

STUDENT POLICIES GOALS

Students are the focal point of all district operations and must receive the primary attention of the Board of Education and all staff members. Consequently, the Board will spend most of its time in study, deliberation and policy formulation on matters directly related to student welfare.

The Board recognizes the individual worth of each student. The Board and staff accept the responsibility of helping each student to develop his/her capacity for intellectual, physical, emotional, and social growth. The Board acknowledges that a student's growth is influenced by his/her environment, both at home and in school. Therefore, the school district shall strive to create an environment in which the student may learn to live and adapt successfully in an ever-changing world in order to become a responsible and productive member of society.

The Board and district staff shall work together to achieve the following goals:

1. tailor the learning program to each student's learning styles, interests, and aspirations;
2. protect and observe the legal rights of students;
3. enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success;
4. provide an environment in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens; and
5. promote faithful attendance and good work.

Adoption date: September 9, 2003

STUDENTS WITH DISABILITIES PURSUANT TO SECTION 504

The Board of Education shall ensure that no student is discriminated against in programs or activities receiving federal financial assistance. Individuals protected by Section 504 of the Rehabilitation Act of 1973 are those individuals who: have a physical or mental impairment which substantially limits one or more major life activities (e.g. caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working); have a record of such impairment; or are regarded as having such an impairment. Students who qualify for protection under Section 504 are: of an age during which non-disabled children are provided preschool, elementary or secondary education services; of an age during which it is mandatory under state law to provide such educational services to disabled children; or to whom a state is required to provide a free appropriate public education (e.g. under IDEA).

The Board shall identify, evaluate, refer, place, provide adaptations for and review all eligible students with disabilities. Students with disabilities pursuant to Section 504 shall be provided a free appropriate public education which may include, but is not limited to, providing a structured learning environment; repeating and simplifying instructions about in-class and homework assignments; supplementing verbal instructions with visual instructions; using behavioral management techniques; adjusting class schedules; modifying test delivery; using tape recorders, computer-aided instruction, and/or other audiovisual equipment; selecting modified textbooks or workbooks and tailoring homework assignments or modification of nonacademic times such as lunchroom, recess and physical education.

The Board shall adopt a grievance procedure to resolve Section 504 complaints and designate an individual to coordinate compliance with Section 504. The Board shall ensure that students with disabilities and their parents are notified annually of the Board's responsibilities under Section 504.

Cross-ref: 4321, Programs for Students with Disabilities Under IDEA
and Article 89

Ref: Rehabilitation Act of 1973, 29 USC §§794 et seq. (Section 504)
34 CFR Part 104
Individuals with Disabilities Education Act, 20 USC §§1400 et seq.
(IDEA)
Education Law, §§4401 et seq. (Article 89)
8 NYCRR Part 200

Adoption date: September 9, 2003

STUDENT COMPLAINTS AND GRIEVANCES

The Board of Education believes it is necessary that students be made aware of the behavior that is expected of them, as outlined in district policies on school conduct and discipline. They shall also be given an opportunity to be heard on complaints and grievances they may have.

A student filing a complaint or grievance alleging that there is an action affecting them which is prohibited by Title IX and/or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act shall be provided with information regarding the prompt and equitable resolution of the complaint or grievance. Furthermore, a student shall have the right to present complaints and grievances in accordance with the procedure free from coercion, interference, restraint, discrimination or reprisal.

The Superintendent of Schools is responsible for ensuring that appeal procedures are incorporated into discipline codes, explained to all students, and provided to all parents on an annual basis.

Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination due to sex and/or disability to parents/guardians, employees, eligible students and the community. The public notice shall:

1. inform parents, employees, students and the community that vocational education programs are offered without regard to sex, race, color, national origin or disability;
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination due to sex and/or disability;
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The Superintendent of Schools shall establish regulations and procedures for presenting problems or appealing decisions which affect individual students, in accordance with applicable statutory requirements, and for the resolution of complaints or grievances which may affect the student body.

Cross-ref: 0100, Equal Opportunity

Ref: Americans with Disabilities Act, 42 U.S.C. §12133
Title IX, Education Amendments of 1972, 20 U.S.C. Chapter 38; 34 CFR Part 106; 45 CFR Part 86
Rehabilitation Act of 1973, §504, 29 U.S.C. §794; 34 CFR §104
Education Law §3214

Adoption date: September 9, 2003

STUDENT COMPLAINTS AND GRIEVANCES REGULATION

Definitions

1. Grievant shall mean a student who alleges that there has been a violation of Title IX or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA) statute or regulations which affect him/her.
2. Grievance shall mean any alleged violation of Title IX, Section 504 or the ADA statute or regulations.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504 or the ADA.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

1. For informal conciliation, students should confer with the appropriate teacher or school personnel to achieve prompt resolution. Students may appeal to the highest authority in the school building, i.e., the Superintendent, who has the final determination on all such matters.
2. For resolution of matters where appeal procedures are prescribed by statute, e.g., student suspensions, the prescribed course of action will be followed.
3. On issues affecting the student body, students may address the student government or student council in order to resolve such matters. Students may be afforded a conference with the Superintendent in accordance with the rules and procedures established by the student government.
4. The resolution of student complaints alleging any action prohibited by Title IX, Section 504 or the ADA shall be dealt with in the following manner:

Stages

A. Stage I - Compliance Officer

1. Within 30 days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.

3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent.

B. Stage II - Superintendent of Schools

1. The Superintendent may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent.
3. Within 15 days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, and a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent, the grievant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

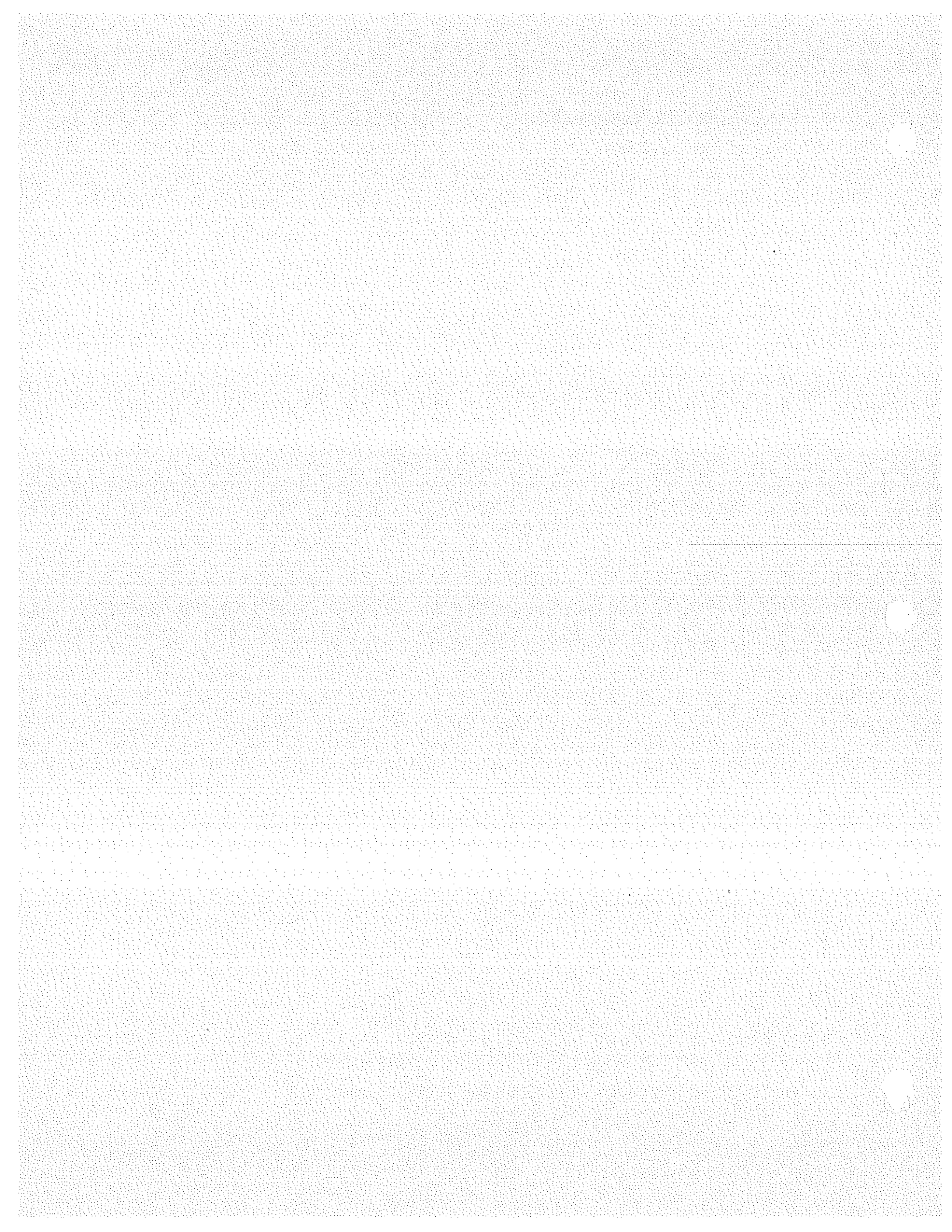
C. Stage III - Board of Education

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District Clerk or at the office of the Compliance Officer.

Adoption date: September 9, 2003



PRAYER IN THE SCHOOLS

It is the policy of the Board of Education to not prevent, or otherwise deny participation in, constitutionally protected prayer in the district's schools, consistent with guidance issued by the U.S. Secretary of Education, and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other Board policy that might be inconsistent with it.

Adoption date: September 9, 2003

Student Attendance

The Willsboro Central School District recognizes the importance of regular daily attendance in the academic progress and success of all students. To this end, the Superintendent will, in cooperation with a committee of District stakeholders, create a process and accompanying procedures to monitor and encourage student attendance.

The student attendance process and procedures will include the following components:

- A description of the method for taking and recording student attendance daily for all students and also period-by-period for students in grades seven through twelve
- A definition of excused and unexcused absences
- A description of the attendance requirements for receiving course credit and/or attending summer school
- A description of the allowable instances and process by which students may "make up" absences to obtain course credit and/or attend summer school
- A description of incentives available to encourage regular student attendance
- A description of consequences to be applied for tardiness or failure to attend school or class
- A description of the process by which parents/guardians will be notified of a student's tardiness, failure to attend school, or failure to attend class
- A description of intervention strategies to be implemented in addressing attendance problems
- A description of the responsibilities and organizational structure for monitoring, recording, reviewing, and addressing attendance concerns.

Initially Adopted: May 2002

First Reading on Revision – July 25, 2006

Adoption: August 8, 2006

This policy will update and supersede the initial district policy of May 2002

STUDENT ATTENDANCE REGULATION

Definitions:

- Student/Pupil - Any individual duly enrolled in the Willsboro Central School.
- Absence - Any failure to be present for a scheduled day of school or a scheduled class period (see tardy).
- Tardy - Arrival at school or class after the scheduled beginning time of that school day or class period. Student arriving more than five minutes late, unexcused, for a class period will be considered absent for purposes of course credit and discipline consequences.

Upon reaching 27 absences, a student will be denied course credit.

I. Excused Absences From School/Class

The following absences are considered excused absences from class if appropriate documentation is provided and shall not count toward the 27 maximum absences:

- a. School scheduled music lessons
- b. School scheduled field trips
- c. Pre-approved changes in schedule
- d. Additional time with another teacher with a signed pass
- e. Pre-approved visitations to the nurse, school psychologist, counselor, or office
- f. State testing
- g. College visitations
- i. School suspension

It is the parent/guardian's (or teacher's, if appropriate) responsibility to provide a note when a student is absent, tardy, or dismissed.

All other absences from class are considered to be unexcused and shall count toward the 27 maximum absences.

II. Recording and Maintaining Student Attendance

1. The school attendance officer will create a database of student information to contain the following data for each student:
 - a. Name
 - b. Date of birth
 - c. Full names of parent(s) or guardians
 - d. Address where student resides
 - e. Phone number of parent/guardian at home and work
 - f. Emergency contact in lieu of parent/guardian
 - g. Date of student's enrollment at WCS
 - h. Record of the student's daily attendance
 - i. Other student information as necessary

2. First period teachers/supervisors will take daily attendance of all students in grades Pre-Kindergarten through 12.
 - a. Each first period teacher/supervisor will be provided, each morning before the beginning of school, with a daily attendance packet including attendance registration information for each student scheduled for the class.
 - b. Each first period teacher/supervisor will identify and record the attendance of each student scheduled for the class.
 - c. The completed packets will be collected by the school attendance officer and properly recorded.
 - d. When compiled, the attendance office will provide a daily attendance report to all teachers/supervisors in the school and will contain the following information:
 1. Students who are absent
 2. Students who are tardy
 3. Students who are to be excused during the school day and the time they are to be excused
 4. Students who are suspended out-of-school
 5. Students who are suspended in-school
3. Classroom teachers and/or supervisors will take period-by-period attendance for each student in grades seven through 12.
 - a. Each teacher/supervisor will be provided an attendance sheet daily to record the attendance of each student in grades seven through 12 each period during each day
 - b. Period-by-Period attendance sheets will be submitted to the attendance officer at the end of each school day
 - c. Teacher/Supervisors will contact the central office any time during the day when a student is missing or unexcused from class
 - d. The attendance office will maintain the period-by-period attendance sheets for a period of one school year and will see that they are destroyed
 - e. The central office will, upon notification by a teacher/supervisor that a student is missing, commence a search of the building and grounds to determine the location of the missing student
 - f. Should it be determined that the student is not on school grounds, the central office will notify the parent/guardian.
 - e. Students failing to attend a regularly scheduled class and/or leaving school grounds, without being properly excused, will be referred to the school discipline officer for consequences according to the school discipline code

Discipline Consequences for Absence/Tardiness

Students violating the regular attendance and tardiness requirements will be assigned consequences according to the district's discipline code published in the Student Handbook provided to each student and parent.

Intervention Strategies

The district recognizes that there are many conditions that can affect the regular attendance of students. To assist students in maintaining regular attendance the District will implement the following interventions:

- a. If a student exceeds 7 absences in a quarter, a phone call home will be made
- b. After 10 absences (5 for half year courses)
Verbal warning from the teacher
- c. After 16 absences (8 for half year courses)
A certified letter is sent home
Student/teacher conference
Phone call home and/or Conference with School Counselor and Parent to develop plan (conference will occur only after the first class that the student reaches 16 absences in)
- d. After 22 absences (11 for half year courses)
A certified letter is sent home
Student/Parent/Superintendent hearing (hearing will occur only after the first class that the student reaches 22 absences in)

Excessive Absence and Course Credit

Course credit is awarded based on regular attendance and achievement. To fulfill the course requirements and thereby be awarded credit, a student must not exceed:

- a. Full year classes – 27 unexcused absences from class (See Part I)
- b. Half year classes – 14 unexcused absences from class (See Part I)
- c. Quarter year classes require attendance in at least 38 sessions

Procedure for Denial of Credit

Any student who exceeds the allowable number of non-school function related absences will be denied credit for the year. After a student reaches the maximum allowable number of absences, he/she will be given an INCOMPLETE on the Progress/Report Card. The student will then:

- a) Be removed from class and not allowed to attend summer school. If a student is removed from class, a grade of 50(F) is placed on the final report card

Or,

- b) Remain in class and attend summer school if a minimum grade of 65 is achieved

Incentives for Exceptional Attendance

The district acknowledges the importance of recognizing excellent attendance as a means of encouraging students to attend. Therefore, the district will provide public recognition to those students achieving perfect attendance in any quarter or for the school year through the following:

- a. displayed in the school achievement display case
- b. on the school web page
- c. in the district newsletter
- d. through the regular public media

SCHOOL ADMISSIONS

The district shall provide a public education to all persons residing in the district between the ages of five and twenty-one who have not received a high school diploma. Residence is defined as both physical presence and intent to remain in the district. Eligibility of homeless children to attend district schools shall be determined in accordance with federal and state law and regulation; see policy 5151 for guidance.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school. A non-veteran under twenty-one years of age who has received a high school diploma shall be permitted to attend school or BOCES upon payment of tuition.

Upon registration, all new students shall be enrolled and begin attendance the next school day or as soon as practicable. Students or their parents/guardians/persons in parental relation are required to present within three business days:

1. Documentation of age: a birth certificate (original or certified transcript, including a foreign birth certificate) or baptismal record is sufficient, if provided no other form of evidence may be requested. If neither of these is available, a passport (including a foreign passport) may be used. If a passport is not available, the district may consider other evidence, which has been in existence for at least two years, such as: an official driver's license, government-issued identification, school photo I.D. with date of birth, consulate identification card, hospital or health records, military dependent I.D. card, documents issued by government agencies, court-issued documents, Native American tribal documents, or records from non-profit international aid agencies or voluntary agencies; or other documents such as an entry in a family bible, an adoption record, or previously verified school records;
2. Record of immunizations (see 5420-R for more on immunizations) and a health certificate from a licensed physician, physician assistant, or nurse practitioner; and
3. Documentation of district residency: examples of acceptable forms of documentation include, but are not limited to, mortgage/deed or lease documents to a house/condominium/apartment, a statement by the parent/guardian's landlord, property owner or co-tenant, or a statement by a third party relating to physical presence in the district, a pay stub, income tax form, telephone or utility bills or other bills, membership documents based upon residency, official driver's license, learner's permit, or non-driver identification, rent payment receipts, a copy of a money order for payment of rent, a letter from a parent's employer that is

written on company letterhead, voter registration document, or a state- or other government-issued ID, documents issued by federal, state, or local agencies, or judicial custody orders or guardianship papers showing residency. The district may require multiple forms of residency documentation sufficient to establish both physical presence in the district and intent to remain.

The district shall not request or require a Social Security card or number, or any information which would tend to reveal the immigration status of the child, the parent, or the person in parental relation, in any forms, meetings or other communication, at the time of and/or as a condition of enrollment.

The district shall review all submitted documentation, and make a determination of a student's eligibility to attend district schools as soon as possible, but within three business days of initial enrollment, or four days if the documentation is presented on the third day. The district may verify documentation of age from a foreign country, but will not delay enrollment during verification. At any time during the school year, notwithstanding any prior determination to the contrary, the district may make a determination that a student is not eligible to attend the district's schools, subject to the procedures outlined in the regulations of the Commissioner of Education.

The district shall post its student enrollment/registration forms, procedures instructions and requirements, including the examples of acceptable documentation, on the district website, and shall provide such materials to all parents/guardians/children who request enrollment in the district.

If the parent/guardian of a student seeking to enroll is limited English proficient, the district will meaningfully communicate material information about enrollment as required by federal law. The district will also provide parents/guardians of all newly enrolled students with appropriate information, including student handbooks, and information about access to special education services.

Cross-ref: 5151, Homeless Children
5420, Student Health Services

Ref: Education Law §§903; 904; 3202; 3208; 4402(8)
Public Health Law §2164
8 NYCRR §100.2(y)
Student Registration Guidance, New York State Department of Education,
August 26, 2010,
www.emsc.nysed.gov/sss/pps/residency/studentregistrationguidance082610.pdf
Educational Services for Recently Arrived Unaccompanied Children, New York State Education Department, September 10, 2014
Information on the Rights of All Children to Enroll in School, U.S. Departments of Education and Justice, Revised May 8, 2014,
<https://www2.ed.gov/about/offices/list/ocr/docs/qa-201405.pdf>

Fact Sheet I and II: Information on the Rights of All Children to Enroll in School, U.S. Departments of Education and Justice, May 2014,
<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201405.pdf>
Plyler v. Doe, 457 US 202 (1982)

First Reading:	May 26, 2015
Second Reading:	June 23, 2015
Adoption date:	June 23, 2015

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.

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.

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, in a manner and form understandable to them;
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 standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.

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.

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

First Reading: May 23, 2017

Second Reading: June 13, 2017

Adoption date:

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 contract 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;
 - 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 is 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 a 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.
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 ~~homeless~~ 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.

First Reading: May 23, 2017
Second Reading: June 13, 2017
Adoption date:

ADMISSION OF NONRESIDENT STUDENTS

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for children who are legal school district residents and who are of legal age to attend school. A child's residence is presumed to be the same as the residence of the student's parents or legal guardian. Nonresident students are defined as those whose parents or legal guardians reside outside the school district. Effective in the 2009-10 school year, the district will no longer accept nonresident students with the following exceptions:

Exemptions

1. Future residents are the children of families who have signed a contract to buy or build a residence in the school district. Such children may be enrolled during the semester in which they expect to become residents.
2. Former residents are those regularly enrolled children of families who have moved out of the school district during the school year. Such children who have moved during the last marking period may complete that school year. In addition, students who are enrolled in grade 12 and move out of the school district may complete their education at the school district.
3. All non-resident students enrolled during the 2008-09 school year may continue their enrollment until graduation or a time in which they leave the school district.

Transportation

Transportation will be provided for non-resident students if and only if existing bus routing is used, and there is sufficient room on the bus.

Conditional Acceptance

Non-resident students (that were grandfathered as of June 2009), are admitted conditionally to Willsboro Central School as guests. Their continued enrollment is contingent on appropriate behavior and attendance, failure to maintain acceptable levels in either or both of these areas is sufficient justification for withdrawal of admission privileges.

First Reading: June 9, 2009

Revised Second Reading: June 23, 2009

Adopted Date: June 23, 2009

STUDENT DISMISSAL PRECAUTIONS

No student may be released from school to anyone other than the parent, guardian or child protective services personnel and law enforcement officers pursuant to law, unless the individual's name seeking release of the student appears on a list provided by the parent or guardian.

Parents are urged to make appointments with physicians, dentists, special tutors, etc., after school hours. If a request is necessary, parents should make note of the date, time and reason for the release. Children cannot be excused without advanced written request by parent/guardian, and must be released in care of parent/guardian, unless otherwise noted.

A student may be released to either parent unless a custodial parent supplies the Superintendent of Schools with a certified copy of a court order or divorce decree to the contrary.

The Superintendent shall develop procedures to enable parents and guardians to amend the list of persons authorized to obtain the release of their children.

Ref: Education Law §3210(1)(c)

Adoption date: September 9, 2003

STUDENT DISMISSAL PRECAUTIONS REGULATION

The Superintendent of Schools or his/her designee shall maintain a list of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released to the custody of any individual not the parent or guardian of the student, unless the individual's name appears upon the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment. The signature of the parent or guardian must be on or attached to such list.

A parent or guardian may amend a list submitted pursuant to this regulation at any time, in writing.

Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the Superintendent.

If any individual seeks the release from school of a student he or she must report to the school office and present identification deemed satisfactory by the Superintendent or his/her designee, who must check the authorized list and relevant court orders or divorce decrees before a student may be released. Particular caution should be exercised when the person seeking the release of a child exhibits to the school official an out-of-state custody order.

Early excuses for emergency reasons should be requested in writing by a parent/guardian. Medical releases are handled through the Nurse's Office. All other reasons for release must go through the Main Office, and students must be picked up in the Main Office. The person seeking the release must sign the register in the office.

In the event of an emergency, the Superintendent may release a student to some individual not appearing on the approved list only if the parent or guardian has been contacted by the Superintendent and has approved the release, and the Superintendent determines that an emergency exists.

Adoption date: September 9, 2003

STUDENT ORGANIZATIONS

The Board of Education recognizes the educational values inherent in student participation in the extracurricular life of the school, and supports the concept of the formation of student groups for such purposes as building sound social relationships, developing interests in an academic area, and gaining an understanding of the elements and responsibilities of good citizenship.

The Superintendent of Schools, with the aid of students, faculty and administration, is charged with developing procedures for registering and regulating student groups or clubs. Such procedures shall ensure that the district will register any group organized for a purpose not prohibited by Board policy or by law, if such group submits a list of its members designated as contacts, a copy of its constitution and/or bylaws, and the constitution and bylaws of any off-campus organization with which it may be affiliated. Student groups may not restrict membership on the basis of race, sex, national origin or other arbitrary criteria.

The Board may prohibit the formation of any clubs, including fraternities or sororities, or any other secret society, whose deliberations and activities have caused or created, or are likely to cause or create, a disruption of or interference with the school program.

All funds collected or raised by student organizations are, by definition, districts funds and must be accounted for and expedited in accordance with district fiscal procedures.

Administrative regulations governing the use of school facilities shall abide by the Equal Access Act in the creation of a "limited open forum." All noncurricula-related student activities, regardless of religious or political content, shall have the same opportunities as any other such activity to operate on school grounds.

Ref: Education Law §§207; 1709-a; 2503-a; 2554-a
Equal Access Act, 20 U.S.C. §§4071-4074
8 NYCRR Part 172
Board of Education of the Westside Community Schools v. Mergens, 496 U.S. 226 (1990)
Garnett By Smith v. Renton School Dist. No. 403, 865 F.2d 1121 (9th Cir., 1989)
Thompson v. Waynesboro Area School Dist., 673 F.Supp. 1379 (M.D. Pa. 1987)

Student Coalition v. Lower Merion School Dist. Bd., 633 F.Supp. 1040
(E.D. Pa. 1986)

Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503,
89 S.Ct. 733 (1969)

Healy v. James, 408 U.S. 169, 92 S.Ct. 2338 (1972)

Adoption date: September 9, 2003

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND PRODUCTIONS

The Board of Education recognizes school-sponsored student publications and productions as important elements of the instructional program. Students are encouraged to develop their written and oral communication skills and to exercise the right to express their opinions freely and responsibly.

The Board also recognizes, however, that the rights of free speech and free expression of students in public schools under the First Amendment are not necessarily the same as the rights of adults in other settings. Instead, these rights must be applied in light of the special characteristics of the school environment.

Consistent with this determination, the Board reserves the right to exercise pre-publication or pre-production control over all school-sponsored publications and/or productions through administrative staff and faculty. Student expression may be restricted whenever it is determined that such expression is inconsistent with the basic educational mission of the district. Any restriction shall be reasonably related to legitimate educational concerns. Under no circumstance may any school-sponsored student publication contain any material which is vulgar or profane or which reflects prejudice.

Students shall have the right to appeal the exercise of pre-publication or pre-production control by district staff to the Board.

The Superintendent of Schools shall be responsible for developing regulations to implement this policy. The regulations shall:

- Identify district staff responsible for student publications and productions
- Establish procedures for pre-publication and/or pre-production review; and
- Specify procedures for appeal by students to the Board with provisions for prompt decisions to be made at each level.

Ref: *Hazelwood School District v. Kuhlmeir*, 484 U.S. 260 (1988) (limits on student free speech rights in school-sponsored student publications)
Tinker v. DesMoines Independent Community School Dist., 393 U.S. 503 (1969) (limits on student free speech rights in school setting)

Adoption date: September 9, 2003

INTERSCHOLASTIC ATHLETICS

Interscholastic athletics for boys and girls is an integral and desirable part of the district's secondary school educational program. Individual and team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible secondary students. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is a clear objective of the district.

Student eligibility for participation on interscholastic teams shall include:

1. authorization by the school physician;
2. endorsement by the Building Principal based on established rules and various league and State Education Department regulations.

Although the district will take reasonable care to protect student athletes, students may still sustain injuries. In order to most effectively ensure student safety, open communication between students, parents and coaches about the child's medical condition is critical. Coaches, and other appropriate staff, will receive guidance and training regarding recognition of injury and removal of the student athlete from play in the event of injury. Parents and/or students are expected to report injuries so that student health can be protected.

In the case of a suspected or actual head injury, a student must be removed from play immediately. In order to resume participation following injury, including head injury, the student needs to receive medical clearance. The Superintendent, in consultation with appropriate district staff, including the school physician, will develop regulations and procedures to guide the process of return to play.

In recognition of the importance of appropriately managing head injuries, the Board authorizes the creation of a Concussion Management Team (CMT). The CMT will be comprised of the athletic director, a school nurse, the school physician, a coach of an interscholastic team and other appropriate personnel designated by the Superintendent. The CMT is charged with overseeing compliance with state training requirements, developing guidelines for use by coaches and physical education teachers and developing information for distribution to parents and students.

Athletic Placement Process (formerly Selection/Classification)

The Board permits students grades 7 and 8 who wish to play at the freshman, junior varsity or varsity level in all sports to do so provided they can complete the entire Athletic Placement Process (APP). A description of the APP is available from the district's Athletic Director.

The Board permits students in grades 9-12 who wish to play at the modified level in sports to do so provided they can demonstrate it is an appropriate level based on physical and emotional maturity, in conformance with the APP.

Cross-ref: 5420, Student Health Services

Ref: Education Law §§ 305(42), 1709 (8-a); 3001-b
8 NYCRR §§135.4, 136.5
Santa Fe Indep. Sch. Dist. V. Doe, 520 U.S. 290 (2000) (constitutionality of student-led prayers at interscholastic athletic activities)
Concussion Management Support Materials, www.nysphsaa.org
Athletic Placement Process for Interschool Athletic Programs.
<http://www.p12.nysed.gov/sss/documents/AthleticPlacementProcess2-11-15Revised.pdf>

First Reading: May 26, 2015
Second Reading: June 23, 2015
Adoption date: June 23, 2015

CODE OF CONDUCT
Policy #5300

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5300.05 INTRODUCTION

The Board of Education is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this code of conduct ("code").

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

5300.10 DEFINITIONS

For purposes of this code, the following definitions apply.

"Disruptive student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

"Gender" means actual or perceived sex and shall include a person's gender identity or expression.

"Gender expression" is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

"Gender identity" is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

"Parent" means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity.

"Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality.

"Violent student" means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

5300.15 STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The district is committed to safeguarding the rights given to all students under federal and state law and district policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class on time and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to manage anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child's educational opportunities.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Ensure their children are dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them so that their children can help create a safe, supportive school environment.
8. Convey to their children a supportive attitude toward education and the district.
9. Build positive, constructive relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.

9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

C. Guidance Counselors

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher /student/counselor conferences and parent/ teacher/ student/ counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
11. Address personal biases that may prevent equal treatment of all students.

D. Other School Personnel

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.

E. Principals/Administrators

1. Promote a safe, orderly and stimulating school environment, supporting active

- teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrators and have access to the principal/administrators for redress of grievances.
 3. Maintain confidentiality in accordance with federal and state law.
 4. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
 5. Support the development of and student participation in appropriate extracurricular activities.
 6. Provide support in the development of the code of conduct, when called upon. Disseminate the code of conduct and anti-harassment policies.
 7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
 8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
 9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
 10. Address personal biases that may prevent equal treatment of all students and staff.

F. **The Dignity Act Coordinator(s)**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

G. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Inform the Board about educational trends relating to student discipline

3. Review with district administrators the policies of the Board of education and state and federal laws relating to school operations and management.
4. Maintain confidentiality in accordance with federal and state law.
5. Work to create instructional programs that minimize incidence of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces.
8. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students and staff.

H. Board of Education

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct.
3. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
4. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
5. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

5300.25 STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress

appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up, and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats in the classroom except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Each Building Principal or his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

5300.30 PROHIBITED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and

other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
 - 1. Running in hallways.
 - 2. Making unreasonable noise.
 - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 - 4. Obstructing vehicular or pedestrian traffic.
 - 5. Engaging in any willful act which disrupts the normal operation of the school community.
 - 6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
 - 7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
 - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
 - 2. Lateness for, missing or leaving school without permission.
 - 3. Skipping detention.

- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:
 - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
 - 2. Inappropriate public sexual contact.

3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras, in a manner that is in violation of district policy.
- D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
 2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
 3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon.
 6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 7. Intentionally damaging or destroying school district property.
- E. Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such conduct include, but are not limited to:
1. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
 2. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
 4. Discrimination, which includes using race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others.
 5. Harassment (or Bullying), is the creation of a hostile environment by conduct or threats, intimidation or abuse.
 6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
 7. Hazing, which includes an induction, initiation or membership process involving harassment.
 8. Selling, using, distributing or possessing obscene material.
 9. Using vulgar or abusive language, cursing or swearing.
 10. Smoking a cigarette, cigar, pipe, electronic cigarette, or using chewing or smokeless tobacco.

11. Possessing, consuming, selling, offering, manufacturing, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as "designer drugs" which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
 12. Inappropriately using or sharing prescription and over-the-counter drugs.
 13. Gambling.
 14. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:
1. Plagiarism.
 2. Cheating.
 3. Copying.
 4. Altering records.
 5. Assisting another student in any of the above actions.
- H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or a school function. Such misconduct includes, but isn't limited to, threatening or harassing students or school personnel through any means off-campus, including cyberbullying.

5300.35 REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the Building Principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution.

The Principal or his/her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Principal or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

5300.40 DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS¹

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be most

effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability, unless the discipline is consistent with the student's individualized education plan (IEP).

A. Penalties

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning – any member of the district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent
4. Detention – teachers, Principal, Superintendent
5. Suspension from transportation – Director of Transportation, Principal, Superintendent
6. Suspension from athletic participation – coaches, Principal, Superintendent
7. Suspension from social or extracurricular activities – activity director, Principal, Superintendent
8. Suspension of other privileges – Principal, Superintendent
9. In-school suspension – Principal, Superintendent
10. Removal from classroom by teacher – teachers, Principal
11. Short-term (five days or less) suspension from school – Principal, Superintendent, Board
12. Long-term (more than five days) suspension from school – Superintendent, Board
13. Permanent suspension from school – Superintendent, Board.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school

personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

Teachers, Principals and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Principal or the Superintendent or their designees.

In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Principal or the Principal's designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extra-curricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the

Board authorizes Principals and the Superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher Disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the Principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours.

The teacher must complete a district-established disciplinary removal form and meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the Principal or designee is not available by the end of the same school day, the teacher must leave the form with the

secretary and meet with the Principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the Principal or another district administrator designated by the Principal must notify the student's parent, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the Principal or the Principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parent. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The Principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the Principal or the Principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal.

The Principal or the Principal's designee may overturn the removal of the student from class if the Principal finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the district's code of conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The Principal or his/her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his/her class. The Principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the Principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Principals.

Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension. The Superintendent or Principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short term (five days or less) Suspension from School

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the Principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the Principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property

or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the Principal shall promptly advise the parents in writing of his or her decision. The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within **ten (10)** business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of education with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

b. Long term (more than five days) Suspension from School

When the Superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within **thirty (30)** days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

d. Procedure After Suspension

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

C. Minimum Periods of Suspension

1. Students who bring or possess a weapon on school property

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The Superintendent's belief that other forms of discipline may be more effective.
5. Input from parents, teachers and/or others.
6. Other extenuating circumstances.

A student with a disability may be suspended in accordance with the requirements of state and federal law.

2. Students who commit violent acts other than bringing or possessing a weapon on school property

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom

Any student, other than a student with a disability, who repeatedly is substantially disruptive

of the educational process or substantially interferes with the teacher’s authority over the classroom will be suspended from school for at least five days. For purposes of this code of conduct, “repeatedly is substantially disruptive” means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

2. PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

The Superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law § 1.20 (42).

The Superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

5300.45 ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student. The Board of Education expects students, administrators, teachers and parents to make every effort to maintain student academic progress in the event of removal or suspension, and support student re-entry to the classroom at the conclusion of the disciplinary action.

5300.50 DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

Definitions

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. *Behavioral intervention plan (BIP)* means a plan that is based on the results of a functional behavioral assessment and that, 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.
2. *Controlled substance* means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
3. *Disciplinary change in placement* means a suspension or removal from a student's current educational placement that is either:
 - a. For more than 10 consecutive school days; or
 - b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.
4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. *Interim alternative educational setting (IAES)* means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. *Manifestation review* means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.

7. *Manifestation team* means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the committee on special education as determined by the parent and the district.
8. *Removal* means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. *School day* means any day, including a partial day, that students are in attendance at school for instructional purposes.
10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
11. *Student presumed to have a disability for discipline purposes* means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. *Suspension* means a suspension pursuant to §3214 of New York's Education Law.
13. *Weapon* means the same as the term "dangerous weapon" under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. 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 district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability

who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a student with a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

Parental Notification of a Disciplinary Change of Placement

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

Manifestation Review

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurred. However, if the student already has a behavioral intervention plan, the

CSE will review the plan and its implementation, and modify it as necessary to address the behavior.

2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

Services for Students with Disabilities during Periods of Suspension or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

In addition, during such periods of suspension or removal the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue

to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided.

Students Presumed to Have a Disability for Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parent expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain

in the educational placement determined by the district which can include suspension.

Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
2. The district during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

5300.55 CORPORAL PUNISHMENT²

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

5300.60 STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

The Board authorizes the Superintendent of Schools, Building Principals, the school nurse and district security officials to conduct searches of students and their belongings, in most instances, with exceptions set forth below in A. and B., if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and

verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

D. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The Principal or the Principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The Principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The Principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

E. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function.

Before police officials are permitted to question or search any student, the Principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted, unless the student is 16 years of age or older. The Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

F. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to Principal or his or her designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed.

The Principal or designee shall decide if it is necessary and appropriate for a school staff member, including but not limited to an administrator or school nurse, to observe the interview either from inside or outside the interview room.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

5300.65 VISITORS TO THE SCHOOLS

The Board recognizes that the success of the school program depends, in part, on support by the larger community. The Board wishes to foster a positive climate where members of the community have the opportunity to observe the hard work and accomplishments of the students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must enter through the designated single point of entry and report to the office of the Principal upon arrival at the school. There they will be required to present photo identification, sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the Principal's office before leaving the building.
3. Visitors attending school functions that are open to the public after regular school hours, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom or school activity while school is in session are required to arrange such visits in advance with the classroom teacher(s) and Building Principal, so that class disruption is kept to a minimum.
5. Teachers are not expected to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained

in this code of conduct.

5300.70 PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are

- obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
 6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
 7. Obstruct the free movement of any person in any place to which this code applies.
 8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
 9. Possess, consume, sell, offer, manufacture, distribute or exchange alcoholic beverages, controlled or illegal substances or any synthetic versions (whether or not specifically illegal or labeled for human consumption), or be under the influence of either on school property or at a school function.
 10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
 11. Loiter on or about school property.
 12. Gamble on school property or at school functions.
 13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
 14. Willfully incite others to commit any of the acts prohibited by this code.
 15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.
 16. Smoke a cigarette, cigar, pipe, electronic cigarette, or use chewing or smokeless tobacco.

B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The Principal or his/her designee shall be responsible for enforcing the conduct required by this code.

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

5300.75 DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of an age-appropriate, written in plain language, summary of the code to all students at an assembly to be held at the beginning of each school year.
2. Providing a plain language summary to all parents at the beginning of the school year, and thereafter on request.
3. Posting the complete code of conduct on the district's website.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the complete code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

B. Review of Code of Conduct

The Board will review this code of conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and

whether the code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

First Reading: July 11, 2017
Second Reading: August 8, 2017
Adoption: August 8, 2017

¹Ref: Education Law §3214
8 NYCRR §100.2(l)
Matter of O'Conner v. Bd. of Ed., 65 Misc. 2d 40, 43 (due process)
Appeal of Reeves, Dec. No. 13,857 (1998) (involuntary transfer)
Appeal of Alexander, 36 EDR 160 (1996) (counseling)
Matter of Troy R., 29 EDR 424 (1990) (automatic penalties)
Appeal of Ward, 27 EDR 217 (1988) (indefinite suspension)
Appeal of Wood, 27 EDR 92 (1987) (suspension beyond school year)
Matter of Clark, 21 EDR 542 (1982) (extracurricular activities)
Matter of Caskey, 21 EDR 138 (1981) (reduction in grade)
Matter of MacWhinnie, 20 EDR 145 (1980) (reduction in grade)
Matter of Labriola, 20 EDR 74 (1980) (excessive penalty)
Matter of Roach, 19 EDR 377 (1980) (transportation; contingent suspensions)
Matter of Caulfield, 18 EDR 574 (1979) (suspension from classes)
Matter of Wright, 18 EDR 432 (1978) (formal due process)
Matter of Macheski, 13 EDR 112 (1973) (suspension by a principal)
Matter of DeVore, 11 EDR 296 (1972) (insufficient basis for discipline)
Matter of Port, 9 EDR 107 (1970) (informal due process)

²Ref: 8 NYCRR §100.2(l)(3)
Rules of the Board of Regents §19.5

³Cross-ref: 5695, Students and Personal Electronic Devices

Ref: *Safford Unified School District #1 et al. v. Redding*, 129 S. Ct. 2633 (2009)
Vassallo v. Lando, 591 F.Supp.2d 172 (E.D.N.Y. (2008))
Phaneuf v. Fraikin 448 F.3rd 591 (2006)
New Jersey v. TLO, 469 U.S. 325 (1985)
In re Gregory, 82 N.Y.2d 588 (1993)
People v. Scott D., 34 N.Y.2d 483 (1974)
People v. Singletary, 37 N.Y.2d 310 (1975))
People v. Overton, 20 N.Y.2d 360 (1969)
M.M. v. Anker, 607 F.2d 588 (2d Cir. 1979)
Opinion of Counsel, 1 EDR 800 (1959)

⁴Ref: Education Law §§1708; 2801

DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

Definitions

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. *Behavioral intervention plan (BIP)* means a plan that is based on the results of a functional behavioral assessment and that, 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.
2. *Controlled substance* means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
3. *Disciplinary change in placement* means a suspension or removal from a student's current educational placement that is either:
 - a) For more than 10 consecutive school days; or
 - b) For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.

4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. *Interim alternative educational setting (IAES)* means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. *Manifestation review* means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.
7. *Manifestation team* means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the committee on special education as determined by the parent and the district.
8. *Removal* means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. *School day* means any day, including a partial day, that students are in attendance at school for instructional purposes.
10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
11. *Student presumed to have a disability for discipline purposes* means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. *Suspension* means a suspension pursuant to §3214 of New York's Education Law.
13. *Weapon* means the same as the term "dangerous weapon" under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. 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 district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. 1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

Parental Notification of a Disciplinary Change of Placement

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability. *Manifestation Review*

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless

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2. the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurred. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
3. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

Services for Students with Disabilities during Periods of Suspension or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

In addition, during such periods of suspension or removal the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the

infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided.

Students Presumed to Have a Disability for Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parent expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same

disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the district which can include suspension.

Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
2. The district during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

P-5300.50

Cross-ref: 5500, Student Records

Ref: Individuals with Disabilities Education Act, 20 USC §1415(k); 34 CFR § 300.530 *et seq.*

N.Y. Education Law § 3214(g)

8 NYCRR Part 201

First Reading: January 8, 2008

Second Reading: January 22, 2008

Adoption date: January 22, 2008

Recommended Policy by NYSSBA

Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

The Board authorizes the Superintendent of Schools, Building Principals, the school nurse and district security officials to conduct searches of students and their belongings, in most instances, with exceptions set forth below in A. and B., if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control

over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. 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. In general, the Board prohibits district staff from conducting strip searches of students. If, under extraordinary circumstances, a school official believes it is necessary to conduct a strip search of a student, the Superintendent shall make a determination in consultation with the school attorney. Any strip search must be conducted by an authorized school official of the same sex as the student, in the presence of another district professional employee also of the same sex as the student. The district shall attempt to notify the student's parent by telephone before conducting a strip search, or in writing after the fact if the parent could not be reached by telephone.

C. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The Principal or the Principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The Principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The Principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

D. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a

school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function.

Before police officials are permitted to question or search any student, the Principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted, unless the student is 16 years of age or older. The Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

E. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to Principal or his or her designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed.

The Principal or designee shall decide if it is necessary and appropriate for a school staff member, including but not limited to an administrator or school nurse, to observe the interview either from inside or outside the interview room

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were not removed from school before a court order can

reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Ref: Social Services Law §425

18 NYCRR §432.3

Safford Unified School District #1 et al. v. Redding, 129 S. Ct. 2633 (2009)

Vassallo v. Lando, 591 F.Supp.2d 172 (E.D.N.Y. (2008))

Phaneuf v. Fraikin 448 F.3rd 591 (2006)

New Jersey v. TLO, 469 U.S. 325 (1985)

In re Gregory, 82 N.Y.2d 588 (1993)

People v. Scott D., 34 N.Y.2d 483 (1974)

People v. Singletary, 37 N.Y.2d 310 (1975))

People v. Overton, 20 N.Y.2d 360 (1969)

M.M. v. Anker, 607 F.2d 588 (2d Cir. 1979)

Opinion of Counsel, 1 EDR 800 (1959)

First Reading: August 2, 2016

Second Reading: September 27, 2016

Adoption date: September 27, 2016

EXTRA-CURRICULAR and CO-CURRICULAR ACTIVITIES

The Board of Education understands the many educational and personal benefits to be gained from participation in extra-curricular and co-curricular activities. Therefore, the District provides numerous teams, clubs, and organizations in which students may participate. Additionally, the Board, through the administration, has the authority to establish reasonable standards for the eligibility to participate in any such team, club, or organization. Eligibility requirements will include academic standards, behavioral standards, training requirements, medical physical requirements, and attendance requirements. Advisors and/or coaches are to ensure that each member of their organization is informed of the requirements necessary for joining and participation in the group.

For a team, club, or organization to operate and stipends to be paid, the following conditions are required to be met:

1. The organization must have at least ten active student members
2. The group must meet at least ten (10) times each academic year (ie. at least monthly), and at such meetings substantial educationally-related activities must be discussed or occur and be documented
3. Meeting minutes will be generated and maintained for review
4. The organization will comply with the District fiscal procedures for extra-curricular and co-curricular activities (see below)
5. The group will generate and carry out a schedule of educationally-related events or activities. This schedule will be submitted, along with the necessary fiscal reports and equipment reconciliations at the end of each season or school year
6. Stipends will be paid only after all reports and reconciliations are completed

NOTE: The Board of Education reserves the right to waive the first condition should it deem such action appropriate in maintaining a comprehensive program for students.

Addendum:

Fiscal requirements for Extra-Curricular and Co-Curricular Organizations

All funds and goods received, purchased, or collected are, by regulation, district property and must be handled in accordance with district procedures.

- All financial receipts will be deposited within 24 hours of receipt
- All expenses will be receipted and the receipts kept on file
- No individuals will be compensated for their time or talents except through traditional business office warrant payments. All non-employees must be pre-approved by the administration to ensure clearance (fingerprinting, etc)
- All major activities (those expected to generate \$1,000 or more) will submit an operating budget to the administration prior to implementation and a full accounting upon completion
- All organizations will generate an annual fiscal report showing beginning financial balance, receipts, expenditures, and final balance
- All non-disposable goods purchased (ie costumes, sets, & props) will be inventoried and a list provided to the administration for ongoing use and availability
- All presentations and performances will be submitted to the administration prior to initial purchases, scheduling, or expenditures

First Reading: May 23, 2006

Adoption: June 20, 2006

SMOKING ON SCHOOL PREMISES

Willsboro Central School District encourages and promotes healthy living and healthy habits for its students and staff. The district will not promote or condone conduct that endangers the safety, morals, health, or welfare of others. One example of an unhealthy life style decision is the use of tobacco, such as smoking a cigarette, cigar, pipe, using chewing tobacco or an electronic cigarette.

Willsboro Central School District recognizes its responsibility to promote the health, welfare and safety of students, staff and others on school property and at school-sponsored activities. Research has proven that:

- Tobacco use is the single most preventable cause of death in the United States
- Regular use of tobacco is ultimately harmful to every user's health, directly causing cancer, and respiratory problems
- Nicotine is a powerfully addictive substance
- Tobacco use most often begins during childhood or adolescence
- The younger a person starts using tobacco; the more likely he or she will be a heavy user as an adult
- Many young tobacco users will die an early, preventable death because of their decision to use tobacco
- Use of tobacco interferes with students' attendance and learning
- Smoking is a fire safety issue for schools

Prevention programs in schools are most effective when supplemented by strong tobacco free policies and when they are a part of broader school, community, and state efforts to reduce youth smoking. In light of this information, and to be consistent with school curriculum and federal and state law, it is the intent of the Willsboro Central School District to establish a tobacco-free environment.

DEFINITIONS

Tobacco means any cigarette, including electronic cigarettes, cigar, pipe, bidi, clove cigarette and any other smoking product; as well as chewing spit tobacco.

School property includes any building, structure, or vehicle owned, leased or contracted by the Willsboro Central School District.

School grounds includes property surrounding buildings and structures, athletic grounds, parking lots, or any other outdoor property owned, leased, or contracted by the Willsboro Central School District.

TOBACCO USE PROHIBITED

While on school property grounds (including non-school hours), or at any school sponsored event or activity, no person is permitted to use any form of tobacco.

TOBACCO POSSESSION

No student is permitted to possess tobacco on school property, grounds, or at school sponsored event or activity off campus.

TOBACCO DISTRIBUTION

Distribution or sale of tobacco, including any smoking device is prohibited on school property, grounds, and at any school sponsored event or activity off campus.

TOBACCO PROMOTION

Tobacco advertising is prohibited on school property, grounds, at a school sponsored event or activity off campus. When available, the school will request tobacco-free editions of publications for the library. Students and staff are prohibited from wearing or having in their possession tobacco promotional items including: clothing, bags, lighters, and other personal articles on school property or at any school sponsored activity off campus. School acceptance of gifts or funding from the tobacco industry is prohibited.

NOTICE

Signs promoting healthy living and or the prohibition of tobacco shall be prominently posted and properly maintained where tobacco use and smoking are regulated by this policy, including building entrances, grounds, and vehicles.

ENFORCEMENT

Enforcement of this policy shall be equitable and consistent, in accordance with the student behavior code, and with employee personnel policies.

VIOLATIONS

By others will result in appropriate sanctions as determined and imposed by the Superintendent or Board.

ADMINISTRATIVE RULES

The Superintendent will provide notification of the school's policy, disciplinary consequences, and procedures for filing and handling school complaints about violations of the school's policy.

Original Adoption Date: October 9, 2007

First Reading: June 10, 2014

Second Reading: June 24, 2014

Approval:

STUDENT WELLNESS

Given the documented connection between proper nutrition, adequate physical activity and educational success, the Board of Education adopts the following goals and authorizes the following actions to provide district students with a school environment that promotes student health and wellness and reduces childhood obesity.

For purposes of this policy, “school campus” means all areas of district property accessible to students during the school day; “school day” means the period from the midnight before to 30 minutes after the end of the official school day; and “competitive food” means all food and beverages other than meals reimbursed under federal food programs available for sale to students on the school campus during the school day.

I. Foods and Beverages Available to Students on School Campus During the School Day

The Board recognizes that a nutritious, well-balanced, reasonably-portioned diet is essential for student wellness. To help students possess the knowledge and skills necessary to make nutritious food choices for a lifetime, the district shall ensure that all foods and beverages available in school promote good nutrition, balance, and reasonable portion sizes. The district shall ensure that all foods and beverages available for sale to students on the school campus during the school day meet or exceed the program requirements and nutrition standards found in federal regulations.

To accomplish this, the Board directs that the district serve healthy and appealing foods and beverages at district schools, following state and federal nutrition guidelines, as well as safe food preparation methods.

A. School Meals – the district shall:

1. Include fruits, vegetables, salads, whole grains, and low fat items at least to the extent required by federal regulations.
2. Encourage students to try new or unfamiliar items.
3. Make efforts to ensure that families are aware of need-based programs for free or reduced-price meals and encourage eligible families to apply.
4. Consider serving produce and food from local farms and suppliers.
5. Make free drinking water available at locations where meals are served.

B. Meal Scheduling – the district shall:

1. Provide adequate time to eat.
2. Schedule lunchtime between normal lunch hours (11 a.m. - 1 p.m.)

C. Foods and Beverages Sold Individually (e.g., a la carte, vending machines, school stores) – the district shall:

1. Ensure that all such items meet the nutrition standards set in federal regulations for competitive foods regarding whole grains, fruits, vegetables, calories, fat, saturated fats, trans fats, sugar, sodium, and caffeine.
2. Permit the sale of fresh, frozen or canned fruits and vegetables, if processed pursuant to federal regulations, as exempt from the nutrition standards.
3. Work with existing vendors or locate new vendors that will comply with nutrition standards.

D. Fund-Raising Activities – the district shall:

1. Ensure that all fundraisers selling food or beverages to students on school campus during the school day meet the competitive foods nutrition standards set in federal regulations for whole grains, fruits, vegetables, calories, fat, saturated fats, trans fats, sugar, sodium, and caffeine.
2. Promote non-food items to sell, or activities (physical or otherwise) in which to participate.
3. Student groups and outside organizations (e.g., Parent groups, booster clubs) conducting fundraisers which take place off the school campus or outside the school day are encouraged to follow this policy.

E. School and Class Parties, Celebrations, and Events where food and beverages are provided, but not sold – the district shall:

1. This section applies to all school and classroom parties, snacks which have been brought in for the class or school, celebrations, food provided to learn about cultures or countries, and other events where food is provided but not sold.
2. Schools shall set guidelines for the frequency and content of classroom and school-wide celebrations where food and beverages are provided.
3. The district shall promote the use of food and beverage items which meet the standards for competitive foods and beverages, promote non-food activities, and discourage foods and beverages which do not meet those standards, at celebrations.
4. Model the healthy use of food as a natural part of celebrations.

F. Marketing of Foods and Beverages

1. Any food or beverage that is marketed on school grounds during the school day must meet at least the federal nutrition standards for competitive items.
2. This restriction applies to all school buildings (interior and exterior), school grounds, school buses and other vehicles used to transport students, athletic fields, structures, parking lots, school publications, and items such as vending machines, equipment, posters, garbage cans, or cups.
3. Marketing includes all advertising and promotions: verbal, written, or graphic, or promotional items.

4. This restriction does not apply to personal opinions or expression, or items used for educational purposes.
5. This restriction applies to all purchases and contracts made after the effective date of this provision.

II. Physical Activity

Physical activity is an important factor in staying healthy and being ready to learn. The Board encourages every student to develop the knowledge and skills necessary to perform a variety of physical activities, to regularly participate in physical activity, and to appreciate and enjoy physical activity as an ongoing part of a healthy lifestyle. In addition, staff, families, and community are encouraged to participate in and model physical activity as a valuable part of daily life. The district's Physical Education program shall adhere to the curricular requirements of the Commissioner of Education and the New York State Learning Standards.

A. Physical Education

1. Students shall engage in physical education for at least the minimum number of hours or days per week under State requirements.
2. Physical Education classes shall incorporate the appropriate NYS Learning Standards.
3. Promote, teach and provide opportunities to practice activities that students enjoy and can pursue throughout their lives (e.g., yoga, fitness walking, step aerobics).
4. The performance or withholding of physical activity shall not be used as a form of discipline or punishment.

B. Recess

1. Maintain daily allotment of recess time for elementary school.
2. Permit scheduling recess before lunch.
3. Recess will be held outdoors whenever possible, and indoors during the most inclement weather, at the discretion of the Building Principal.

C. Physical Activity in the Classroom

1. Promote the integration of physical activity in the classroom, both as activity breaks and as part of the educational process (e.g., kinesthetic learning).

D. Extracurricular Opportunities for Physical Activity

1. Promote clubs and activities that meet the various physical activity needs, interests, and abilities of all students (e.g., walking, hiking and climbing, snowshoeing), including before and after school activities.
2. The setting of extracurricular activity eligibility participation requirements does not constitute withholding opportunities.

III. Nutrition Promotion and Education

The Board believes that nutrition promotion and education is a key component in introducing and reinforcing healthy behaviors in students. Nutrition promotion and education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition promotion and education information shall be offered throughout the school campus including, but not limited to, school dining areas and classrooms. Staff members who provide nutrition promotion and education shall be appropriately certified and trained. The district's broader Health Education program shall incorporate the appropriate New York State Learning Standards.

The Board's goals for nutrition promotion and education include that the district will:

1. Include nutrition education as part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects.
2. Include enjoyable, developmentally appropriate, culturally relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens.
3. Promote fruits, vegetables, whole grain products, low fat dairy products, safe and healthy food preparation methods, and health enhancing nutrition practices.
4. Emphasize caloric balance between food intake and energy expenditure.
5. Teach media literacy with an emphasis on food marketing.

IV. Other School-Based Activities

The district may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity. Such activities may include, but are not limited to, health forums or fairs, health newsletters, parent outreach, employee health and wellness activities, limiting the use of food as a reward, reviewing food marketing and advertising in school, hosting or promoting community-wide events, and offering wellness-related courses in the district's adult education program.

V. Implementation

The Board shall designate the Superintendent as District Wellness Coordinator responsible for ensuring that the provisions of this policy are carried out throughout the district. The Board may also designate one person in each building as School Wellness Coordinator to ensure that the wellness activities and actions are being implemented at the building level.

VI. Monitoring and Review

The Superintendent, as District Wellness Coordinator, shall report every three years to the Board and the public on the implementation and effectiveness of this policy. Every three years, the District Wellness Coordinator, in consultation with appropriate personnel and advisory committees, shall monitor and review the district's wellness activities to determine the extent that district schools are complying with this policy, how this policy compares to model wellness policies, and the progress made toward attaining the goals of this policy and whether this policy is having a positive effect on increasing student wellness and decreasing childhood obesity in the district. Based on those results, this policy, and the specific objectives set to meet its goals, may be revised as needed.

Parents, students, food service professionals, physical education teachers, school health professionals, school administrators, the general public, and the school board shall be provided with the opportunity to participate in the development, implementation and periodic review and update of this wellness policy.

The district shall inform and update the public (including parents, students and others in the community) about the content and implementation of this wellness policy by posting this policy (and any updates) on the district website, referencing the policy and its availability on school publications and

notices, and providing information about new and ongoing wellness policy activities to parents, staff and students via established communication channels].

The district shall monitor and review the implementation and effectiveness of this policy by conducting:

1. Periodic informal surveys of Building Principals, classroom staff, and school health personnel to assess the progress of wellness activities and their effects.
2. Periodic checks of the nutritional content of food offered in the cafeterias for meals and a la carte items, and sales or consumption figures for such foods.
3. Periodic checks of the nutritional content of food available in vending machines, and sales or consumption figures for such foods.
4. Periodic checks of the amount of time students spend in Physical Education classes, and the nature of those activities.
5. Periodic checks of extracurricular activities of a physical nature, in the number of offerings and rates of participation by students.
6. Periodic checks of student mastery of the nutrition education curriculum.
7. Periodic completion of relevant portions of the CDC School Health Index.
8. Periodic review of data currently collected by the district, including:
 - a. attendance data, particularly absences due to illness;
 - b. test scores;
 - c. rates of suspension, discipline, and violent incidents;
 - c. physical education scores on flexibility, endurance, and strength (i.e., fitness test results);

- d. student BMI (Body Mass Index) statistics, as collected in accordance with the State Department of Health efforts; and
 - e. revenues generated from vending machines and a la carte food items.
9. Periodic surveys of student/parent opinions of cafeteria offerings and wellness efforts.
 10. Periodic review of professional staff development offered which focuses on student wellness.
 11. NYSSBA's Student Wellness Assessment Checklist [*every three years*] to review the effectiveness of this policy.

Ref: P.L. 111-296 (The Healthy, Hunger-Free Kids Act of 2010), §204 amending 42 USC §1758b
P.L. 108-265 (Child Nutrition and WIC Reauthorization Act of 2004), §204
42 USC §§1758(f)(1); 1766(a) (Richard B. Russell National School Lunch Act)
42 USC §1779 (Child Nutrition Act)
7 CFR §§210.10; 210.11; 210.12; 210.15; 210.18; 210.30 (National School Lunch Program participation requirements – nutrition standards for lunch and competitive foods; community involvement; recordkeeping; state review; local wellness policy)
7 CFR §§220.8; 220.12 (School Breakfast Program participation requirements – nutrition standards for meals and competitive foods)
8 NYCRR Part 135 (Health and Physical Education curricular requirements); §114.1 (School Breakfast Program Requirements)
Appeal of Phillips, 37 EDR 204 (1997) (dec. no. 13,843) (physical education requirements)
Appeal of Williams, 32 EDR 621 (1993) (dec. no. 12,934) (physical education requirements)

First Reading: June 13, 2017
Second Reading: June 27, 2017
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STUDENT HEALTH SERVICES

The Board of Education recognizes that good student health is vital to successful learning and acknowledges its responsibility, along with that of parent(s) or guardian(s), to protect and foster a safe and healthful environment for the students.

The school shall work closely with students' families to provide detection and preventive health services. In accordance with law, the school will provide vision, hearing, dental inspection and scoliosis screening. Results shall be referred to the parent(s) or guardian(s) who shall be encouraged to have their family physician/dentist provide appropriate care.

In order to enroll in school a student must have a health exam and submit a health certificate within 30 calendar days after entering school, and upon entering prekindergarten, kindergarten, second, fourth, seventh and tenth grades. The examination, which must conform to state requirements, must have been conducted no more than 12 months before the first day of the school year in question. If a student is unable to furnish the health certificate, the school will provide a physical examination by a licensed provider. A request for exemption from the physical examination, or the requirement to provide a health certificate, must be made in writing to the school principal or designee, who may require documents supporting the request. The only basis for exemption is a claim that the physical examination is in conflict with the parent or guardian's genuine and sincere religious belief.

In order to enroll in school, students must also furnish documentation of required immunizations against certain communicable diseases, as set forth in state law and regulations, unless exempted from immunizations for medical or religious reasons as permitted by state law and regulation.

Homeless students shall be admitted to school even if they do not have the required health or immunization records, but may be temporarily excluded if they show actual symptoms of a communicable disease that poses a significant risk of transmission to others (see "Communicable Diseases" below).

The Board recognizes that the State of New York may authorize and require the collection of data from health certificates in furtherance of tracking and understanding health care issues that affect children. The Board supports these efforts and expects administrators to cooperate and to observe the appropriate laws and regulations in carrying out those responsibilities, including those that relate to student privacy.

In addition, students will be asked to provide a dental health certificate when they enroll in school and in accordance with the same schedule as the health certificate.

A permanent student health record shall be part of a student's cumulative school record and should follow the student from grade to grade and school to school along with his/her academic record. This record folder shall be maintained by the school nurse.

Emergency Care

Each school in the district will include in its emergency plan a protocol for responding to health care emergencies, including anaphylaxis, and head injury. Parents/guardians will be notified of any emergency medical situation as soon as is practicable. Parents/guardians will receive notification of non-emergent medical situations that have been reported to the nurse in a timely manner.

Schools shall also provide emergency care for students in accidental or unexpected medical situations. The district will stock epinephrine auto for non-patient specific use. The district shall ensure that designated staff are properly trained.

The district permits emergency administration of opioid antagonists, such as naloxone, by trained volunteer responders and/or the school nurse to prevent opioid overdose.

Communicable Diseases

It is the responsibility of the Board to provide all students with a safe and healthy school environment. To meet this responsibility, it is sometimes necessary to exclude students with contagious and infectious diseases, as defined in the Public Health Law, from attendance in school. Students will be excluded during periods of contagion for time periods indicated on a chart developed by the school nurse.

During an outbreak of these communicable diseases, if the Commissioner of Health or his/her designee so orders, the district will exclude students from school who have an exemption from immunization or who are in the process of obtaining immunization.

It is the responsibility of the Superintendent of Schools, working through district health personnel, to enforce this policy and to contact the county or local health department when a reportable case of a communicable disease is identified in the student or staff population.

Administering Medication to Students

Neither the Board nor district staff members shall be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours shall be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to him/her during school hours, or where it is done pursuant to law requiring accommodation to a student's special medical needs (e.g., Section 504 of the Rehabilitation Act of 1973). "Medication" will include all medicines prescribed by an authorized medical provider.

Before any medication may be administered to or by any student during school hours, the Board requires:

1. the written request of the parent(s) or guardian(s), which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication;
2. the written order of the prescribing authorized medical provider, which will include the purpose of the medication, the dosage, the time at which or the special circumstances under which medication shall be administered, the period for which medication is prescribed, and the possible side effects of the medication; and
3. that in order for a student to carry and use a rescue inhaler, an epinephrine auto-injector, insulin, or glucagon and associated testing supplies, written permission must be provided both by the parent and the prescribing authorized medical provider in accordance with state law and regulation.

Students are allowed to carry and apply parentally provided sunscreen without a prescription from a medical provider, assuming that the sunscreen is FDA approved and that the sunscreen is not treating a medical condition. Parents need to provide the district with written permission for students to use sunscreen.

Permission slips and medical orders shall be kept on file in the office of the school nurse.

The school stocks albuterol in the form of for students who are in need of emergency dosing when their personal prescription is empty. The district will develop procedures in collaboration with school health personnel that is approved by the district medical director and the Board of Education.

Life-Threatening Allergies and Anaphylaxis Management

The Board recognizes its role and responsibility in supporting a healthy learning environment for all students, including those who have, or develop, life-threatening allergies. The district will work cooperatively with the student, their parent/guardian and healthcare provider to allow the child to participate as fully and as safely as possible in school activities. When a student has a known life-threatening allergy reported on their health form or if the district has been informed by the parent of the presence of a life-threatening allergy, the district will assemble a team, which may include the parent, the school nurse, the child's teacher, the building principal and other appropriate personnel, which will be charged with developing an individual health care plan and/or an emergency action plan. The plan(s) will be maintained by the school nurse. The plan(s) will guide prevention and response. If the student is eligible for

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accommodations based upon the IDEA, Section 504 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding identification, evaluation and implementation of accommodations.

Training

Training to support the fulfillment of staff responsibilities in regard to student health services will be provided as part of the district's ongoing professional development plan and in conformity with Commissioner's regulations.

Regulations

The Superintendent shall develop comprehensive regulations governing student health services. Those regulations shall include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for the administering of medication to students. The Superintendent shall also develop protocols, in consultation with the district medical director and other appropriate district staff, for the management of injury, with particular attention to concussion.

Cross-ref: 4321, Programs for Students with Disabilities
5020.3, Students with Disabilities and Section 504
5280, Interscholastic Athletics
5550, Student Privacy
8130, School Safety Plans and Teams
9700, Staff Professional Development

Ref: Education Law §§310 (provisions for appeal of child denied school entrance for failure to comply with immunization requirements); 901 et seq. (medical, dental and health services, BMI reporting); 916 (student self-administration of rescue inhalers); 916-a (student self-administration of epinephrine); 916-b (students with diabetes); 919 (provide and maintain nebulizers); 921 (epinephrine auto-injectors; training of unlicensed personnel); 922 (naloxone); 6527 (emergency treatment: anaphylaxis; naloxone); 6909 (emergency treatment: anaphylaxis; naloxone)
Public Health Law §§613 (annual survey); 2164 (immunization requirements); 3000-c (emergency epinephrine); 3309 (naloxone)
8 NYCRR §§ 64.7 (anaphylaxis; naloxone); 135.4 (Physical Education); Part 136 (school health services program; concussion, anaphylaxis, medication, naloxone)
10 NYCRR Part 66-1 (immunization requirements); § 80.138 (naloxone)
Guidelines for Medication Management in Schools, State Education Department, September 2015, www.p12.nysed.gov/sss/documents/MedicationManagement-final2015.pdf
Immunization Guidelines: Vaccine Preventable Communicable Disease Control, State Education Department, revised August 2000

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Making the Difference: Caring for Students with Life-Threatening Allergies, New York State Department of Health, New York State Education Department, New York Statewide School Health Service Center, June 2008

Concussion Management Guidelines and Procedures, www.nysphsaa.org

New Policy for Stocking Albuterol Metered Dose Inhalers (MDIs), State Education Department, August 2011,

www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/Albuterol2011memo.pdf.

First Reading: May 23, 2017

Second Reading: June 13, 2017

Adoption date:

STUDENT HEALTH SERVICES REGULATION

A. Immunization Against Communicable Diseases

Under state Public Health Law 2164, in order to be enrolled in or attend district schools, children must be fully immunized against certain communicable diseases. Those diseases are: poliomyelitis, mumps, measles, diphtheria, rubella, varicella (chicken pox), hepatitis B, pertussis, tetanus, and, where applicable, Haemophilus influenzae type b (Hib), pneumococcal disease, and meningococcal disease.

“Fully immunized” means that the child has either (1) received the required vaccinations for these diseases as set forth in state regulations; (2) for measles, mumps, rubella, hepatitis B, poliomyelitis, or varicella only, shown immunity with a positive blood test for those disease antibodies; or (3) for varicella only, has had the disease, verified by a physician, nurse practitioner, or physician’s assistant.

Children who are not fully immunized may only be admitted to school if they (1) are in the process of receiving immunization or obtaining blood tests; or (2) have been granted a medical or religious exemption.

Medical exemptions may be issued if immunization is detrimental to a child’s health. Medical exemptions must either be (1) the medical exemption form issued by the New York State Department of Health or the New York City Department of Health and Mental Hygiene, or (2) a statement signed by a physician licensed to practice medicine in New York State indicating the specific immunization, the medical contraindication, and the length of time the exemption is for. Medical exemptions must be reissued annually to remain valid. The Building Principal may require supporting documents for medical exemptions.

Religious exemptions may be granted by the district upon either (1) a signed and completed Request for Religious Exemption to Immunization created by the NYSED, or (2) a written and signed statement from a parent/guardian stating an objection to immunization because of genuine and sincere religious beliefs which prohibit immunization. The Building Principal may require supporting documents for religious exemptions.

All students must present appropriate documentation of their immunization status, as set forth in the Regulations of the Commissioner of Health 10 NYCRR Subpart 66-1. Homeless students shall be admitted to school even if they do not have the required immunization records, but may be temporarily excluded if they show actual symptoms of a communicable disease that poses a significant risk of transmission to others.

The Building Principal may permit students without adequate documentation to attend school up to 14 calendar days while the parent/guardian furnishes the necessary documents. This time period may be extended to 30 days for students transferring from another state or country, as long as they show a good faith effort to obtain the necessary documentation.

District schools may access the New York State Immunization Information System (NYSIIS) or the New York City Citywide Immunization Registry (CIR) to verify the immunization history of students entering or registered in that school.

When a child is excluded from school for immunization reasons, the Building Principal shall notify the parent/guardian of their responsibility to have the child immunized, and the public resources available for doing so. The Principal shall also notify the local health authority of the child's name and address and the immunization(s) the child lacks, and shall cooperate with that authority to provide a time and place for the required immunization(s) to be administered.

The district will maintain a list of all students who have been exempted from immunization for medical or religious reasons, or who are in the process of receiving immunization, and shall exclude such students from school when so ordered by the Commissioner of Health, in the event of an outbreak in school of the vaccine-preventable diseases listed in Public Health Law 2164 and the first paragraph of this section.

When a student transfers out of the district, the parent/guardian will be provided with an immunization transfer record showing the student's current immunization status which will be signed by the school nursing personnel or the school physician. A transcript or photocopy of the immunization portion of the cumulative health record will be provided to the new educational institution upon request.

B. Administering Medication to Students in School

The administration of prescribed medication to a student during school hours is permitted only when the medication is necessary to allow the student to attend school or failure to administer the medication would seriously affect the student's health.

Parent(s) or guardian(s) must present the following information:

1. a written order from a NYS licensed health care provider (e.g. physician, nurse practitioner or physician assistant) containing the following: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects; and
2. A written note from the parent/guardian giving appropriate licensed school personnel permission to administer the medication to their child during school or for trained unlicensed personnel to assist their child in taking their own medication.

Students who may carry and use certain medications

Students are permitted to self-administer medication under certain circumstances, in accordance with state law and regulation. A student is authorized to carry and use the following medications: rescue inhaler, epinephrine auto-injector, insulin, glucagon (and associated diabetes testing supplies), if the following conditions are met:

1. An authorized medical provider must provide written permission that includes an attestation that the student's diagnosis requires the medication; the student has demonstrated that he/she can self-administer the prescribed medication effectively; the name of the medication, the dose, the times when it is to be taken, the circumstances which may warrant use and the length of time during which the student may use it.
2. Written parental permission.

If a student is authorized to carry and use medication as described above, the parent/guardian is permitted to give extra medication and supplies that the district will maintain in accordance with the written directions submitted by the authorized medical provider. Such extra medication and supplies shall be readily accessible to the student.

All documents pertaining to student medication will be kept on file in the nurse's office.

The school nurse shall develop procedures for the administration of medication, which require that:

1. all medications will be administered by a licensed person unless the child is a "supervised student" (able to self-administer with assistance and supervision) or an "independent student" (able to self-administer and self-carry);
2. medications, other than as noted above, shall be securely stored in the office and kept in their original labeled container, which specifies the type of medication, the amount to be given and the times of administration;
3. the school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration; and
4. all medications shall be brought to school by the parent(s) or guardian(s) and shall be picked up by the parent(s) or guardian(s) at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days of the period of medication, the medication shall be discarded.

An adult must bring the medication to school in the original container. The administering staff member should clearly label the medication with the time to be given and dosage.

Sunscreen. Students are permitted to carry and apply sunscreen without a medical provider's order under the following conditions:

1. the sunscreen is used to avoid overexposure to the sun and not for medical treatment of an injury or illness, if sunscreen is required to treat a medical condition, the procedures for administering medication (above) apply;
2. the sunscreen is FDA approved for over the counter use;
3. the student's parents or guardians provide written permission annually for the student to carry and use the sunscreen.

The school nurse will keep written permission for students on file and develop procedures pertaining to this policy.

Administering medication on field trips and at after-school activities.

Taking medication on field trips and at after-school activities is permitted if a student is an “independent student” described above in administering their own medication. On field trips or at other after-school activities, teachers or other school staff may carry the medication (if the student does not need it on hand for rapid administration) so that the independent student can take it at the proper time. If a student is a “supervised student” described above, unlicensed school personnel who have been trained by a licensed school health professional may assist the student in taking his/her medication. The student’s parent/guardian, if attending the trip, may also perform these activities, but may not be required to do so.

“nurse dependent” (i.e., requires a licensed health professional to administer their medication), then the student must have their medication administered by a licensed health professional, or the district may:

- permit the parent or guardian to attend the activity and administer the medication.
- permit the parent to personally request another adult friend or family member to voluntarily administer the medication on the field trip or activity and inform the school district in writing of such request.
- allow the student’s health care provider to be consulted and, if he/she permits, order the medication time to be adjusted or the dose eliminated.

If no other alternative can be found, the trip will be canceled or rescheduled.

Administering epi-pen in emergency situations.

The administration of epinephrine by epi-pen has become an accepted and extremely beneficial practice in protecting individuals subject to serious allergic reactions (e.g., individual has an anaphylactic reaction to a wasp sting or the ingestion of peanut butter).

Pursuant to Commissioner’s regulations, registered professional nurses may carry and administer agents used in non-patient specific emergency treatment of anaphylaxis.

Additionally, the district will stock epinephrine auto-injectors to be used on any student or staff member having symptoms of anaphylaxis, whether or not there is a previous history of severe allergic reaction. The medical director shall oversee use of the auto-injectors, ensuring that designated staff are appropriately trained. However, any school personnel may be directed in a specific instance to use an auto-injector by the nurse or medical director.

In addition, pursuant to SED guidelines, school nurses may provide training to unlicensed school staff in administering epi-pens, epinephrine auto-injectors and glucagon prescribed by a licensed medical provider, to a child who has been diagnosed with the associated disease in accordance with the process described in this policy and regulation.

Use of Albuterol Metered Dose Inhalers. Students diagnosed with asthma whose personal albuterol prescription is empty may receive an emergency dose of school-stocked albuterol under the following conditions:

- The student has a prescription ordering albuterol MDI or nebulized albuterol from their licensed health care provider which must include an order allowing the student to use the school's stocked albuterol MDI if their personal prescription is empty;
- The student's parent/guardian must provide written permission for the student to be administered dosing from the school's stocked albuterol MDI if their personal prescription is empty;
- The school's stock supply of albuterol is not to be used in place of the parent/guardian providing the medication for their child to the school. The school's stock supply is for use only in the event that the student's personal supply is empty while awaiting the parent/guardian to provide the school with a new one; and
- The student must have their own labeled spacer, tubing and facemask, or mouthpiece provided by the parent/guardian that is used when administering their own or the school's stock albuterol MDI.

Specific procedures will be developed by school health personnel that will outline the following:

1. The process for obtaining and replacing the stock albuterol;
2. The maintenance and cleaning of the school's stock MDI and nebulizer; individual students' MDIs and spacers; and/or students nebulizer tubing, facemask or mouthpiece;
3. The protocol for informing parents that the school stock albuterol was used; and
4. The protocol for informing parents/guardians of the need for replacement of their child's albuterol medication along with any district imposed deadlines for doing so.

This procedure will be approved by both the district medical director and the board of education.

C. Student Medical Exams

In accordance with Sections 903 and 904 of the state Education Law, each student shall have a physical exam given by the school doctor or licensed health provider (including a physician, physician assistant or nurse practitioner) upon entrance to school and at grades pre-kindergarten or kindergarten, two, four, seven and ten. Findings are to be kept on record at the school on forms that can be obtained from the school nurse. In addition, the school will request a dental health certificate according to the same schedule.

A student may be excluded from the medical examination requirements because the child's parent/guardian holds a genuine and sincere religious belief which is contrary to medical examinations. The request for exemption must be in writing to the principal or his/her designee.

In the event that the student's medical history reveals that they have a known life-threatening allergy, the school nurse, in conjunction with the family, student, child's teacher, and

other appropriate staff, will develop and implement an individual health care plan which will guide prevention and response.

The district will work with students in the self-management of their life-threatening allergy, or other chronic health conditions, by:

1. Adequately training staff involved in the care of the child.
2. Assuring the availability of the necessary equipment and/or medications.
3. Providing appropriately licensed and trained persons on school premises, as required by law.
4. Providing ongoing staff and student education.

D. Illness or Injury in School

If a student becomes ill or injured in school:

1. The nurse will determine if the student should receive further medical attention, remain in the dispensary or return to class.
2. The nurse will call the parent, guardian or designated emergency contact if he/she feels the student should go home. In general, a parent or guardian will pick up the student from school.
3. The nurse will contact the Building Principal if he/she feels the child should be transported by bus to the home.
4. If there is to be a change in bus routing in order to carry the student to his/her home, that decision will be made by the administrator and the transportation supervisor.
5. If the route is to be changed, the transportation supervisor shall inform the bus driver.
6. If no parent, guardian or designated emergency contact picks up the student at school, or if no parent/guardian or designated emergency contact will be home, the student will remain in the nurse's office until such time as a parent, guardian or designated emergency contact becomes available to assume responsibility for the child.
7. If the nurse determines that the child can return to class, but needed some type of medical attention (i.e., a bandage for a minor scratch, a brief rest, etc.), the nurse will notify the parent using district form 5420-E.1.
8. The nurse will maintain appropriate records of all student visits.

The district permits the administration of opioid antagonists, such as naloxone, to prevent opioid overdose, pursuant to policy 8121.1, Opioid Overdose Prevention. District staff shall follow all regulations regarding the storage, accessibility, administration, recordkeeping, and reporting of naloxone use.

E. Medical Emergency Record

All students shall have on file a medical emergency record which shall state the name and telephone numbers of the following:

1. the student's parent(s) or guardian(s) at home and work;
2. the student's next of kin;
3. a neighbor;
4. the student's licensed health care provider;
5. preferred hospital;
6. any allergies or serious health conditions.

Students diagnosed with diabetes shall have a written diabetes management plan maintained as part of the student's cumulative health record. The management plan shall be developed in accordance with state regulation and district procedures. Students diagnosed with asthma or other respiratory disease requiring a rescue inhaler, students diagnosed with life-threatening allergy or diabetes may have an emergency action plan maintained as part of the student's cumulative medical record. The emergency action plan will be developed in accordance with state regulation and district procedures.

F. Student Return to School after Illness/Injury

In general, students should be symptom-free before returning to school and resuming normal activities. In some instances, students may be asked to provide a note from their licensed health care provider before they return to school or participate in the full range of school activities. The final decision to permit participation rests with the school physician. The Superintendent, in consultation with the school physician, nurse and other appropriate staff, will develop protocols to address a student's return to activities when there has been a serious illness or injury.

First Reading: May 23, 2017
Second Reading: June 13, 2017
Adoption date:

NOTIFICATION OF SEX OFFENDERS

The Board of Education acknowledges the efforts of local law enforcement to notify the district when a person with a history of sex offenses against a child is being paroled or released into the community, in accordance with the provisions of the Sex Offender Registration Act, commonly known as Megan's Law. The purpose of this notification is to protect members of the community, particularly children, by notifying them of the presence of individuals in their midst who may present a danger. Consistent with its duty to protect students under its care, the district shall cooperate with local law enforcement agencies in this endeavor.

Any information provided by local law enforcement officials pursuant to Megan's Law shall be posted in an appropriate location in all school buildings. In addition, the Superintendent of Schools shall ensure the dissemination of any such information to all staff who might come into contact with the offender in the course of doing their jobs, including the Superintendent of Schools, staff who issue visitors' passes, bus drivers, custodians, playground monitors, security personnel, and coaches. All other staff members and community residents shall be informed of the posting requirement for such information established by this policy and of the availability of the information, upon request. Community residents shall also be reminded of the security measures and personal safety instruction provided at school. All staff requests for information provided by the law enforcement agencies shall be directed to the Superintendent. Requests for information from community residents shall be directed to the District Clerk.

The Superintendent shall establish any necessary regulations for implementing this policy with the advice of the school attorney.

This policy shall be disseminated at least once a year to all district residents.

Ref: 42 U.S.C. §1407(d)
Correction Law, Article 6-C (Sex Offender Registration Act)
Doe v. Pataki, 1998 WL 230955 (S.D.N.Y. May 7, 1998) (current injunction)
Doe v. Pataki, 120 F.3d 1263 (2d. Cir. 1997), *cert. denied*, 118 Sup. Ct. 1066 (1998)

Adoption date: September 9, 2003

**CHILD ABUSE, MALTREATMENT OR NEGLECT
IN A DOMESTIC SETTING**

The Board of Education recognizes that because of their sustained contact with school-aged children, employees are in an excellent position to identify abused, maltreated or neglected children and refer them for treatment and protection. The Board further recognizes the specific dictates of law which require school officials to report suspected instances of child abuse, maltreatment (which includes neglect) in a domestic setting.

The purpose of mandatory reporting is to identify suspected abused and maltreated children as soon as possible, so that such children determined to be abused or maltreated can be protected from further harm and, where appropriate, can be offered services to assist him or her and his or her family.

School officials, who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment, must immediately report this to the New York State Central Register for Child Abuse and Maltreatment (Central Register), as required by law. No conditions may be imposed which limit their responsibility to report. A school official is defined as:

- Teacher
- Guidance counselor
- Psychologist
- Nurse
- Social Worker
- Full or part-time paid athletic coach
- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

The school official will also report the matter to the Building Principal.

The report shall be made by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within forty-eight hours to the appropriate local child protective service, and to the statewide Central Register.

School employees who are not school officials, as defined above, but who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment are encouraged to report to the Central Register. However, the school employee must report the matter to the Building Principal. If the matter has not yet been reported to the Central Register, the Building Principal shall make the report, in accordance with state law. In being required to file such report, the Building Principal does not have discretion.

School employees or officials may not contact the child's family or any other person to determine the cause of the suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has been abused or maltreated.

Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner.

In accordance with the law, any school official who fails to report an instance of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be held liable for the damages caused by the failure to report. The law grants immunity to persons who, in good faith, report instances of child abuse from any liability.

School employees will not be subject to retaliatory action, as defined in state law, as a result of making a report when they reasonably suspect that a child has been abused or maltreated.

The Board recognizes that knowingly reporting a false claim of child abuse is a violation of state law and this policy acknowledges that it is a crime to do so. The district will make every reasonable effort to ensure the integrity of the district's child abuse reporting process and procedure.

School District Relationship with Local Social Service District

The school district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse. The Superintendent, or his or her designee, will represent the district when collaborating with local social service agencies to address instances of abuse or maltreatment, and in the development of policy and procedures regarding abuse or maltreatment (including educational neglect). In addition, the Superintendent will share a copy of the district's attendance policy, 5100, with the local social service district.

Training Program and Dissemination of Information

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment, including the legal implications of reporting and not reporting. Attendance at sessions of this training program shall be required of all school officials. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance.

The Superintendent shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all school officials who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy

As required by state law and regulation, the district shall publicize the toll-free number for reporting child abuse and neglect to the Central Register (800-342-3720), and directions for accessing the NYS Office of Children and Family Services website (<http://ocfs.ny.gov/main/cps/>), in both English and Spanish.

Cross-ref: Attendance, 5100

Ref: Child Protective Services Act of 1973, Social Services Law §§411 et seq.
Social Services Law §34-a
Family Court Act §1012
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 45 CFR §99.36
Education Law §§409-1; 3209-a, 3036
Penal Law 240.50
8 NYCRR §100.2(mn)

First Reading: August
Second Reading: September 12, 2017
Adoption date: September 12, 2017

**CHILD ABUSE, MALTREATMENT OR NEGLECT
IN A DOMESTIC SETTINGREGULATION**

New York State Law (Child Protective Service Act of 1973, as amended) provides for reporting of suspected cases of child abuse by school officials. These regulations are designed to implement this law within the district and to help protect students from the harmful effects of child abuse.

Definitions

The definition of child abuse and maltreatment is established by law.

Abused Child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his or her care:

- a. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
- b. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or
- c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

Neglected or maltreated child, according to the Family Court Act, is a child less than 18 years of age:

- a. whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his or her parents or other person legally responsible for his care to exercise a minimum degree of care:
 - (1) in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or

In order for a report of educational neglect to be accepted, three elements need to be established:

- a. Excessive absence from school by the child
- b. Reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and the parent has contributed to the problem or is failing to take steps to effectively address the problem, and;

- c. Reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm.
- (2) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aid of the court; or
- b. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

Person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

Impairment of emotional health and impairment of mental or emotional condition includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

Reporting procedures and related information:

1. All school officials must, when they have reasonable cause to suspect that a child is abused or maltreated, report it to the New York State Central Register for Child Abuse and Maltreatment (800-342-3720). A school official, under state law, is defined as:
 - Teacher
 - Guidance counselor
 - Psychologist
 - Nurse
 - Social Worker
 - Full or Part-time athletic coach

- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

Personnel have the right to request that information which would identify the individual making the report be withheld if furnishing such data might prove detrimental to the safety or interest of that individual.

2. The school official must also report the matter to the Building Principal who will determine if any additional steps need to be taken by the school district (for instance, contacting the school physician, social worker or other support services).
3. In the event that a school employee, who is not required to report under the law (such as a bus driver, custodian, cafeteria monitor, etc.), has reasonable cause to suspect that a child is abused or neglected, he/she is encouraged to make a report to the Central Register. The employee must, by district policy, report the matter to the Building Principal.
4. If the Building Principal is informed of a case of suspected child abuse or maltreatment that has not yet been reported to the Central Register, the Building Principal is required to:
 - (a) phone the New York State Central Register for Child Abuse and Maltreatment (800-342-3720) and inform them verbally of the problem; or
 - (b) contact the above agency by telephone facsimile machine on a form supplied by the Commissioner of Social Services; and
 - (c) file a written report with the local child protective services agency and the Central Register within forty-eight hours after the above report; and,
 - (d) determine if additional steps need to be taken by the school district, as outlined in step 2 above.
5. The written report that must be filed shall include all information which the Commissioner of Social Services may require.
6. If it should be necessary for Child Protective Services to interview a child at school to ascertain whether he/she has been abused or maltreated, or to obtain documentation of such acts, the interview should be conducted in the presence of a school official, unless circumstances require otherwise. The school official shall examine and verify the credentials of Child Protective Services worker(s) before allowing such worker(s) to either interview the child or to examine the child's records. If sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate.
7. The Building Principal shall request a summary report of the investigation of a case referred to Child Protective Services so the district can take appropriate next steps.

8. The district shall maintain an ongoing training program which will address identification and reporting of child abuse and maltreatment. Attendance at sessions of this training program shall be required of all school officials.
9. Employee handbooks shall include a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
10. Only one report of any suspected abuse is required.
11. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any liability, civil or criminal. The good faith of any person required to report cases of child abuse or maltreatment is presumed.
12. School personnel who have reasonable cause to suspect that a child has died as a result of child abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner.
13. Any person required to report suspected cases of child abuse or maltreatment and who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for the damages caused by this failure.
14. Any school employee who fails to comply with this policy is subject to discipline in accordance with collective bargaining agreements and/or policy.
15. The district shall post the toll-free number for the Central Register (800-342-3720) and directions for accessing the NYS Office of Children and Family Services (<http://ocfs.ny.gov/main/cps/>), in both English and Spanish, on the district website and in highly visible areas of school buildings so it is readily accessible to students and staff. The district shall also make such information available in district and school administrative offices, provide it to parents/persons in parental relation at least once per school year (including electronically and/or sent home with students), and provide it to all teachers and administrators.

First Reading: August
Second Reading: September 12, 2017
Adoption date: September 12, 2017

STUDENT RECORDS

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. As part of this responsibility, the Board will ensure that eligible students and parents/guardians have the right to inspect and review education records, the right to seek to amend education records and the right to have some control over the disclosure of information from the education record. The procedures for ensuring these rights shall be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

The Board also recognizes its responsibility to ensure the orderly retention and disposition of the district's student records in accordance with Schedule ED-1 as adopted by the Board in policy 1120.

The District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. The district will document requests for and release of records, and retain the documentation in accordance with law. Furthermore, pursuant to Chapter 56 of the Laws of 2014, the district will execute agreements with third-party contractors who collect, process, store, organize, manage or analyze student personally identifiable information (PII) to ensure that the contractors comply with the law in using appropriate means to safeguard the data.

The Superintendent of Schools shall be responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

Definitions

Authorized Representative: an authorized representative is any individual or entity designated by a State or local educational authority or a Federal agency headed by the Secretary, the Comptroller General or the Attorney General to carry out audits, evaluations, or enforcement or compliance activities relating to educational programs.

Education Record: means those records, in any format, directly related to the student and maintained by the district or by a party acting on behalf of the district, except:

- (a) records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute (e.g. memory joggers);
- (b) records of the district's law enforcement unit;
- (c) grades on peer-graded papers before they are collected and recorded by a teacher.

Eligible student: a student who has reached the age of 18 or is attending postsecondary school.

Legitimate educational interest: a school official has a legitimate educational interest if they need to review a student's record in order to fulfill his or her professional responsibilities.

Personally identifiable information: is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc.

School official: a person who has a legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing his or her tasks. Volunteers may be considered school officials for purposes of access to personally identifiable information if they are under the direct control of the district, are trained in the requirements of law under this policy, have a legitimate educational interest, and the district uses reasonable methods to limit access to only the information that is necessary to fulfill their volunteer duties. Volunteers may only access the information necessary for the assignment, and must not disclose student information to anyone other than a school official with a legitimate educational interest. The Building Principal shall provide adequate training on confidentiality of student records.]

Third party contractor: is any person or entity, other than an educational agency, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to such educational agency, including but not limited to data management or storage services, conducting studies or audit or evaluation of publicly funded programs.

Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians and students currently in attendance of their rights under FERPA and New York State Law and the procedures for exercising those rights. A 'Parents' Bill of Rights for Data Privacy and Security' will be posted on the district website and included in any agreements with third-party contractors.(see 5500-E.4) The notice and 'Bill of Rights' may be published in a newspaper, handbook or other school bulletin or publication. The notice and 'Bill of Rights' will also be provided to parents, guardians, and students who enroll during the school year.

The notice and Parents' Bill of Rights will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education records;
 2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
 3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
- and

4. file a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations; and/or file a complaint regarding a possible data breach by a third party contractor with the district and/or the New York State Education Department's Chief Privacy Officer for failure to comply with state law.

The annual notice and Parents' Bill of Rights will inform parents/guardians and students:

1. that it is the district's policy to disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests. The notice will define 'school official' and 'legitimate educational interest.'
2. that, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. that personally identifiable information will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.
4. that the district, at its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent. The district will not sell directory information.
5. that, upon request, the district will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.
6. of the procedure for exercising the right to inspect, review and request amendment of student records.
7. that the district will provide information as a supplement to the 'Parents' Bill of Rights' about third parties with which the district contracts that use or have access to personally identifiable student data.

The district may also release student education records, or the personally identifiable information contained within, without consent, where permitted under federal law and regulation. For a complete list of exceptions to FERPA's prior consent requirements see accompanying regulation 5500-R, Section 5.

The district shall effectively notify parents, guardians and students who have a primary or home language other than English.

In the absence of the parent or secondary school student exercising their right to opt out of the release of information to the military, the district is required to, under federal law, release the information indicated in number five (5) above.

Directory Information

The district has the option under FERPA of designating certain categories of student information as “directory information.” The Board directs that “directory information” include a student’s.

- Name
- ID number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems (only if the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the student’s identity),
- Address (except information about a homeless student’s living situation, as described below)
- Telephone number
- Date and place of birth
- Major course of study
- Participation in school activities or sports
- Weight and height if a member of an athletic team
- Dates of attendance,
- Degrees and awards received
- Most recent school attended
- Grade level
- Photograph
- E-mail address
- Enrollment status

Information about a homeless student’s living situation shall be treated as a student educational record, and shall not be deemed directory information. A parent/guardian or eligible student may elect, but cannot be compelled, to consent to release of a student’s address information in the same way they would for other student education records. The district’s McKinney-Vento liaison shall take reasonable measures to provide homeless students with information on educational, employment, or other postsecondary opportunities and other beneficial activities.

Social security numbers or other personally identifiable information will not be considered directory information.

Once the proper FERPA notification is given by the district, a parent/guardian or student will have 14 days to notify the district of any objections they have to any of the “directory information” designations. If no objection is received, the district may release this information without prior approval of the parent/guardian or student for the release. Once the student or parent/guardian provides the “opt-out,” it will remain in effect after the student is no longer enrolled in the school district.

The district may elect to provide a single notice regarding both directory information and information disclosed to military recruiters and institutions of higher education.

Cross-ref: 1120, School District Records
4321, Programs for Students with Disabilities Under IDEA and Part 89
4532, School Volunteers
5550, Student Privacy
5151, Homeless Children

Ref: Family Educational Rights and Privacy Act, as amended, 20 USC 1232g; 34 CFR Part 99
No Child Left Behind Act, 20 USC §7908 (Military Recruiter Access)
10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY
2002
Education Law §§ 2-a; 2-b; 2-c; 2-d; 225;
Public Officers Law §87(2)(a)
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for
Use by School Districts and BOCES
“Guidance for Reasonable Methods and Written Agreements,”
http://www2.ed.gov/policy/gen/guid/fpco/pdf/reasonablemtd_agreement.pdf
Parents’ Bill of Rights for Data Privacy and Security, July 29, 2014:
<http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>
Family Policy Compliance Office website:
<http://www2.ed.gov/policy/gen/guid/fpco/index.html>

First Reading: May 23, 2017
Second Reading: June 13, 2017
Adoption date:

STUDENT PRIVACY

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a U.S. Department of Education (DOE)-funded program. In addition, no minor student may, without parental consent, take part in a survey, analysis or evaluation funded in whole or in part by the U.S. DOE Education that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. Religious practices, affiliations or beliefs of the student or the student's parent; or
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the Superintendent. Upon receipt of such request, arrangements shall be made to provide access to such material to within 30 calendar days after the request has been received.

It is the policy of the Board not to permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or selling that information or providing it to others for that purpose. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services as permitted by law.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA.

Parent/guardians have the right to submit a written statement to opt their child out of participation in the following activities:

STUDENT PRIVACY (Continued)

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information, or providing it to others for that purpose. Upon request, parents/guardians have the right to inspect any such instrument before it is administered or distributed to their child. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to students or educational institutions, such as:
 - a. College or other postsecondary education recruitment, or military recruitment;
 - b. Book clubs, magazines and programs providing access to low-cost literary products;
 - c. Curriculum and instructional materials used in schools;
 - d. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for students or to generate other statistically useful data for the purpose of securing such tests and assessments, and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - e. Student recognition programs; and
 - f. The sale by students of products or services to raise funds for school-related activities.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA.

2. The administration of any survey revealing information concerning one or more of the following:
 - a. political affiliations or beliefs of the student or the student's parent;
 - b. mental or psychological problems of the student or the student's family;
 - c. sex behavior or attitudes;
 - d. illegal, anti-social, self-incriminating or demeaning behavior;
 - e. critical appraisals of other individuals with whom respondents have close family relationships;
 - f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
 - g. religious practices, affiliations or beliefs of the student or the student's parent; or
 - h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

STUDENT PRIVACY (Continued)

Parents/guardians and eligible students, shall also have the right to inspect, upon their request, a survey created by a party other than the U.S. DOE before the survey is administered or distributed by a school to a student. Such requests must be submitted, in writing, to the Building Principal with a response to be at least two weeks in advance of any survey to be given

3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law.

Parents/guardians and eligible students shall be notified at least annually, at the beginning of the school year, and when enrolling students for the first time in district schools of this policy. The school district shall also notify parents/guardians within a reasonable period of time after any substantive change to this policy.

Cross-ref: 5420, Student Health Services
5500, Student Records

Ref: 20 USC §1232h
No Child Left Behind Act, Public Law 107-110, January 8, 2002, § 1061
34 CFR Part 98
Education Law §903

Adoption date:

STUDENT PRIVACY
NOTIFICATION TO PARENTS

Dear Parent/Guardian:

The Board of Education recognizes that student privacy is an important concern of parents and the Board wishes to ensure that student privacy is protected pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act. To that end, the board has adopted [revised] a policy [policies] on student privacy.

Pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act, and the [name of school district] policy [policies] on student privacy, you have the right to opt your child out of the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to students, such as:
 - a. College or other postsecondary education recruitment, or military recruitment;
 - b. Book clubs, magazines and programs providing access to low-cost literary products
 - c. Curriculum and instructional materials used in schools;
 - d. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for students or to generate other statistically useful data for the purpose of securing such tests and assessments, and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - e. Student recognition programs; and
 - f. The sale by students of products or services to raise funds for school-related activities.

2. The administration of any survey revealing information concerning one or more of the following:
 - a. Political affiliations or beliefs of the student or the student's parent;
 - b. Mental or psychological problems of the student or the student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating or demeaning behavior;
 - e. Critical appraisals of other individuals with whom respondents have close family relationships;

- f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
 - g. Religious practices, affiliations or beliefs of the student or the student's parent; or
 - h. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injecting into the body, but does not include a hearing, vision or scoliosis screening. It does not apply to any physical examination or screening required or permitted under State law, including those permitted without parental notification.

Activity

Date

[Insert list of marketing, survey and physical examination activities for which notice must be given.]

If you have any questions about the district's student privacy policy [ies] and your right to opt your child out of certain activities, please contact [insert name and telephone number of Superintendent].

Sincerely,

Superintendent of Schools

VIOLENT OR DISRUPTIVE INCIDENT REPORTING

The Board of Education is committed to promoting and maintaining the safety of all students, staff and visitors to the schools. Consistent with this commitment and in accordance with state law and regulation, the district shall submit an annual report to the Commissioner of Education regarding violent or disruptive incidents.

Reporting Requirement

The Administration shall be responsible for preparing on regular basis a report of all the violent or disruptive incidents that have occurred on school grounds, at a school function, or at a school-sponsored event and forwarding the report to the Superintendent of Schools. The Superintendent or designee shall be responsible for compiling the reports received from the Building Principals into the annual report and submitting the report received to the Commissioner. The summary report shall contain all the information required by law and shall be filed with the Commissioner on or before a date set by the Commissioner.

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

Confidentiality

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

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

Adoption date: September 9, 2003
First Reading: September 8, 2009
Second Reading: September 22, 2009
Approval Date: September 22, 2009

Non-League Athletic Contests

Willsboro Central School will not play any non-league away athletic contests that begin after 5:00pm on a night, which there is school the following day.

First Reading Date: February 14, 2006

Adoption Date: March 15, 2006

TIME OUT ROOM POLICY

The Board of Education recognizes that use of the Time Out Room may be an effective and safe means for a student with a disability to safely deescalate, regain control, and prepare to meet expectations to return to his or her educational program.

1. Goals and Purpose

In accordance with state guidelines, a Time Out Room should be a safe and therapeutic setting for all students. A Time Out Room is an area for a student to safely deescalate, regain control and prepare to meet expectations to return to program. Except when a student's behavior creates an unanticipated situation that poses an immediate concern for the safety of that student or others, a Time Out Room is to be used only in conjunction with Functional Behavior Assessment (FBA) and a Behavioral Intervention Plan (BIP), which indicates when and for how long the room is to be used. The Time Out Room is only one component of the continuum of positive behavioral interventions.

2. Location and Physical Requirements

When Willsboro Central School uses a Time Out Room as part of its behavioral approach, it will be located in a safe and fully accessible location. To the greatest extent possible, the time out facilities are placed in close proximity to the populations they are most likely to serve. Willsboro staff will continually monitor the student(s) in a Time Out Room. The staff will be able to see and hear the student(s) at all times. The room will be an adequate size (width, length and height) to allow the student to move about comfortably. The ceiling height shall be consistent with the ceiling height throughout the building. There will be adequate lighting and ventilation, and the temperature of the room will be within normal comfort range and consistent with the rest of the building. The room will be clean and free of objects and fixtures that could be potentially dangerous to a student and will meet all local fire and safety codes. The Time Out Room will be unlocked and the door will be open from the inside.

3. Factors resulting in Time Out Use

Behaviors which threaten the health and safety of students and / or staff, interfere with the instruction or orderly progress within the classroom or building, results in the destruction of school property, or are specific to an individual student's behavior management program may result in the use of the Time Out Room. Emergency use of a physical restraint shall be used only if no other methods of controlling the student's behavior have been effective.

4. Time Limitations

Use of the Time Out Room for an individual student may not exceed that time designated in the student's Behavioral Intervention Plan (BIP) or, if not so designated, Willsboro staff will monitor the student to determine if and when the student has deescalated and regained control in order to return to his or her educational program, keeping in mind the student's age.

5. In Service Training

Training for staff on the policies and procedures related to the use of the Time Out Room and related behavior management practices will be provided annually or as needed. This will include Non-Violent Crisis Intervention and / or Strategies for Crisis Intervention and Prevention (SCIP) training.

6. Data Collection and Review of Effectiveness

A log will be utilized to document when the Time Out Room is used, the duration of its use for each student on each occasion, and other information to monitor the effectiveness of the use of the Time Out Room. Pertinent information should include the student's name, factors precipitating the intervention, the times the student entered and exited the Time Out Room, the student's behaviors while in the Time Out Room, and the names of the staff member(s) who initiates the time out placement, supervises the student during the Time Out procedure, and removes the student from the Time Out Room. Such information is to be made available to the CSE and, upon request, to the student's parents.

7. Parental Rights

Parents will be informed prior to the initiation of a Behavioral Intervention Plan (BIP) that will incorporate the use of a Time Out Room. Upon request, parents will be shown the physical space that will be used for time out.

First Reading: July 24, 2007
Second Reading: August 14, 2007
Adoption Date: August 14, 2007