file an appeal to the Commissioner.

The Superintendent must ensure that the district's final decision is delivered to the parent, guardian, or unaccompanied youth in a timely manner. The student must remain enrolled and provided with transportation (if requested) until the district provides written notice of its final determination and for a minimum of 30 days after receipt of the determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner.

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

Adoption date: August 26, 2019