

THREE VILLAGE CENTRAL SCHOOL DISTRICT
STUDENTS

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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. Provide a comprehensive instructional program that will help students attain the highest educational achievement and to meet and/or exceed all New York State educational requirements;
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 regular attendance and good work.

Adoption date: December, 1991

Revised: January 18, 2011

RIGHTS OF STUDENTS WITH DISABILITIES
UNDER 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, standing, lifting, bending, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating 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 directs the administration to identify, evaluate, refer, place, provide adaptations for and review all eligible students with disabilities. A student whose disability is episodic or in remission is still eligible to be qualified under the Act. In addition, the determination that a student has an impairment that substantially limits a major life activity will be made without regard to whether mitigating measures (such as medication, devices, prosthetics, hearing aids, etc.) ameliorate the effects of the disability.

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 directs the Superintendent to provide the staff appropriate training in this area of the law so as to ensure that the District is able to comply with the law in not discriminating against students with disabilities.

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.

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Cross-ref: 0100, Equal Opportunity
4321, Programs for Students with Disabilities
5030, Student Complaints and Grievances
5420, Student Health Services

Ref: Americans with Disabilities Act Amendment Act of 2008, 42 USC §§12101 et seq,
Rehabilitation Act of 1973, 29 USC §§705, 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: December 14, 2010

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.

Building Principals are 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 Superintendent or designee will publish a notice of the established grievance procedures in the District calendar and/or website 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, sexual orientation, gender, race, color, creed, national origin, religion, age or marital status 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
5300, Code of Conduct

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: December, 1991

Revised: January 25, 2011

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ATTENDANCE

The Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the Board expects to control the level of unexcused absences, tardiness, and early departures (referred to in this policy as “ATEDs”), encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student ATEDs and develop effective intervention strategies to improve school attendance. This policy shall be in effect for the entire 12-month school year, including summer school, if offered, and PM School. It is the expectation that this policy is part of an analysis of the root causes of student absence/lateness from class.

Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy and its purpose as well as the implementing procedures and the consequences of non-compliance. To ensure that students, parents, teachers and administrators are notified of and understand this policy, the Superintendent shall issue regulations that implement this policy.

The District will share this policy and the implementing regulations with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATEDs and to work toward identifying and addressing cases of educational neglect.

Exempt, Excused, and Unexcused Absences Defined

- Exempt absences are those absences specifically listed in “Attendance for Credit,” below.
- Excused ATEDs are defined as absences, tardiness, and early departures from class or school due to personal illness (with note from parent/guardian or physician on physician’s letterhead or script), impassable roads or weather, religious observance, quarantine, attendance at medical appointments, college visits as defined in Attendance for Credit section, approved cooperative work programs, military obligations, or such other reasons as may be approved, including but not limited to absences due to circumstances related to homelessness.
- Students whose parent or legal guardian has been called for military deployment, is on leave from, or is returning from a combat zone or combat support may be excused an additional five (5) days, but work must be made up according to the rules applicable to other excused absences. Parents must notify the Building Principal no less than three (3) days before the intended absences and each case will be approved on a case by case basis by the Building Principal.
- All other ATEDs are considered unexcused absences and will be recorded as AUN, “absent, unexcused.”

At the secondary level, it is the student's responsibility to provide documentation for all in-school appointments.

All ATEDs must be accounted for. It is the parent's responsibility to notify the school office within at least 24 hours of the ATED and to provide a written excuse upon the student's return to school/class. Without verification the absence will be recorded as AUN, "absent, unexcused." For homeless students, the homeless liaison will assist the student in providing for obtaining documentation if needed.

All students with an ATED are expected upon their return to consult with their teachers regarding missed work. For grading purposes, only those students with excused or exempt ATEDs will be given the opportunity to make up a test or other missed work and/or turn in a late assignment for inclusion in their quarter or final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question.

Attendance Incentives

The District will design and implement systems to acknowledge a student's efforts to maintain or improve school attendance.

Consequences of Excessive ATED's

Poor attendance may lead to academic failure and may result in referrals for home visitation by District personnel, an attendance hearing, and/or referral to Child Protective Services. Excessive ATEDs, or negative patterns of ATEDs, may result in disciplinary action consistent with the District's Code of Conduct. However, absences related to homelessness shall not result in negative consequences where the district determines that it would be in the best interests of the student in retaining the student in school. Those penalties may include, for example, detention or in-school suspension. Students may also be denied privileges, including but not limited to participating in or attending extracurricular events, parking, or "senior" privileges.

Students are expected to attend all scheduled classes, whether they carry academic credit or not, including study halls, lunch, AIS support classes, resource room, etc. Consistent with the importance of classroom participation, ATEDs may affect a student's class participation grade for the marking period.

Attendance/Grade Policy

The Board of Education recognizes an important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation as well as student's performance on homework, tests, papers, projects, etc.

Attendance for Credit

At the high school level, grades 9-12, any student with more than 27 absences (Excused or Unexcused) or their equivalents for a full-year course, more than 14 absences (Excused or Unexcused) or their equivalents for a one-half year course or alternate day full year course, or more than 7 absences (Excused or Unexcused) or their equivalents for an alternate day semester course, will not receive credit for that course. Every three tardies to any given class is the equivalent to and will count as one absence. All excused and unexcused absences will be deducted from the maximum allowable total in each course, except for the following reasons which will be marked as exempt:

- In and out-of-school suspension
- Home tutoring
- Mandated court appearances
- Assigned music lessons
- School generated and approved out-of-school field trips
- In-school field trips, e.g. group counseling, guest speakers/lecturers, etc.
- School generated absences which require the student to be absent from class, e.g. principal, assistant principal, dean, guidance counselor, etc.
- College visitations to a maximum of five (5) days. Signed documentation and proof of visitation must be provided by the college or university on a duly recognized form generated by the visited school.
- Bereavement due to a death in the student's immediate family.
- Religious Observance

The Attendance Regulation will indicate notification requirements to parents and students to ensure awareness of this minimum attendance requirement.

Appeals for Medical/Extenuating Circumstances

Students have a right to appeal the loss of credit. An appeals process will be defined within the implementing regulations.

Annual Review

An annual report shall be made to the Board. The Superintendent shall revise the regulations, as necessary, to improve student attendance.

The Board shall annually review building level student attendance records and, if such records show a significant decline in student attendance, the Board shall revise this comprehensive attendance policy and make any revisions to the policy it deems necessary to improve student attendance. In addition, the Superintendent shall revise the regulations, as necessary, to improve student attendance.

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Cross ref: 4710, Grading Systems
5151, Homeless Children
5300, Code of Conduct
5460, Child Abuse in a Domestic Setting

Ref: Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225
8 NYCRR §§104.1; 175.6
Social Service Law §34-a

Adoption date: December 1991

Revised: June 11, 2002
November 25, 2003
October 9, 2007
August 24, 2010
February 14, 2012
February 8, 2017

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Adoption date: December 1991

Revised: June 11, 2002
November 25, 2003
October 9, 2007
August 24, 2010
February 14, 2012

COMPULSORY ATTENDANCE AGES

All children are required by New York State law to attend school full time, in a public, private or parochial school, unless exempt from attendance in conjunction with current law or regulation, and approved by the State Education Department from the first day of session in September of the school year in which the minor becomes six years of age through the last day of the school year in which such minor becomes sixteen years of age, unless he/she has completed a four-year high school course of study. A minor who has completed a four-year high school course of study is not required to attend.

The Board of Education, through the Superintendent as chief administrative officer, is responsible for enforcement of the Compulsory Education Law.

Ref: Education Law §§1711; 3201; 3202(1-a); 3205; 3206; 3208; 3225
8 NYCRR §101
Family Court Act §§711 et seq.

Adoption date: December, 1991

Revised: November 9, 2010

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ENTRANCE AGE

Children who reach their fifth birthday on or before December 1st of the year of matriculation may be admitted to kindergarten in September. Proof of age must be presented in the form of a birth certificate, baptismal certificate, or passport.

Children who will not reach the age of 5 by December 1st of the year of matriculation may apply for early admission to kindergarten to the Superintendent or his/her Designee, by April 30th, stating the reason the parent/guardian seeks early admission.

Early admission to kindergarten is done by screening and children must be five years old between December 2 and December 31 of the school year of kindergarten admission (September).

Early admissions candidates must achieve within the 1st standard deviation (top 14%) on the District's screening assessment using the national norm for the chronological age of 5.

A child who has regularly attended and satisfactorily completed a year's work in a kindergarten, which is duly registered with an appropriate State Education agency will be enrolled in the first grade upon presentation of satisfactory evidence of completion. A child, who has completed kindergarten in a non-registered school, will be placed in kindergarten when enrolled and evaluated for possible first grade placement in the first month of school. Such a placement may occur upon recommendation of the child's kindergarten teacher. Final determination of placement shall be up to the Building Principal. Attendance at a private school kindergarten cannot be used to circumvent the District's kindergarten entrance age requirements.

The Board authorizes the Superintendent to establish any and all rules, regulations, and procedures necessary to implement and maintain this policy.

Ref: Education Law §§709; 1712; 2503; 2514; 2555; 3202; 3205; 3210

Adoption date: December, 1991

Revised: May 26, 2009
October 27, 2009
August 24, 2016

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.

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 required to present:

1. proof of age - examples of acceptable forms of documentation include, but are not limited to, a birth certificate, baptismal record, an entry in a family bible, an adoption record, an affidavit from a parent/guardian, or a passport (including a foreign passport);
2. record of immunizations* and a health certificate from a licensed physician; and
3. proof of District residency – examples of acceptable forms of documentation include, but are not limited to, a pay stub, income tax form, deed, mortgage or lease documents to a house or apartment, telephone or utility bills or other bills sent to the student’s home address, 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.

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 provide parents/guardians of all newly enrolled students with appropriate information including student handbooks and information about access to special education services.

* Regulations that accompany policy 5420, Student Health Services, provide additional guidance regarding immunization records.

Cross-ref: 5420, Student Health Services

Ref: Education Law §§903; 904; 3202; 3208
Public Health Law §2164
Student Registration Guidance, New York State Department of Education,
August 26, 2010

Adoption date: December, 1991

Revised: October 26, 2010

April 22, 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 has the right to attend school in either the school of origin (i.e., where he/she resided before becoming homeless, or the school he/she was last enrolled), the school in the district of current location (i.e., where he/she currently resides as a result of his/her homelessness) that he/she is entitled to attend based on attendance zone or general eligibility, or a school in a district participating in a regional placement plan. Such schools include preschools. 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 to 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.

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

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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

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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),
 Education Law §§207; 305; 3202; 3205; 3209

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Executive Law §§532-b; 532-e
Social Services Law §§17; 62; 397
8 NYCRR §§100.2(x); 175.6

Adoption date: February 27, 2007
Revised: November 17, 2009
August 24, 2016
September 13, 2017

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HOMELESS CHILDREN REGULATION

Each school in the district shall maintain forms (STAC 202) provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school. The district's 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 consider student-centered factors such as the effect of mobility on student achievement, education, health and safety. Unless doing so is contrary to the wishes of the child's parent or guardian, to the extent possible, a homeless child will continue to attend the school of origin (the school the child attended when he or she became homeless).

If the district wishes to send a homeless child to 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 child, if an 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 liaison for the homeless for resolution. The homeless child must be enrolled in the school sought by the parent or guardian pending final resolution of the dispute, including all available appeals.

Admission Procedures

Upon designation, the Superintendent of Schools or designee shall immediately:

1. 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 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 liaison for homeless children 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;
 - b. ensure that the child receives the educational services for which they are eligible, including Head Start and Early Head Start 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;

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- 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.

Tuition Reimbursement

Where either the school district of current location or a school district participating in a regional placement plan is designated as the school district in which the homeless child will attend and such homeless child’s school district of origin is within New York State, the school district providing instruction will be eligible for reimbursement by the Department for the direct cost of educational services, not otherwise reimbursed under special federal programs, calculated pursuant to regulations of the Commissioner for the period of time for which such services are provided. The claim for reimbursement must be on the STAC 202 form or the form otherwise prescribed by the Commissioner.

Transportation

Unless the homeless child is entitled to transportation provided by the Department of Social Services or Office of Children and Family Services, the district shall provide transportation services to the child in accordance with applicable law. A designated school district that must provide transportation to a homeless child ~~may not~~ 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 when the district receives notice of a child’s homeless status, as well as during the pendency of disputes. If a child is receiving transportation to his/her school of origin and obtains permanent housing during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic year, as well as if the student completes the final grade level in a building, or attends the designated receiving school at the next level.

Dispute Resolution Process

If, after the Superintendent reviews the designation form (STAC-202), 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 homeless 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.

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If, after consideration of any additional information and input from the homeless 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);
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 homeless liaison;
5. inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the district's homeless 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 makes a final determination and for a minimum of 30 days after the determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner.

Homeless Liaison's Dispute Resolution Responsibilities

- The homeless liaison must assist the homeless child's or youth's parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner under Education Law §310 of a final school district decision regarding enrollment, school selection and/or transportation.
- The homeless liaison must provide the parent or guardian or unaccompanied youth with a copy of the form petition.
- The homeless liaison must assist the parent or guardian or unaccompanied youth in completing the form petition, including the section requesting interim relief (stay provision).
- The homeless liaison must arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth.
- The homeless liaison must accept service of the form petition and supporting papers on behalf of any school district employee or officer named as a party or the school district if it is named as a party or arrange for service by mail by mailing the form petition and supporting documents to any school district employee or officer named as a party and, if the school district is named as a party, to a person in the office of the superintendent who has been designated by the board of education to accept service on behalf of the school district.
- The homeless liaison must provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that the homeless liaison has received the form petition and supporting documents and will either accept service of these documents on behalf of the school district employee or officer or school district or effect service by mail by mailing the form petition and supporting documents to any school district employee or officer named as a party and, if the school district is named as a party, to a

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person in the office of the superintendent who has been designated by the board of education to accept service on behalf of the school district.

- The homeless liaison must transmit on behalf of the parent or guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234.
- The homeless liaison must provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that the homeless liaison has received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234.
- The homeless liaison must accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects related to the appeal on behalf of the parent or guardian or unaccompanied youth and making such correspondence available to the parent or guardian or unaccompanied youth.

Additional Homeless Liaison Responsibilities

- The homeless liaison must maintain a record of all appeals of enrollment, school selection and transportation determinations.
- The homeless liaison must inform school personnel, service providers and advocates working with homeless families of the duties of the homeless liaison.

Form Petition Availability

- The form petition can be found at <http://www.counsel.nysed.gov/appeals/petition.htm>.

Coordination

- The District must coordinate the provision of services provided pursuant to subtitle B of Title VII of the McKinney Vento Homeless and Educational Assistance Act, as amended (42 U.S.C. §§ 11431 et. seq.) with local social services agencies and other agencies or programs providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act.
- The District must coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.

Coordination with Title I

- Homeless children and youth are eligible for services under Title I, Part A, whether or not they live in a Title I school attendance area or meet the academic requirements required of other children.
- The District must set aside funds as are necessary to provide services comparable to those provided to children in Title I, Part A funded schools to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where homeless children may live.
- A District receiving Title I, Part A funds must include in its local plan a description of how the plan is coordinated with McKinney-Vento.
- The local plan must describe services provided to homeless children.

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- If a District states that there are no homeless children or unaccompanied youth in non-Title I schools, the District must describe the efforts it made to identify homeless children and unaccompanied youth. Such efforts must include contacting the local Department of Social Services ("DSS") or OCFS to verify that there are no homeless children or unaccompanied youth in the LEA.
- The District must also document that their enrollment form asks the living arrangements of the child or unaccompanied youth, including asking if he or she is living in a shelter; with relatives or others due to lack of housing; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing; or temporarily housed in a shelter awaiting an OCFS permanent foster care placement. Documentation of the LEA's efforts to identify homeless children and unaccompanied youth must be maintained on file and a copy of the LEA's enrollment form which asks the above questions must also be kept on file.

Reporting

The District must collect and transmit to the Commissioner, at such time and in such manner as the Commissioner may require, a report containing such information as the Commissioner determines is necessary to assess the educational needs of homeless children and youth with the State.

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

Adoption date: August 24, 2016

THREE VILLAGE CENTRAL SCHOOL DISTRICT

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ADMISSION OF NON-RESIDENT STUDENTS

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are District residents per Policy 5150 and of legal age to attend school.

However, a non-resident student may be admitted to District schools upon payment to the District of the Board-adopted tuition charge, if and only if, in the judgment of the Superintendent of Schools:

1. there is sufficient space to accommodate the non-resident student;
2. no increase in the size of faculty or staff will be necessary to accommodate them;
3. the non-resident student meets the District's criteria for admission; and
4. the admission of such non-resident student is and continues during the enrollment period to be in the best interests of the District.

The Board shall establish annually the fee for tuition based on the formula provided by the State. A signed tuition agreement shall be executed by the Superintendent for each such payment and the Board of Education shall be notified of all such agreements.

The parent(s)/guardian(s) is responsible for providing transportation for non-resident child/ren to and from school.

Former Students

Regularly enrolled children of families who have moved out of the District during the school year, may be permitted to remain for a specified period of time as determined by the Superintendent or designee. Such children enrolled in grade 12 may complete the entire grade without payment of tuition if the student moves January 1 or thereafter during the senior year. Students in Grade 12 moving prior to January 1 may continue on a tuition basis.

Foreign Students

Students from other nations who are living with District residents may be enrolled at the discretion of the Superintendent without payment of tuition.

School Employees

Children of non-resident staff members may be enrolled at any time (when space permits) upon payment of tuition. School assignment shall be at the discretion of the District.

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Foster Children

Children residing in foster homes, free family homes, or other like circumstances shall be admitted in accordance with 3202 of the Education Law. The appropriate agency or district shall be billed for tuition.

This Policy is not applicable to homeless students entitled to attend district schools under federal and state law regulations, who may not be currently residing in the district (see Policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under federal and state laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.

Ref: Education Law §3202(2)

Adoption date: December, 1991

Revised: June 1998

June 1999

November 30, 2010

July 13, 2016

February 8, 2017

THREE VILLAGE CENTRAL SCHOOL DISTRICT

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ADMISSION OF FOREIGN EXCHANGE STUDENTS REGULATION

I. GUIDELINES

Foreign students covered by this bulletin are generally in the District for a one-year academic program.

The District retains the sole discretion to deny admission to any student not meeting all the requirements set forth in the Board policy and this bulletin. It may also terminate approval of a foreign student program when the Board believes that it would be in the best interest of the District to do so.

1. The District recognizes only those organizations designated as "Exchange-Visitor Programs" by the United States Information Agency, pursuant to Federal regulations, as sponsoring organizations for the exchange of students. Any such organization must supply proof of designation prior to recognition. The Federal regulations noted state that no single sponsoring program may place more than four foreign students, or more than two of the same nationality, in a single school unless an exception is granted by the United States Information Agency. On a case by case basis, at the sole discretion of the Superintendent of Schools, a non-affiliated student over 15 years of age may attend school for a period of less than one year.
2. No foreign students subject to this bulletin shall be brought into the District by a foreign student program unless he or she has been accepted in writing as a student by the Superintendent of Schools or his/her designee.
3. Foreign students will be allowed to attend school and will be provided bus transportation to and from school free of charge. When a foreign student is accepted for admission pursuant to Board policy and this bulletin, the letter of acceptance shall include a statement that tuition shall be waived for the student.

II. PROCEDURES FOR ADMISSION

In order for a principal to furnish a letter of approval to a foreign student program for the acceptance of a student, the following regulations apply:

1. Only foreign students 15 years and older will be accepted.
2. The student must have demonstrated in his/her home school a level of scholastic achievement to indicate the possibility of success in the high school.
3. Proficiency in the English language is required.
4. The student's records and credentials, including English translation, indicating all academic institutions attended, courses studied, and grades received in secondary school, must be available to school officials no less than three weeks prior to the departure from the student's home or by June 15 for admission the following September.

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5. All international student applications will be reviewed by the Superintendent of Schools or his/her designee and the building principals, or their respective designees. After review, application will be submitted to the Superintendent of Schools with recommendations.
6. The student must be in good health and an immunization record must be provided.
7. Verification of health and accident insurance with a minimum limit of \$15,000 will be accepted.
8. The student must enroll for a full course of study on a full-time basis.
9. The student must promise to conform to established standards of acceptable behavior and conform to the rules and regulations of the district.
10. The District reserves the right to deny admission to any student not meeting all the requirements set forth in the District policy and this bulletin.

III. REGISTRATION/GRADUATION

1. The foreign student must present himself/herself for registration prior to the first day of classes for the current semester.
2. At the time of registration, the student will be provided a form to be signed by him/her, the host family, and a representative of the sponsoring organization, indicating compliance with the conditions as stated in this bulletin.
3. The student will be granted a certification of attendance for the year. Foreign students will be allowed to participate in commencement exercises, as appropriate. No foreign exchange student is eligible for a Ward Melville local high school diploma.

IV. TERMINATION OF ENROLLMENT

A student's participation may be terminated at any time by school officials for failure to abide by established guidelines including:

1. Failure of two or more courses by student (without sufficient effort);
2. Failure to conform to established rules and regulations;
3. Failure to conform to the regulations established by the sponsoring organization;
and/or
4. Excessive absences.

V. REVOCAION OR SUSPENSION OF SPONSORING ORGANIZATION

Should the guarantee or documentation provided by a sponsoring organization prove invalid, further acceptance of foreign students from that organization will be dependent upon proof of compliance with District policy.

Adoption Date: October 2009

Revised: October 2010

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5152-E.1

NON-RESIDENT TUITION CONTRACT

AGREEMENT made this _____ day of _____, _____, between _____ (“parent”), residing at _____ and the Three Village Central School District, 200 Nicolls Road, East Setauket, NY 11733-9050 (“district”).

WHEREAS, the parent is a non-resident of the district but expects to become a resident within 90 days of the date he or she executes this agreement; and

WHEREAS, the parent desires to enroll his or her child/ren in the district, and

WHEREAS, the district agrees to accept the child/ren into the schools of the district subject to the following conditions.

IT IS HEREBY AGREED, as follows:

1. The district agrees to accept for enrollment into the schools of the district the following child/ren:

Name of Child

Date of Birth

2. The child/ren shall be admitted to the district’s schools as a non-resident for a period not to exceed the balance of this school year until such time as the student becomes a legal resident of the district, or until the date the student disenrolls from district schools, whichever occurs first.

3. The parent agrees to pay the district tuition in the estimated amount of \$ _____ for the ____/____ school year.

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4. The District charge for tuition shall not exceed the actual net cost of educating such pupils pursuant to Part 174 of the Regulations of the New York State Commissioner of Education governing computation of tuition charges. The district reserves the right to collect additional charges at the conclusion of the school year based upon actual revenues, expenditures, and average daily attendance pursuant to Section 174.2(a)(6) of the Regulations of the New York State Commissioner of Education. The parent agrees to pay any such additional charges within 30 days of the date of an invoice from the district. The annual tuition charges shall be prorated for the period of time the child/ren attends school in the district.

5. Enrollment may continue for the applicable term as long as the child/ren abides by school rules, demonstrates good citizenship, achieves academic success, and provided the child/ren's participation is otherwise satisfactory to district officials.

6. The parent understands and agrees that the parent is responsible for providing transportation for the child/ren to and from school.

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BY: _____

TITLE: _____

DATE: _____

Parent _____

Date _____

Adoption date: May 1998

STUDENT ASSIGNMENT TO SCHOOLS AND CLASSES

The Board of Education directs that assignment of students to schools and classes be consistent with the best interests of students and the best use of the resources of the district. Schools must prepare students for a future in which they interact with people from diverse backgrounds. While some aspects of student diversity are outside the scope of the Board's control, the Board aspires to prevent student isolation where possible. This does not, however, prevent the district from placing students into classes based on academic ability when it's in the best interest of those students.

Assignment of students to schools and classes may be based on current district population patterns, enrollment projections, building capacity, educational programs, students' educational needs, transportation requirements, demographic factors such as those listed in the paragraph above and the presence of diversity where possible.

Assignment to Classes/Teachers

In assigning students to classes/teachers, it is the goal of administration to create classes that can productively learn together.

Parent/Guardian Requests

The Board recognizes that parents/guardians may wish to make requests as to school, and/or class/teacher assignments. Although the Board respects parents'/guardians' perspective, the district will not accommodate requests for specific teacher assignments. Parents may write a letter to the building principal describing the ideal learning environment for their child and the attributes that a teacher would have that would most benefit their student's educational growth. This information will be considered as part of the placement process, when possible.

Final decisions regarding assignment of students to schools and classes/teachers rest with the district.

Cross-ref: 4750, Promotion and Retention
5110, Attendance Areas

Ref: Education Law §§1709(3); 2503(4)
Fisher v. University of Texas at Austin, 570 U.S. ___, 133 S. Ct. 2411 (2013)
Parents Involved in Community Schools v. Seattle School District No. 1, 551 U.S. 701 (2007)
Grutter v. Bollinger, 539 U.S. 306 (2003)
Gratz v. Bollinger, 539 U.S. 244 (2003)
Regents of the University of California v. Bakke, 438 U.S. 265 (1978)
Matter of Addabbo v. Donovan, 22 A.D.2d 383 (1965), aff'd, 16 N.Y.2d 619, cert denied, 382 U.S. 905 (1965)
Matter of Older v. Board of Education of the Union Free School District No. 1, Town of Mamaroneck, 27 N.Y.2d 333 (1971)
Appeal of Jones, 52 EDR Dec. No. 16,456 (2013)

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Appeal of Roy, 51 EDR Dec. No. 16,279 (2011)

Appeal of Strade, 48 EDR 73 (2008)

Appeal of Knoer, 47 EDR 102 (2007)

Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools (2011), U.S. Department of Education and Department of Justice (www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.html).

Coleman, A., Negron, F., and Lipper, K. *Achieving Educational Excellence for All: A Guide to Diversity-Related Policy Strategies for School Districts* (2011). The National School Boards Association, The College Board, and Education Counsel, LLC (www.nsba.org/SchoolLaw/Publications/Education-Excellence-for-All.html).

Adoption date: December 11, 2013

STUDENT WITHDRAWAL FROM SCHOOL

No pupil over the compulsory attendance age in this District shall be dropped from enrollment unless he or she has been absent twenty consecutive school days and the following procedures have been complied with:

1. The Building Principal and/or the Superintendent of Schools shall schedule and notify in writing both the student and his/her parents or guardians of an informal conference.
2. AT such conference, the Principal and/or the Superintendent shall determine the reasons for the student's absence and ascertain whether reasonable changes in the student's educational program would encourage and facilitate his or her re-entry or continuance of study.
3. The student and his/her parents or guardians shall be informed orally and in writing of the student's right to re-enroll at any time in the school, if qualified under law.
4. If the pupil or his/her parents or guardians fail after reasonable notice to attend the informal conference, the student will be dropped from the rolls of the school, provided that he or she and the parents/guardians have been notified that they may re-enter at any time if qualified under the law.

Cross-ref: 5130, Compulsory Attendance Ages
5150, School Admissions

Ref: Education Law §3202(1-a)

Adoption date: December 1991

Reviewed by Policy Committee: January 20, 2011

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: December, 1991

Reviewed by Policy Committee: September 30, 2010

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 notarized.

A parent or guardian may amend a list submitted pursuant to this regulation at any time, in writing, with a properly notarized signature of the parent or guardian.

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 or his/her designee 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: December, 1991

CLOSED CAMPUS

The Board of Education is committed to providing a safe and orderly educational environment and recognizes that the District is responsible for adequately supervising students while they are on school grounds. Since the District is not responsible for supervision of students who leave school grounds, the Board can promote an environment that will help keep the students as safe as possible during the school day by having them remain on school grounds until the conclusion of their class schedule.

Therefore, all school buildings are considered “closed campuses” for all students during normal school hours effective September 1, 2010. Seniors at Ward Melville High School will be allowed to leave the high school campus after the conclusion of the last of their classes.

Adoption Date: December, 1991

Revised: January 27, 1999
February 9, 2010

CO-CURRICULAR AND EXTRACURRICULAR PROGRAMS

The Board of Education recognizes the educational values inherent in student participation in District extracurricular programs. Programs are open to all students and should further develop students' interests in school-related areas.

Recognizing that student activities are a part of the school program, the following are the criteria which all student activity programs must meet:

1. student activities must have educational value;
2. student activities must be in balance with other curricular offerings in the schools;
3. student activities must be managed in a professional manner and sponsored by a faculty advisor;
4. attendance must be recorded each time participants convene in a District approved extracurricular club. Each participant must sign his/her own name on the attendance sign-in sheet. Said attendance records must be maintained in such a manner as to allow them to be retrieved and reviewed. The Superintendent/designee must provide an attendance report to the Board upon request; and
5. all extra/co-curricular activities must convene after school, however, activities may be conducted during the day with prior approval from the building principal.

Cross-ref: 5020, Equal Educational Opportunities
5210, Student Organizations

Adoption date: December 1991

Revised: May 24, 2011

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. Each building shall have a co-curricular committee comprises of up to two administrators and up to three teachers, (one of whom shall be the building representative) chosen by the building principal in consultation with the teachers' union. A function of this committee shall be to decide which activities are to be held. Any costs associated with the student groups or clubs (e.g. faculty advisor, etc.) shall be determined and shall be a factor in determining whether the groups or clubs are to be funded by the District. 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.

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: December, 1991

Revised: January 25, 2011

SCHOOL-SPONSORED STUDENT EXPRESSION

The Board of Education encourages student expression in its many forms, including but not limited to the school newspaper, yearbook, literary magazine, concerts, shows, art exhibits. The Board believes these activities are an important part of student learning and enrich the life of the school community. The school newspaper, for example, is an important part of the school not only because it offers an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because it provides an opportunity for students to express their views in a responsible manner. Each school-sponsored activity offers unique opportunities for students to engage in creative and educational modes of expression.

All school-sponsored opportunities for student expression will comply with the rules set forth in this policy and in the Code of Conduct. Libelous statements, unfounded charges and accusations, obscenity, false statements; materials or performances advocating or expressing prejudice, hatred, discrimination, harassment, bullying or violence on the basis of a protected class (e.g., actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and gender expression), or sex), the breaking of laws and school policies and/or regulations; or materials or performances designed to disrupt the educational process will not be permitted.

In addition, the school-sponsored activities listed above are not considered public forums. In such cases, the Board reserves the right to edit or delete such student expression which it believes is inconsistent with the District's basic educational mission.

Procedural Due Process

When a student(s) presents material for inclusion in a school sponsored publication to a school official with authority over the school publication, the school official must review and make a decision on inclusion in the publication within two (2) school days of submission of the material to him/her. If publication is denied, the student(s) may appeal the decision to the Building Principal. If the Principal agrees with the decision to withhold approval, the Principal must state the reasons in writing and provide the student(s) with a copy of the reasons within two (2) school days of the receipt of the appeal. The aggrieved student(s) may within two (2) school days appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within two (2) school days after receiving the appeal.

Cross-ref: 0100, Equal Opportunity/Nondiscrimination
 0115, Student Harassment and Hazing Prevention and Intervention
 5300, Code of Conduct
 5225, Student Personal Expression

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Ref: Education Law Article 2, §§10-18 (Dignity for All Students Act)
Morse v. Frederick, 127 S. Ct. 2618 (2007)
Hazelwood School District v. Kuhlmeier, 484 US 260, 108 S. Ct. 562, (1988) (limits on student free speech rights in school-sponsored student publications)
Bethel School District v. Fraser, 478 US 675 (1986)
Tinker v. Des Moines Independent Community School Dist., 393 US 503, (1969) (limits on student free speech rights in school setting)
Thomas v. Board of Education, Granville Central School Dist., 607 F. 2d 1043 (1979)
Trachtman v. Anker, et al., 563 F. 2d 512 (1977)
Frasca v. Andrew et al., 463 F. Supp. 1043 (1979)
Matter of Beil and Scariati, 26 EDR 109 (1986)

Adoption date: December, 1991

Revised: November 30, 2010

July 13, 2016

STUDENT FUND RAISING ACTIVITIES

1. Solicitation by outside organizations is generally prohibited.
2. Solicitation for charitable, non-profit, non-political organizations must receive prior approval of the Superintendent of Schools or his/her designee.
3. All fund raising activities must be voluntary, and no direct solicitation of students is permitted on school premises during school hours.
4. Fund raising projects in which students canvass the public in connection with school events and money-raising activities shall be kept to a minimum. The District does not permit solicitation of funds and/or funds on a door-to-door basis.
5. Secondary school students may solicit for school-sponsored clubs and organizations where the funds will be applied toward a curriculum-related purpose or the activities of the club or organization. In any case, a club or organization needs the prior approval of the Building Principal before soliciting funds.
6. All monies raised must be accounted for in strict accordance with procedures established by the business office.

Adoption date: December, 1991

Revised: November 30, 2010
July 13, 2016

THREE VILLAGE CENTRAL SCHOOL DISTRICT

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STUDENT FUND RAISING ACTIVITIES

1. Students should never be directed, pressured, or penalized into selling a set amount of “anything”.
2. Parents and students must be informed as to what the purpose of the fund raising activity is for and what items will be purchased.
3. Items purchased from fund raising must be for the benefit of all students on the team, club, etc.
4. All monies collected should be deposited into an official account such as the School Allied Account (please follow all Allied Account rules, guidelines and protocols), Three Village Booster Club, or a local youth league organization, that has all proper and legal fund raising protocols. All necessary and proper paperwork must be filled out in its entirety.
5. Checks should never be made out to the coach, advisor, or cash.
6. Items should never be shipped to the home address of the coach and/or advisor.
7. Fund raising for athletics should be for the “extras,” not for the basics that the Athletic Office should provide.
8. Fund raising in athletics should be limited to one activity per season.
9. Offseason and informal athletic workouts should not be used as fund raisers.
10. When running and offering athletic in-house clinics as fund raisers for any group, they must never be mandatory. The coach shall consider keeping the cost reasonable. Parents and athletes feel they have to attend these clinics or they will disappoint the coach and it can affect them in terms of making the team, or potential playing time (despite this being untrue). This lends itself to the one sport athlete as he/she begins to quit other sports to fulfill all the offseason clinics. As a program the District does not want the “one-sport” athlete. Coaches shall stress the importance of these types of clinics as being optional, and a chance for athletes to work on their game if they are not playing another sport. It is also an excellent opportunity to meet athletes of various ages within a program.
11. Be conscious of the number of fund raising activities and the effort dedicate to fund raising; know when “enough is enough” in terms of fund raising.

Adoption date: July 13, 2016

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STUDENT ACTIVITIES FUNDS MANAGEMENT

The Board of Education shall have the responsibility for the protection and supervision of the financial affairs of student clubs and extracurricular activities. In accordance with the Regulations of the Commissioner of Education, all monies collected or raised by school individuals or groups shall be deposited with the Board-appointed treasurers of extra classroom activity funds.

The Superintendent of Schools or designee shall promulgate a schedule of records required to maintain control of these allied funds. Individual allied accounts which are maintained on a current basis shall be the responsibility of the Building Principal. The Principal of each school concerned will appoint a competent and qualified faculty advisor for each club or organization. Such advisor shall assure that student activity funds are expended only for purposes of the student activity and only in accordance with State regulations. An audit of all accounts will be made annually by the school auditor.

A report on the status of each allied funds account shall be presented to the Board at their monthly regular business meeting.

Cross-ref: 2210, Board Reorganizational Meeting

Ref: Education Law §207
8 NYCRR Part 172

Adoption date: December, 1991

Reviewed by Policy Committee: January 20, 2011

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. written parent or guardian consent (the written consent will contain information for parents on mild traumatic brain injury (TBI) and will provide a link to the State Education Department's web page on TBI); and
3. 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 the Executive Director of HPERA, a school nurse, the school physician, a coach of an interscholastic team, an athletic trainer 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.

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Athletic Placement Process (formerly Selection/Classification)

Effective August 17, 2015, the Board approves and authorizes the use of the Athletic Placement Process (“APP”) for interscholastic athletic competition, as set forth below. The Superintendent shall implement the APP procedures and maintain a file of those students deemed eligible as a result of those procedures.

The Board permits students in grade 8 to be evaluated through the APP for all varsity level contact sports [field hockey, soccer, diving, cheerleading, basketball, wrestling, lacrosse, football] and non-contact sports [cross country, gymnastics, swimming, tennis, volleyball, golf, fencing, winter track, track and field, baseball, softball].

Students in grade 8 who had been advanced to a higher level through the Selection Classification process in the previous year will not need to be reevaluated if they remain at the same level of athletic competition in the same sport. If a student changes levels of the sport, the APP will be followed. All other eligible students will be evaluated through the APP effective July 1, 2015.

The Board permits students in grade 7 to be evaluated through the APP for the following non-contact sport: Golf.

In order to be evaluated through the APP, the student must have:

1. Provided to the District written parent/guardian consent;
2. Attained the appropriate physical maturity level and comparable physical size for the desired sport and level as determined by the Student’s primary physician or the District Medical Director and reviewed for medical approval by the District’s Medical Director. Whenever there is disagreement between a private healthcare provider and the District Medical Director, efforts should be made by both parties to come to agreement for the health and safety of the student athlete. In all cases, the primary concern should be allowing an athlete to participate to the fullest level of his or her potential safely, and neither the demands of parents, athletes, administration, or coaches should confound that concern. The final decision will be made by the District Medical Director.
3. Received a recommendation by the District’s Executive Director of Health, Physical Education, Recreation and Athletics;
4. Met the APP eligibility standards and requirements as prescribed by the State Education Department, the New York State Public High School Athletic Association, the Commissioner’s Regulations and District policy.

A description of the standards and requirements for the APP is available from the District’s Athletic Director or the following website:

<http://www.p12.nysed.gov/sss/documents/AthleticPlacementProcess2-11-15Revised.pdf>

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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>

Adoption date: December 1991

May 10, 2011

February 14, 2012

September 9, 2015

February 8, 2017

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INTERSCHOLASTIC ATHLETICS REGULATION

Pursuant to law and the Regulations of the Commissioner of Education, all coaches of interscholastic, intramural and extramural athletics must hold valid certification in standard first aid and personal safety as issued by the American National Red Cross, or meet equivalent requirements.

The following are deemed equivalent to certification in standard first aid and personal safety as issued by the American National Red Cross:

1. Completion of an approved preservice or inservice program for coaches as prescribed in subclause (c)(7)(i)(c)(2) of Part 135.4 of the Commissioner of Education's Regulations;
2. Completion of an approved college or university first aid and safety course;
3. Completion of approved college or university courses in athletic training and sports medicine, which include first aid and personal safety; or
4. Equivalent experience which is approved by the Commissioner of Education.

The Superintendent of Schools shall require valid evidence from coaches, at least every five years, that their first aid and safety skills and knowledge are current.

Ref: 8 NYCRR Part 135.5

Adoption date: December, 1991

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ATHLETIC PLACEMENT PROCESS PARENT/GUARDIAN PERMISSION

Dear Parent/Guardian:

There is a New York State Education Department (NYSED) program that permits physically and emotionally appropriate students to try out for an athletic team that is outside of their grade placement. It is called the Athletic Placement Process (APP).

Your child (name): _____ may be eligible to participate in the sport of _____ outside of his or her normal grade level. In order to establish the appropriate eligibility, we must have your permission to begin the APP.

This evaluation is a comprehensive evaluation of your child's emotional and physical maturity (including height and weight); as well as athletic abilities, physical fitness, and sport-specific athletic skill in relationship to other student athletes at that level.

Physical maturity is determined by the district medical director during a physical exam, using the Tanner Scale. The Tanner Scale requires the inspection of the entire body, including the breasts and genitals. The district does accept Tanner ratings from private medical providers. The district does not accept a history of menarche for girls in place of a physical examination. Upon passing the medical clearance, the student may proceed to the physical fitness and skill assessments. Students must pass all levels in order to meet the requirements of the APP.

If your child successfully meets the requirements of the APP, he/she will be allowed to try out for competitive high school athletics during 8th grade. Under normal circumstances, a student is eligible for senior high school athletic competition in a sport for only four consecutive seasons, beginning with the student's entry into the ninth grade. However, by meeting the Athletic Placement Process requirements established by NYSED, your child's eligibility can be extended to permit participation during five consecutive seasons in the approved sport after entry into the eighth grade.

It is important for you and your child to understand that, once the requirements are met and if he/she is accepted as a member of the team, he/she cannot return to a lower-level team (modified) in that sport in that season. Remember, at the higher level of play your child will be exposed to the social atmosphere that is common among older students in a high school environment. Therefore, it is important to take into account your child's ability to handle the additional demands.

Please feel free to contact me regarding this program or to discuss any aspect of your child's athletic placement. If you agree to allow your child's participation in the program, please sign and return the parental permission form to my office.

Sincerely,
Peter Melore
Executive Director HPERA

**ATHLETIC PLACEMENT PROCESS
PARENT/GUARDIAN PERMISSION**

PARENT/GUARDIAN STATEMENT

I have read the attached letter and I understand the purpose and eligibility implications of the Athletic Placement Process.

My son/daughter (name): _____ has my permission to undergo the evaluation process and to participate in this program. I understand that the determination of physical maturity is a private examination involving inspection of breasts and genitals and can be done by a licensed health professional, and I give my permission for the examination. Upon passing the medical clearance, he/she may proceed to the physical fitness and skill assessments. I understand that passing the evaluation process does not guarantee my child a position on a team, but only permits them to try out.

Parent/Guardian Signature

Date

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.

Cross-ref: 4327, Homebound Instruction

Adoption date: April 22, 2015

STUDENT WELLNESS

The Board of Education recognizes child and adolescent obesity as a growing issue in this country affecting not only student health but the ability and motivation to learn. To positively affect our students' health and education, the Board of Education in consultation with parents, students, the school food authority, administrators and the public adopts this Wellness Policy.

In addition to continuing the Health and Physical Education regulations established by the New York State Commissioner of Education (8 NYCRR135), the Board of Education:

1. Adopts the labeling and nutritional regulations established by the Secretary of the United States Department of Agriculture for all foods and beverages served or available for purchase as designated by the New York State Commissioner of Education during school breakfast periods (7CFR 220 & 8 NYCRR 114:1);
2. In consultation with a dietician, adopts the labeling and nutritional regulations established by the Secretary of the United States Department of Agriculture for all foods and beverages served or available for purchase during school lunch periods (7CFR 210 & 8 NYCRR 125.5);
3. Adopts the recommendation in the Dietary Guidelines for Americans for all competitive foods and beverages served or available for purchase on the school campus during the school day. For the 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. The Dietary Guidelines for Americans refer to the federal government's current set of recommendations designed to help people choose diets that will meet nutrient requirements, promote health, support active lives and reduce chronic disease risks (Child Nutrition and WIC Reauthorization Act of 2004 – Section 204 of Public Law 108-265 and Healthy, Hunger-Free Kids Act of 2010);
4. Prohibits the sale from the beginning of the school day until 30 minutes after the end of the official school day of Foods of Minimal Nutritional Value (FMNV). Foods of Minimal Nutritional Value shall include, but not be limited to sweetened soda water, chewing gum, candy including hard candy, jellies, gums, marshmallow candy, fondant, licorice, spun candy and candy coated popcorn as well as water ices except those which contain fruit or fruit juices (New York State Education Law Section 915).

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5. In accordance with the Child Nutrition and WIC Reauthorization Act of 2004 and Healthy, Hunger-Free Kids Act of 2010, shall establish guidelines for reimbursable school meals which are not less restrictive than the regulations and guidance issued by the Secretary of the United States Department of Agriculture.
6. Directs the Superintendent to designate a person or persons to establish a plan for measuring the implementation of this policy and ensuring each school within the District meets the requirements of this policy (Child Nutrition and WIC Reauthorization Act of 2004 – Section 204 of Public Law 108-265).
7. 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 and hosting or promoting community-wide events.
8. In accordance to health and physical activity regulations, provide all students in grades K-12 opportunities, support, and encouragement to be physically active on a regular basis.

The policy does not:

- a. apply to school nurses or other medical personnel when providing health care to individual students.
- b. apply to students who require special nutrition or physical services through an Individualized Education or 504 plan.

Ref: 8 NYCRR135 (New York State Commissioner of Education)
7CFR 220 & 8 NYCRR 114:1 (Secretary of the United States Department of Agriculture)
7CFR 210 & 8 NYCRR 125.5 (Secretary of the United States Department of Agriculture)
Child Nutrition and WIC Reauthorization Act of 2004 – Section 204 of Public Law 108-265
(Dietary Guidelines for Americans)
New York State Education Law Section 915
Healthy, Hunger-Free Kids Act of 2010

Adoption Date: June 27, 2006

Revised: September 23, 2008

April 22, 2015

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WELLNESS REGULATIONS ON NUTRITION AND PHYSICAL ACTIVITY

The Three Village Central School District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity.

The District will engage students, parents, teachers, food service professionals, health professionals, and other interested District personnel and community members in developing, implementing, monitoring, and reviewing District-wide nutrition and physical activity policies.

All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.

Foods and beverages sold at schools during the school day and 30 minutes after the end of the official school day will meet or exceed nutrient standards established by the wellness committee and reviewed on a regular basis; these standards will be consistent with the U.S. Dietary Guidelines and the Healthy, Hunger-Free Kids Act of 2010.

Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students and will provide a clean, safe, and pleasant setting.

Staff will be instructed on the Wellness Policy within 2 weeks of school opening.

Nutrient Standards

All food sold to, or provided to, children within Three Village Central School District during the school day and 30 minutes after the end of the official school day will meet the following nutrient standards from the Healthy, Hunger-Free Kids Act of 2010 and the USDA Smart Snacks in School guidelines for snacks and beverages

Any food sold in school outside of the school meal program must:

- Be a "whole grain-rich" grain product; or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least ¼ cup of fruit and /or vegetable; or
- Contain 10% of the Daily Value (DV) of one of the nutrients of public health concern in the 2010 Dietary Guidelines for Americans (calcium, potassium, vitamin D, or dietary fiber).*

Foods must also meet several nutrient requirements:

- Calorie limits:
 - Snack items: less than/equal to 200 calories
 - Entrée items: less than/equal to 350 calories

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- Sodium Limits:
 - Snack items: less than/equal to 230 mg **
 - Entrée items: less than/equal to 480 mg

- Fat Limits:
 - Total fat: less than/equal to 35% of calories
 - Saturated fat: less than 10% of calories
 - Trans fat: zero grams

- Sugar limits:
 - Less than/equal to 35% of weight from total sugars in foods

*On July 1, 2016, foods may not qualify using the 10% DV criteria

** On July 1, 2016, snack items must contain less than/equal to 200 mg sodium per item

	Elementary	Jr HS	HS
1	Plain water - any size	Plain water - any size	Plain water - any size
2	Carbonated water, no flavoring, any size	Carbonated water, no flavoring, any size	Carbonated water, no flavoring, any size
3	Milk 8 oz	Milk up to 12oz	Milk up to 12 oz
4	100% juice, fruit or Veg, up to 8 oz (Healthy challenge 6 oz)	100% juice, fruit or Veg, up to 12 oz	100% juice, fruit or Veg, up to 12 oz
5	100% Juice diluted with water, can be carbonated but NO added sweeteners up to 8 oz	100% Juice diluted with water, can be carbonated but NO added sweeteners up to 12 oz	100% Juice diluted with water, can be carbonated but NO added sweeteners up to 12oz
6			flavored water, calorie free, can be carbonated, up to 20 oz
7			Beverages up to 20 oz, plain or carbonated, < 5 calories per 8 oz or ≤ 10 calories per 20 oz
8			Beverages up to 12 oz container with: ≤40 calories per 8 oz or ≤ 60 cal per 12 oz.

Meals

1. Reimbursable meals served in the cafeteria will meet USDA standards and be consistent with US Dietary Guidelines and New York State regulations.

2. If breakfast, lunch, or dinner served to students is obtained outside the cafeteria, it should be consistent with the US Dietary Guidelines and the Healthy, Hunger-Free Kids Act of 2010.

Use of Food in the Classroom

The celebration of birthdays, seasons, and holidays with special privileges, songs, games etc., without food is strongly encouraged as an alternative to food based celebrations.

It is the policy of the Three Village Central School District that food shall be used at the teacher's discretion, for instructional purposes, with nutritional guidelines considered. A snack should be sent in by the parent for his/her own child only. Teachers may use discretion to provide a child with a snack. A list of recommended snacks will be provided to parents, teachers, and administrators by the Director of the District's Child Nutrition Program.

Cultural Celebrations/Events

It is the policy of the Three Village Central School District to allow cultural foods as part of a celebration of ethnic diversity. These celebrations may occur in the classroom or school venues.

PHYSICAL EDUCATION

Physical Education is a planned sequential program of curricula and instruction that helps students develop the knowledge, skills and confidence necessary for an active lifestyle. Activities that student will learn will be appealing and will focus on a wide variety of lifelong activities.

Minimum Requirements for Physical Education:

- All students in grades K-12 shall receive physical education
- All students, including students with disabilities and/or special care needs, will receive physical education instruction as designated
- All physical education classes will be taught by a certified physical education teacher
- Teachers and other school personnel are to encourage positive physical activity and not use physical activity as a form of discipline or punishment

Sequential Physical Education Curriculum

Instruction in physical education should be based on the National and New York State Standards of Physical Education and should address the key learning objectives identified by those standards.

- Full inclusion of all students
- Well-designed lessons that facilitate student learning
- Sequential physical education means a curriculum that builds on concepts taught in preceding years
- Instruction in a variety of motor skills designed to enhance the physical, mental, and social/emotional development of every child
- Incorporate Fitness Education that includes assessment to help students understand, improve, and/or maintain their physical well being
- At least 50% of instructional time in physical education will be spent in moderate to vigorous physical activity with maximum participation and opportunity for practice

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- Elementary physical education course content will include, but is not limited to, each of the following areas: Skill Themes (sport skills), Fitness Education, and Adventure Education (cooperative games and initiatives)
- Secondary physical education course content should include each of the following areas: Team Passing Sports, Net & Wall Sports, Striking and Fielding, Personal Fitness Activities, Dance, Lifetime Activities, Target Sports, Outdoor Activities, and Aquatics (Grade 10).

Assessment of Student Learning

- All Physical Education teachers will administer the Fitness Test annually to all students in Grades 3-12
- Assessment of student learning and reporting student progress shall be an ongoing process of physical education
- Learning objectives (such as psychomotor, cognitive, and affective) will be assessed and reported using a grading system that reflects the progress of students

Professional Development

Physical Education teachers should receive specific professional development related to curriculum, instruction, and assessment in the physical education content area.

Facilities for Physical Education Instruction

Ensure that school personnel minimize the use of physical education facilities for other activities during the school day.

PHYSICAL ACTIVITY

Physical activity refers to participation in physical activity. Physical activity programs may provide participants with structured activity (games, sports, etc.), unstructured activity (walking programs, dance, etc.), or opportunities to participate in physical activity in the daily routine.

Daily Recess

- Teachers and other school personnel will not use physical activity (i.e. running laps, push-ups) as punishment
- Teachers and other school personnel will not withhold opportunities for physical activity (i.e. recess) except in instances of health and safety, or where alternative disciplinary measures have been exhausted

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- All elementary school students should have daily recess, preferably outdoors, during which staff should encourage moderate to vigorous physical activity, including the provision of space and equipment
- Provide all relevant teaching staff with training on conflict resolution, and issues (behaviors) related to recess and physical activity. Consistent rules and consequences will be adhered to
- Offer developmentally appropriate games and activities to encourage social interaction and purposeful play (i.e. markings on the blacktop: hopscotch, words, alphabet, and number games)
- Develop and adhere to District guidelines on modified weather alerts (heat, cold) during physical education classes and recess

Physical Activity Before and After School

- After school child care and after school enrichment programs should encourage daily periods of moderate to vigorous physical activity for all
- Offer additional morning, afternoon, and evening physical activity sessions for students K-12 through intramurals, community based programs, interscholastic sports, and (adult/children) directed programs, where and when possible
- Promote physical education programs through activities to share with parents and the school community
- Develop District guidelines on intramurals and related activities. All schools in the District shall seek programs for elementary, middle school and high school students. A wide variety of activities will be available for student participation

Student Safety During Physical Education and Physical Activity

- Establish rules and procedures concerning safety for staff and students
- Facilities and equipment used for physical education and physical activity should be properly monitored and maintained to ensure participants' safety
- District Physical Education and Health staff should receive First Aid, CPR (cardiopulmonary resuscitation) and AED (automated external defibrillator) training, in accordance with the American Red Cross guidelines. These trainings should be considered as part of the school district's professional development courses
- The school district should ensure that students and staff have access to appropriate hydration (i.e. water)
- All bleachers in the physical education teaching spaces shall be maintained and repaired to ensure the safety of spectators and participants

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Physical Activity for School Staff

The school district will promote physical activity among staff and seek to provide them with opportunities to engage in regular physical activity.

Review of Policy

This policy will be reviewed annually or when deemed necessary.

Adopted: January 22, 2008

Revised: April 22, 2015

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, and scoliosis screening. Results requiring follow up 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 prekindergarten, kindergarten, and upon entering 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 may 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.

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 from school during periods of contagion for a duration of time determined by the New York State Department of Health, Center for Disease Control and/or the District's Chief Medical Officer.

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 a physician.

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; and
2. the written order of the prescribing physician, 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.
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 by both 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 the students to use sunscreen.

These documents shall be kept on file in the office of the school nurse.

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Emergency Care

Schools shall also provide emergency care for students in accidental or unexpected medical situations. 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.

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. The plan will be maintained by the school nurse. The plan will guide prevention and response. If the student is eligible for 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.

The District will stock epinephrine auto-injectors for non-patient specific use and shall ensure that designated staff are properly trained.

Opioid Overdose Prevention

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

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 school physician 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

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5550, Student Privacy

5420

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); 919 (provide and maintain nebulizers); 6909 (emergency treatment of anaphylaxis)

Public Health Law §§613 (annual survey); 2164 (immunization requirements)

8 NYCRR § 64.7 (administration of agents to treat anaphylaxis); § 135.4 (Physical Education); Part 136 (school health services program)

Administration of Medication in the School Setting Guidelines, State Education Department, revised April 2002

Immunization Guidelines: Vaccine Preventable Communicable Disease Control, State Education Department, revised August 2000

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

Adoption date: December, 1991

Revised: April 28, 1998

February 23, 2010

March 6, 2012

September 3, 2014

August 22, 2018

THREE VILLAGE CENTRAL SCHOOL DISTRICT

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Introduction

The following Standing Medical Orders should be applied to the evaluation and initial stabilizing treatment of our students, district staff or visitors on school property who require medical attention.

The school nurses will oversee the proper implementation of the guidelines. Assistance from other district staff will be consistent with their level of training. Each school Health Office will maintain a list of telephone numbers of the emergency contacts appropriate to the situation at hand. These may include: parent/guardian, school physician, administration, Emergency Medical Services and Poison Control. Parent/guardian should be notified in any emergency situation.

Any injury where it is thought that the parent/guardian is involved should be referred to child protective services.

School nurses must follow orders received by the treating physician and the District Medical Director and his staff. When there are concerns/questions regarding such orders, nurses should first refer to the treating physician and if necessary the District Medical Director.

In the event parents/guardians give specific medical instruction kindly request such instruction be included in the treating physicians' orders, as nurses are to follow doctors' orders rather than parents' suggestions. The treating MD may allow the parents/guardians who have sufficient training and experience in adjusting insulin doses they administer to their child, to be consulted regarding the adjustment of insulin doses administered by a nurse during school time hours and at school-sponsored events, to the extent reasonably practical, understanding that the nurse retains his/her professional judgment regarding the adjustment dose he/she will administer.

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General Principles

Historical information should be obtained from the child including the concern, recent similar episodes, exacerbating factors, and any current medications being taken. An assessment of the child's general physical appearance and conditions should be made including skin color and temperature, presence of rash or skin lesions, or presence and character of nasal discharge. Vital signs should be obtained as appropriate including but not limited to respiratory, pulse rate, and temperature.

Controlled Substances (All DEA schedule controlled substances)

Students, regardless of level of assistance shall not self-carry DEA schedule controlled substances. Such controlled medication must remain locked in the Health Office to be dispensed and recorded by the school nurse. The school nurse will secure such controlled medication on field trips.

School Attendance

Students should not be sent to school, admitted or re-admitted to school or allowed to remain in school if they exhibit any of the following:

- a) Fever of 100.4 degrees F or greater. In general, the child should be free of fever without use of Tylenol or other anti-pyretic for 24 hours before being sent back to school. Aspirin should not be given to children.
- b) Purulent coryza (running nasal mucus which is yellow or green).
- c) Unexplained rashes or other skin lesions which are open or weeping.
- d) Vomiting and diarrhea particularly if associated with fever or which contains blood or mucus.
- e) Chest pains, shortness of breath, or stomach pains particularly associated with fever.
- f) Inflammatory conditions of the eye including bacterial conjunctivitis.
- g) An active case of lice.

Non Emergent Conditions

1. Abrasions

- Cleanse with soap and water.
- Pat dry with sterile dressing.
- Cover with dry sterile dressing.
- Notify parents if abrasion extremely painful or located on face.
- Encourage parent to verify date of last tetanus shot with family physician.

2. Blisters

- Unbroken blisters should be covered with a dry sterile dressing.
- Broken blisters should be rinsed with cool water, patted dry, covered with a sterile dressing.
- Large weeping blisters should be covered with a sterile dressing and parents notified.

3. Bruises

- Cold compresses or ice pack applied to area of bruise
- If bruise present in the face or genitalia parents should be notified and encouraged to consult with their family physician for full evaluation and treatment.
- Consider child abuse.

4. Cochlear Implants

This is a permanent procedure for hearing loss resulting in a severed auditory nerve. There is an internal device placed under the skin. The outer device is called the processor. An IEP should be in place and an annual medical note is required excusing the student from collision sports.

When the teacher or student detect hearing difficulty, the nurse can:

- Check the light source on the processor. It should be lit and solid, not flashing.
- Check the battery, parents supply reserve battery.
- Check the integrity of the tubing and magnet.
- If the student is wet, sweating or in the rain, the processor should be covered with a sleeve. Parents are to provide plastic sleeves.
- Notify the parents if difficulty persists.

5. Colds, Sore Throat, Fever, Earache

- Evaluate for sinus congestion, enlarged tonsils, and lymphadenopathy.
- If student is uncomfortable notify parents.
- Earaches are not contagious and student may remain in school if comfortable.
- Perform visual inspection of outer ear for any foreign bodies.

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- Warm compress/ Ear Ease may be used for comfort- check for even heat distribution before applying.
- A warm saltwater gargle may be used to soothe the throat. Use a ratio of ¼ tsp per 4 oz water to maintain an isotonic solution.

6. Epistaxis

- Squeeze both nostrils and hold. Do not tilt head back. A cotton roll may be gently inserted into the affected nostril.
- Ice may be applied.

7. Contagious Diseases

- Always alert principal, DMD and Executive Director of HPERA of any reportable contagious disease. Follow DOH recommendations/procedures as directed by the previously mentioned.
- Alert parents/guardians of those students who are immunocompromised or not fully vaccinated.
- Notify staff as directed by the Executive Director of HPERA in consultation with the DMD.

Several illnesses and infestations carry a risk of spread if patients are not treated appropriately before they return to school. The following are some guidelines related to this:

- a) **Fifth Disease** is a viral illness common in elementary school age children. The patient is infectious 4 to 14 days before the appearance of the rash; therefore, exclusion from school based on observation of the rash will not limit the spread of Fifth Disease. The child usually appears and feels well but may exhibit a typical facial rash with the appearance of having been "slapped." A reticular (lacey) rash may also be present on the arms. These students may attend school after the rash appears if medically cleared by their family physician. In addition, staff of childbearing age should be informed of confirmed Fifth Disease within their classrooms so that they may consult with their personal physicians regarding the need for testing or avoidance.
- b) **Varicella (Chicken Pox)** students may be readmitted after a 24 hour period in which no new lesions appear, and after all old lesions have "crusted over" For children in elementary school, this is usually six days after the rash appears but may be longer in older children and adults.
- c) Children with confirmed cases of **Measles** may be re-admitted after they have been afebrile for 24 hours with resolution of the rash, but not sooner than five days of the appearance of the rash. Children exposed to measles who have not been adequately immunized (two doses of live measles vaccine) may not be readmitted to school until ten days after the exposure with the absence of symptoms.

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- d) Children with **Strep Throat** may be readmitted after 24 hours of antibiotic treatment as long as they are afebrile. **Scarlet Fever** is a complication of Strep infection and also requires at least 24 hours of antibiotic treatment and absence of fever prior to readmission to school.
- e) **Scabies (body lice)** infection is treated with a single application of a scabicide, often repeated in 2 weeks. Children may be readmitted to school after a single application of this medication.
- f) If a student has an active case of **Lice**, parent must be called to pick up their child.
- Active cases (live lice or at least 5 nits visible within 1cm of the scalp are considered active cases) will be picked up from school.
 - Siblings of active cases will be checked.
 - Parents will be requested to contact close friends and anyone who has been in close proximity over the past couple of weeks.
 - If requested by their parents, additional student will be checked. We will not do full class checks or send home letters informing the entire class, as this has been a violation of student privacy.
 - Students may return to school after treatment and will be checked by the nurse upon return to ensure there is no longer an active case. These students will be checked again in 14 days for any signs of re-infestation.

The basis for this procedure change is from the AAP clinical report (among many other studies) Updates for the Treatment of Head Lice.

g) **Conjunctivitis (Pink Eye)**

- Bacterial: should be confirmed by MD and treated with appropriate anti-bacterial eye drops for 24 hours prior to returning to school. Students should remain out of school until discharge and redness have resolved.
- Non-bacterial: (viral or allergic), should be confirmed by MD. Students should remain out of school until discharge and redness have resolved.

8. **Gastrointestinal Complaints**

- Notify parents to pick up student if associated with vomiting or diarrhea.
- Assess location and quality of pain.
- Observe child for gait disturbance (difficulty standing upright), inquire about appetite, and notify parents.

9. **Genital Concerns**

- No physical exam by nurse.
- Parents should be notified of children complaining of painful urination, vaginal discharge, or vaginal or rectal itching and student should be evaluated by a physician.

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10. Headache

- Allow child to rest and offer fluids.
- Notify parents if associated with neck pain, unusual behavior, nausea, visual disturbances, or if associated with recent history of trauma.

11. Lacerations

- Use direct pressure with a sterile dressing until bleeding stops.
- Clean with soap and water.
- Cover with dry sterile dressing.
- Lacerations that may require sutures are those whose edges are opened, over a joint or on the face will require parental notification. Parents should be encouraged to take child to their primary doctor or Emergency Department.
- If it appears that surgical closure (stitches) may be needed, parents should be notified and advised to contact their physician or bring the child to an emergency room within six hours of the injury.

12. Menstrual Cramps

- Allow patient to rest and offer heating pad.
- If associated with fever, or if bleeding has been excessive or prolonged, notify parents.
- If uncontrollable vaginal bleeding occurs, notify ambulance.

13. Skin Rashes

- Observe child for distribution and character of rash.
- If skin is not intact and oozing refer to doctor.
- Student with an unexplained rash should be picked up by parent and requires a note from doctor to return to school.
- Flat, itchy and red skin may be washed with soap and water and ice applied.

14. Splinter

- Splinter may be removed if possible, washed with soap and water, and bandage applied.

15. Ticks

- Gather history and report presentation to parents.
- Tick can be removed with tweezers taking care that the entire insect is excised. If this is difficult, parents should be advised and the family physician notified. No chemical or medication should be applied to the tick in an attempt to prompt its retreat. If successfully removed, the tick should be placed between clear tape and in a zip lock bag and given to parents to consult with their physician regarding the need for further examination of the child or insect.
- Wash with soap and water.
- Assess surrounding skin.

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16. Mild Allergic Reaction

- Mild reactions are those manifested by tearing eyes, running nose, sore throat, pink spotty rash and/or hives.
- Student should wash affected area with cool water to rinse allergens away.
- Apply ice or cool compresses to the rash/hives.
- Observe for additional symptoms, i.e., wheezing, difficulty breathing.
- Student should be observed for approximately ½ hour until no new rashes appear and student may return to class.
- If rashes continue to appear, student getting nervous or short of breath, parent should be notified to pick student up and encouraged to contact physician

Emergent Conditions

17. Severe Allergic Reactions/ Epi-pen/Benadryl

Anaphylaxis: a rapidly appearing severe allergic reaction may be manifested by facial swelling, hives, severe stomach ache, angioedema, swelling of the throat and/or difficulty breathing. Student may have difficulty speaking or swallowing. Generally, this is the result of ingestion or exposure to allergens.

- Anaphylaxis must be recognized by the above signs/symptoms promptly and treatment must be initiated quickly.
- Health Office staff member must be prepared to administer Epinephrine injection and call Emergency Medical Service (EMS) ambulance to transport student to hospital. When calling for ambulance it is necessary to advise them of the type of emergency. Do not wait for ambulance arrival to initiate the following treatment.

Treatment must be prompt including:

For students whose weight is greater than or equal to 30 kg. (66 pounds)

- Epi Pen 0.3 mg. IM, and Call EMS
May repeat in 5-15 minutes only 1 time, if symptoms worsening or still present.

For students whose weight is less than 30 kg. (66 pounds)

- Epi Pen Jr. 0.15 mg. IM and Call EMS
May repeat as above if necessary.

Benadryl may be given by mouth (PO) for this reaction if student is alert and able to swallow. Benadryl may be used as an adjunctive treatment to the Epi Pen. Dosing of Children's liquid Benadryl (12.5 mg/5mL) as follows:

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Years Old	tsp.	ml.	mg.
2-5	0.5-1	2.5-5	6.25-12.5
6-11	1-2	5-10	12.5-25
12+	2-4	10-20	25-50

- Administer Oxygen via Non-rebreather mask at 10-15 LPM or nasal cannula at 6 LPM.
- Cold compresses to face and hives.
- Maintain student in sitting upright position to facilitate breathing.
- Notify parents of student problem and treatment plan.

18. Altered Mental Status/Narcan

Students discovered with altered mental status should be brought to the Health Office for determination of the cause. The discovering person should be queried for any evidence of alcohol or drug ingestion, e.g. containers, drugs, or drug paraphernalia. Student's health record should be reviewed for possible medical conditions such as diabetes, seizures, psychiatric conditions, or injuries. School nurse must try to ascertain whether or not there was a loss of consciousness. Evaluation should include the following:

- Assess level of consciousness and orientation.
- If altered LOC with signs of opioid overdose including slow respiratory rate (less than 8-10 bpm), heavy head and pinpoint pupils, administer NARCAN intranasal:
 1. Spray half the contents of a syringe into one nostril, half into the other.
 2. Call EMS.
 3. After 2 minutes, if there is no response, do it again.
- Note any injuries.
- Assess for evidence of alcohol, i.e., smell of alcohol on breath.
- Examine extremities for injection sites.
- Check for incontinence or tongue biting which may suggest seizure.
- Alert parents of situation and question regarding previous similar episodes and request they come to the Health Office.
- Activate EMS in cases where student's altered mental status includes agitation and possible danger to self or others.
- Student will be transported for further evaluation/management at the appropriate level i.e. Emergency Department or Family Physician.
- Students identified with substance or alcohol use should be referred to the school psychologist.

19. Asthma/Oxygen

In the event of asthma attack the student should be brought to the Health Office and treated in the following manner:

- Known asthmatic students should have their own inhalers in school with Doctor's orders on file.

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- Examination should include vital signs and cardiopulmonary assessment.
- Signs/symptoms of respiratory distress and EMS activation may administer oxygen as follows:
 - Administer oxygen at 6 LPM via nasal cannula or 10-15 LPM via non-rebreather mask to keep O₂Sat \geq 94%.
- Parents should be notified of any asthma attack.

20. Bites

A. Animal and Human

- Cleanse area with soap and water.
- Apply sterile dressing.
- For animal bites, identify type of animal.
School staff should not attempt to trap or capture the animal.
- Notify police of presence of biting animal on school grounds.
- Notify parents of the incident.
- Encourage family to verify date of last tetanus shot with family physician.
- The student should be referred to the family physician or emergency room for treatment.

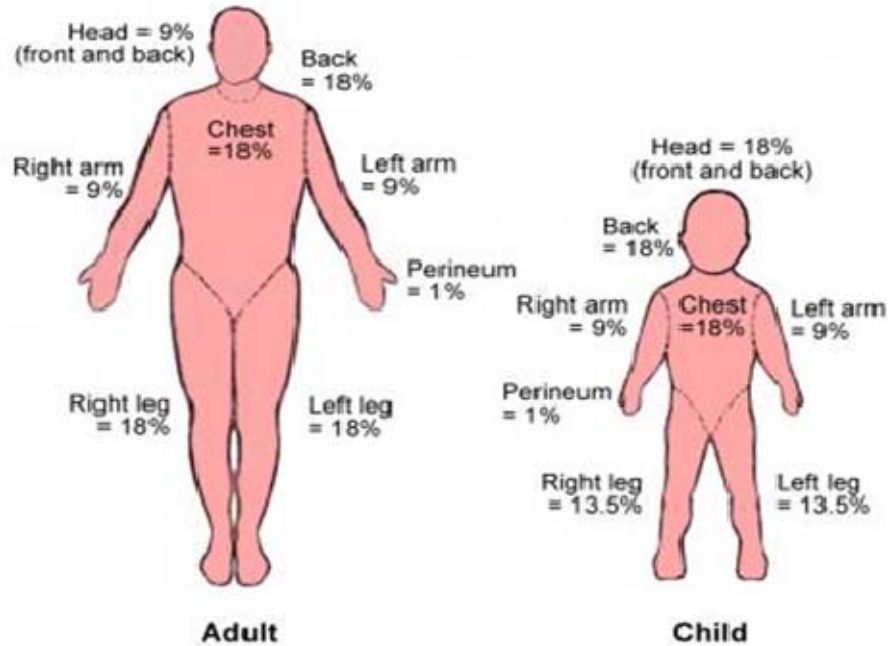
B. Insect Bite or Sting

- Cleanse area with soap and water.
- Remove stinger if present.
- Apply cool compress or ice.
- Children with a history of insect sting allergies should be observed for 30 - 60 minutes for signs of anaphylaxis.
- At the first sign of anaphylaxis EMS should be called and anaphylaxis treatment should be initiated as outlined above.

21. Burns

Any student, staff or visitor who sustains a burn should be evaluated by the school nurse.

- Burn type- thermal (burn from flaming materials such as clothes, wood, oils) vs. chemical (acids, cleaners, etc.).
- Body surface area involved, see enclosed diagram to approximate % of body surface involved by the rule of the 9's.



Treatment

Define and assess the degree of the burn as First, Second and Third.

- 1) First Degree burns presents as reddened first layer of skin involving less than 10% for children and less than 20% for adults.
 - Expose area then rinse with cool water.
 - Clean with soap and water.
 - Courtesy call to parents and refer to PMD for extensive BSA or significant discomfort.
- 2) Second Degree burns presents as partial thickness tissue damage; pain, redness and blistering involving greater than 10% in children and greater than 20% in adults OR circumferential i.e. completely around digit or extremity OR caused by electrical contact. Temporizing treatment includes:
 - For small areas: expose, rinse with cool water, clean with mild soap and water.
 - For large areas: expose, clean with sterile saline and loosely cover with sterile dressing.
 - Notify the parents of the incident.
 - Activate EMS.
- 3) Third Degree burns are full thickness tissue damage resulting in white/black charred skin that may be numb. Temporizing treatment includes:
 - Same care as large area Second Degree burns.

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- Major burns should be referred to a burn center. Particularly dangerous are those involving the airway tubes of the lungs. Students with these burns will require immediate transfer to the Burn Center at Stony Brook University Hospital by EMS.
- 4) Chemical burns should be reported to Poison Control for product information regarding dangers and treatment protocols. Consider reporting to EMS the type of chemical for hazardous material containment and removal from the scene of the accident. Follow district's Hazmat procedure.

22. Choking

Students who are apparently choking should be approached calmly and assessment started immediately. Treatment should follow current American Heart Association (AHA) and/or American Red Cross (ARC) protocols for choking victims. Notify EMS if necessary. See choking instructions attached.

23. Diabetic Emergencies

*For suspected hypoglycemia (shaky, sweats, confusion, tachycardia) and student is **NOT** known to have Diabetes, the school nurse is permitted to perform finger stick for glucometry. If BGM is less than 70, give juice and notify parents.

For known Diabetic, refer to treating MD orders for protocol. In absence of current written treatment plan:

- **Low blood sugar** (hypoglycemia) can lead to shock. This tends to occur quickly over several hours of insufficient food intake or too much insulin administered by the victim or increased activity without sufficient nutritional balance.
- Mild to moderate hypoglycemic reactions are reversed by the administration of a quick sugar source such as fruit juice, glucose tabs, etc.).
 - Quick glucose, 15g.
 - Recheck blood glucose 10-15 minutes, repeat if blood sugar is less than 70.
 - Follow with a snack of carbohydrate and protein.
- Severe hypoglycemia includes loss of consciousness, seizure, inability to swallow.
 - Don't attempt to give anything by mouth
 - Position on side if possible.
 - Administer glucagon by trained personnel if prescribed and available.
 - Activate EMS.
- **High blood sugar (hyperglycemia)** can lead to a coma. This develops over several days with altered mental status, weakness, and confusion until the person loses consciousness. Acetone breath that is detected in an unconscious or lethargic victim may suggest that the person is in a diabetic coma. These people need to be transported to the Emergency Department immediately.

24. Drowning and Near Drowning

An unconscious person found in the water should be assessed while still in the water.

- Assess student for the ABC's: airway, breathing, and circulation (pulse). Call EMS.
- Rescue breathing with mask and CPR initiated if necessary; also while still in water.
- Assume victim to have a head or neck injury until proven otherwise.
- Remove from water on backboard (slide underneath victim) with C-spine Immobilization.
- Administer Oxygen at 6 liters per minute via nasal cannula at 10-15 liters per minute via non-rebreather-mask.

25. Eye Injuries

A. Displaced contact lens:

- Ask person to rotate eye to locate lens. Assist person in removing lens.
- If lens cannot be removed, contact family to bring person to eye care provider.

B. Foreign Body, non-penetrating:

- Advise person not to rub eye.
- Irrigate eye with eye wash solution, if successful student may return to class when comfortable.
- Follow up with physician or eye care provider.

C. Eye Contact with Corrosive Material:

- Flush affected eye with large amounts of eye wash or normal saline solution.
- Notify family of injury and it is recommended that the person go to Emergency Room for further evaluation.

D. Penetrating Object/Foreign Body:

- **Do not remove** penetrating object/foreign body from eye.
- Notify EMS.
- Notify family of injury.

26. Fainting

- Assist in lying down with head on pillow and elevate lower extremities.
- Assess vitals and LOC.
- Notify family of episode, and inquire if recurrent.
- If loss of consciousness is prolonged or associated with headache, head trauma, fever, vomiting, seizures, neurological deficits and/or altered mental status.... **Activate EMS.**
- Follow current AHA/ARC protocols for unconscious victim.
- Notify parents.

27. Fracture of Extremity

The evaluation and treatment should include:

- Inspect for deformities, open wound, neurovascular deficits.
- Immobilize the extremity to avoid additional damage.
- Tight, circumferential dressings should be avoided to prevent ischemic vascular injury.
- Monitor vital signs and watch for signs of shock.
- Notify EMS and family.

28. Head Trauma and Concussion

- A. Any person that sustains a blow to the head will be referred to the Health Office. An evaluation of the head and cervical spine will be performed. If no significant objective findings are present, the student may return to class. Family should be notified of the incident and follow up with their family physician if their condition changes. Provide concussion education materials.
- B. Concussion is a brain injury that alters mental status which may or may not include a loss of consciousness. Symptoms may include:

Headaches	Memory dysfunction	Sadness
Nausea	Balance problems	Drowsiness
Vomiting	Noise sensitivity	Light sensitivity
Feeling slowed down	Numbness/tingling	Nervousness
Difficulty concentrating	Trouble falling asleep	Visual blurring/ double vision
Dizziness	Increased sleep	Irritability
Fogginess	Decreased sleep	
Fatigue	Emotional	

- Assessment should include vital signs, neurological status - motor, sensory and mental status check.
- All head trauma victims with positive LOC are to be transported by EMS to ER, with cervical spine immobilization for further evaluation and management.
- Whenever signs and symptoms of concussion are present, the student shall be removed from physical activities and the District Concussion Protocol should be followed.

29. Multiple Traumas/Bleeding

Victims of serious multiple traumatic injuries require rapid EMS transport.

- A primary survey as to the general condition of the victim, forming a list of system specific injuries in order of severity.
- Maintain airway, breathing, and circulation (ABC's)

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- The results of the primary survey and patient's condition should be communicated to the EMS crew if possible.
- If direct pressure not adequate:
 - For uncontrollable bleeding, apply Tourniquet, **directions attached**.
 - Quick clot has been recommended in cases of blast type injuries with significant tissue loss.
- Immobilization of spine and limbs if necessary.
- Until EMS arrives, victim should be protected from further injury and not moved unless one has to provide life sustaining treatment.
- Notify family.

30. Poisoning

Conscious Person:

In cases of suspected poisoning in the school nurse will:

- Assess vitals.
- Ascertain which substance and the route of exposure - ingested, inhaled, injected.
- Call Poison Control#: 1-800-222-1222.
- Was poisoning accidental or intentional (inquire about suicide history or recent signs of depression). Intentional poisonings require follow up psychological care per protocol.
- Notify parents of incident and query regarding psychiatric or substance dependency, suggest they come to Health Office and notify EMS.
- Notify Counselor/Guidance, if possible, for pertinent history

In Cases of Inhaled Substances:

- Move victim to clean air environment.
- Administer oxygen at 6 liters per minute via nasal cannula or 10-15 liters per minute via non-rebreather mask.

Unconscious Person

- Access vitals.
- Notify EMS.
- Treatment should follow current AHA and/or ARC protocols for unconscious victim.

31. Seizures

Petite Mal (Absence) Seizures:

- Occurrence of Petite Mal (absence) seizures does not require exclusion from class and should be reported to parents for review.

Grand Mal (Tonic-Clonic) Seizures:

- Time the duration of the seizure.
- The student should be positioned on their side.
- Do not open mouth or place objects in mouth to hold it open.
- Closely monitor respiratory status.

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- Check the student's medical records for history of seizures, current medication and PRN Anticonvulsant orders.
- Notify EMS and family for students having their first seizure.
- Care for children with breakthrough seizures should be individualized according to medical care plan. Return to class will be determined by district health care professional.
- Children with change in frequency, length, or type of seizure should be transported by ambulance to ER after notifying the family. The child is not permitted to remain in school, due to the change of epileptic status.

32. Teeth

- Exarticulated deciduous teeth (baby teeth) should be saved in gauze or envelope. Family notified if this occurred due to unexpected trauma.
- Permanent teeth should be placed in saline or milk and the family notified of incident and referred to dentist immediately.

33. Weather Related Injury

Cold Exposure, Frostbite:

- Slow warming of erythemic and numb extremities by submerging in warm water for no more than 15 minutes at a time.
- Maintain core body temperature with layers of dry insulated clothes and blankets.
- Notify EMS and family.

Heat Exhaustion and Heat Stroke:

Heat illness can progress from heat cramps, to heat exhaustion, and potentially become heat stroke.

- Person should be placed in cool environment. Provide cool wet compresses on forehead, armpits, and ankles.
- If fully awake and oriented, they may drink cool beverage.

Document mental status and vital signs.

- Heat stroke is present when victim has altered mental status, tachycardia, tachypnea, dry skin, and oral temperature is elevated.
- Notify EMS and family.

34. Chest Pain

For Adults (19 years of age or older) with complaints of chest pain and concern for acute coronary syndromes (ACS) the nurse will:

- Check vital signs.
- Activate EMS.
- Oxygen may be administered at 6 LPM via nasal cannula or 10-15 LPM via non rebreather mask.

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Student eligibility to participate in physical education class and sports activity:

Under New York State Education Law, the District Medical Director is responsible for determining all student participation in athletics, physical education, and other activities. The Medical Director is often asked to make a determination about a student's participation, when their health history indicates a potential health risk. The school physician will consider these requests on an individual basis. The school physician will consult with the appropriate involved

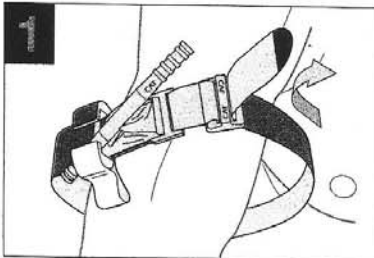
parties and authorities regarding the health issues in question. The final decision will be based on the student's safety and best interests; as well as the liability to the district of allowing an activity with potential risk forewarned.

Howard R. Sussman, MD District Medical Director
Three Village Central School District September 18, 2017
Revised 1/8/18

THREE VILLAGE CENTRAL SCHOOL DISTRICT



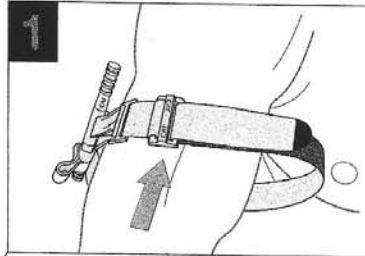
INSTRUCTIONS FOR USE



TWO-HANDED APPLICATION

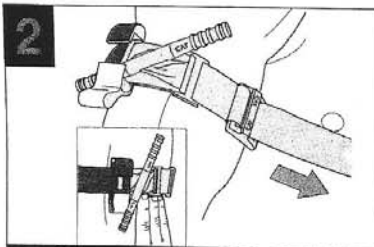
Route the band around the limb, pass the red tip through the slit of the buckle, and position the **C-A-T**® 2-3" above the bleeding site directly to the skin.*

OR

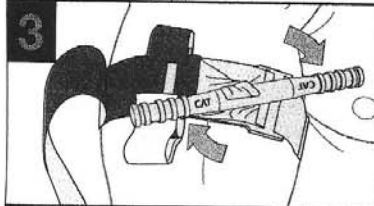


ONE-HANDED APPLICATION

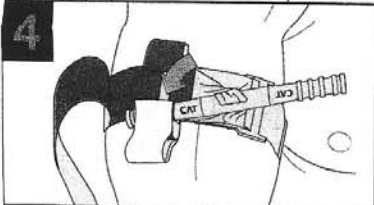
Insert the injured limb through the loop in the band and position the **C-A-T**® 2-3" above the bleeding site directly to the skin.*



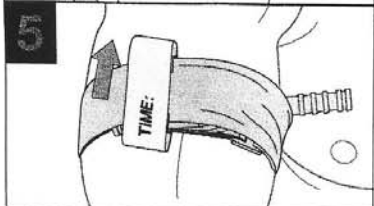
Pull band tightly and fasten it back on itself all the way around the limb, but not over the rod clips. Band should be tight enough that tips of three (3) fingers cannot be slid between the band and the limb. If the tips of three (3) fingers slide under band, retighten and re-secure.



Twist the rod until bleeding has stopped.



Secure the rod inside a clip to lock it in place. Check for bleeding and distal pulse. If bleeding is not controlled, or distal pulse is present, consider additional tightening or applying a second **C-A-T**® above and side-by-side to the first. Reassess.



Route the band between the clips and over the rod. Secure rod and band with TIME strap. Record time of application.

*If you cannot be sure or cannot take the additional time to examine where the bleeding is coming from based on the situation, the **C-A-T**® can be effectively applied over clothing as high on the arm or leg as possible. The **C-A-T**® must NOT be applied over solid objects within the clothing. As soon as the situation permits, the injured limb should be evaluated and the **C-A-T**® re-positioned 2"-3" above the injury directly to the skin.

FIRST AID FOR CHOKING



You must act if there are any signs that a person can't speak, breathe or cough.

- SIGNS**
- Universal choking sign
 - Person cannot breathe, cough or speak
 - Person makes high pitched sounds when breathing
 - Lips and finger nails may become blue

Ask, "Are you choking?" If the person gestures yes, stand behind the person, wrapping your arms around the person's waist.



Make a fist with one hand



hold it with the other hand against the person's abdomen

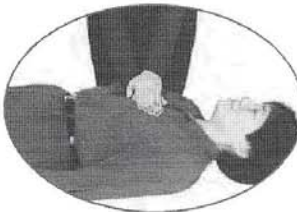


between the navel and lower end of breast bone

Provide quick, upward and inward abdominal thrusts (Heimlich maneuver) until the food or object is forced out.

If the person becomes unresponsive,

- Call 911 or local EMS Telephone _____
- Return to the person
- Lay the person flat on his or her back
- Open his or her mouth
- Remove the object if you see it



- If the object is not seen:
- Tilt his or her head back
 - Begin CPR
 - Look for the object each time you open the airway



- Continue rescue breaths and chest compressions until rescue personnel arrive.

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5420-R

Adoption date: December, 1991

Revised: January, 2000

September 3, 2014

January 11, 2018

STUDENT HEALTH SERVICES EXHIBIT

Parent and Physician’s Authorization for Administration of Medication in School

A. MUST BE COMPLETED BY THE PARENT OR GUARDIAN:

Student’s Name _____ Date of Birth: _____ Grade _____

I request that my child receive the medication as prescribed below by our licensed health care provider.

I will furnish medication in the properly labeled original container from the pharmacy, **including OTC medication (e.g. Tylenol and Ibuprofen)**. My signature below constitutes permission for the school to contact my healthcare provider regarding this form.

Do you agree that your child can *self-administer* and *self-carry* this medication effectively and independently?

Yes: _____ No _____

Parent/Guardian Print: _____ **Signature** _____

Contact #s _____

B. MUST BE COMPLETED BY THE LICENSED HEALTH CARE PROVIDER:

I request that my patient, _____ receive the following medication:

Name of Medication: _____ Dose: _____ Route: _____

Time/Frequency to be given: _____ Side Effects: _____

Diagnosis: _____

Special Instructions: _____

My patient requires the specified level of assistance (please see Guide on back):

Nurse Dependent* Supervised Independent**

*Exception – Non-licensed school staff may be trained to administer Epinephrine and Glucagon.

**The student that is independent has demonstrated she/he can self-administer and self-carry the medication effectively and independently.

(MUST BE SIGNED BY PHYSICIAN) _____

Signature of Healthcare provider: _____ Date: _____

Name of Healthcare provider: _____

Phone: _____ Fax: _____

(Please Provide Stamp)

Adoption date: December, 1991
Revision date: May 1998
March 1, 2017
February 1, 2018

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5420-E.1

Guide to Determining Levels of Assistance in Medication Delivery		
Levels of Assistance	The Student	The Staff
<p>Nurse Dependent Student NYS RN/NP, Physician or PA must administer medications.</p>	<p>Cannot Demonstrate that they understand about their medication or can take it as described in the yellow box below.</p>	<p>School Staff May Not Assist Students With Medications An appropriate licensed medical professional authorized to administer medications in NYS must administer all medications to the student.</p>
<p>Supervised Student An RN or other appropriate licensed health professional is not needed for direct monitoring of student taking their own medication.</p>	<p>Can</p> <ul style="list-style-type: none"> State the name, amount, time and effect of taking/not taking the medication. Recognize what the medication looks like and refuses to take it if it is the wrong medication or amount. Swallow, inhale, apply, calculate and take the correct dose of their medication, or request/ direct an adult to assist them, if needed. 	<p>School Staff Trained By The School Nurse May Assist Students At The Request and Direction Of The Student <u>IF TOLD TO DO SO BY THE STUDENT:</u> Trained staff may open bottles; remove the requested number of tablets/pills or pour the requested amount of liquid for the student who needs help in doing so; assist with BG testing or perform BG testing for the student; verify math calculations or verify the numbers entered into insulin meters/devices by the student.</p>
<p>Independent Student Needs staff intervention or assistance only during emergencies.</p>	<p>Can Take (self-administer) their own medications without any assistance.</p> <p>Must Be permitted to carry take their rescue medications for respiratory conditions, allergies or diabetes if there is written parent consent and a provider's written order attesting the provider has determined the student can self-administer effectively.</p>	<p>No Assistance Is Needed From School Staff</p> <ul style="list-style-type: none"> The student either takes medication independently in the health office (after being handed the medication container by school staff) or carries and uses it with the required documentation. -If a student is carrying and taking their medication themselves, medication administration is not documented by the school and the parent/guardian assumes responsibility for ensuring their child is taking the medication as ordered. Schools should have a written emergency action plan which instructs students how to obtain help from school personnel if needed.-Schools should have additional doses of medication in the health office in case the student who is carrying and using their medication(s) does not have access to their self-carried medication.

This sample resource was created by the New York State Center for School Health and is located at www.schoolhealthny.com – A-Z Index under M for Medication- 3/16

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5420-E.2

STUDENT HEALTH SERVICES EXHIBIT

Self-Medication Release Form

Student's Name _____ Date _____

School _____ Grade _____

has been instructed in the proper use of the following medication procedures:

We (physician's signature) _____

and (parent/guardian's signature) _____

request that (child's name) _____ be permitted to carry the medication on his/her person or to keep same in his/her locker or physical education locker, as we consider him/her responsible. He/she has been instructed in and understands the purpose and appropriate method and frequency of use.

Note: This form must be completed in addition to the routine district medication form for those students who request permission to carry their own medication on campus or keep this medication in a P.E. locker.

Adoption date: December, 1991

Revision date: May 1998

SUICIDE PREVENTION

Since suicide is a major cause of death among adolescents, the Board of Education believes that the District must attempt to address this problem through intervention, prevention, and education.

The Board requires all staff to immediately report any student suspected of suicidal behavior (including verbal threats) to the appropriate school personnel and/or school administrator. Parents must also be notified. Please refer to suicide prevention regulation.

The Board shall also require the Superintendent or designee to implement appropriate educational programs to be conducted for the staff, students and community regarding the issue of suicide.

Adoption date: December 1991

Revised: December 2000

May 10, 2011

July 13, 2016

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5431-R

SUICIDE PREVENTION REGULATION

I. Report any potential suicidal student to the school administrator first, then to a psychologist, guidance counselor, nurse, and/or social worker.

A. Each building principal will appoint a Crisis Response Team which will include a building administrator, school psychologist, guidance counselor, social worker, and/or school nurse. Upon receiving a report of a potential suicidal student, the Director of Pupil Personnel Services or his/her designee will appoint a member of the Crisis Response Team to intervene directly with the student. The appointed team member should:

1. Question the student about any feelings of hopelessness and length of time of such feelings.
2. Question the student about any thoughts about killing himself/herself and how persistent and strong the thoughts are.
3. Question the student whether any plans have been made, how detailed the plans are, and whether any preliminary actions have been taken.

NOTE:

If suicidal behavior is suspected, do not mince words, but directly question the student about his/her thoughts, intent, and/or plans.

B. The building Crisis Response Chair will convene the team immediately.

II. The Crisis Response Team shall review the presenting circumstances, assess the seriousness or imminence of the threat, and implement the suggested procedures included herein.

NOTE:

The student and reporting staff member involved must understand that the issue of confidentiality will not prevent the reporting of suspected suicide risk, relevant information, and reports in accordance with the procedures outlined herein.

A. After gathering the information, the Crisis Response Team should determine the level of the risk of the situation and select a case coordinator who will oversee the implementation of the following procedures for the particular case.

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5431-R

1. If it is determined that it is a High Risk*:

- a. The student should not be let out of the sight of the reporting staff member.
- b. The parent must be notified immediately.
- c. The student may only be released to a parent or parent designee.
- d. A referral for a psychiatric evaluation will be made immediately.
- e. There shall be follow-up to be sure that psychiatric evaluation has been arranged. A written report will be requested from the psychiatrist stating that the student is no longer at high risk and is able to attend school. This report is to be submitted before the student is allowed to return to school and *must be reviewed with the crisis response team*.
- f. The parent must be provided with a list of referrals.
- g. If student is already in outside therapy, contact should be made with the therapist for strategy planning.
- h. Notification should be made to student's guidance counselor, teacher(s), coach, and nurse.

*High Risk Indicators (one or more present)

A detailed suicide plan, feelings of hopelessness, written suicide statement, history of a previous suicide attempt, chronically self-destructive lifestyle combined with severe loss (parent, relative, close friend, etc.) or threat of loss, anniversary of a loss, inability to accept help, unavailability of resources, and/or means to carry out suicide is available.

2. If it is determined that the situation is a Medium Risk*:

- a. The student should be escorted to the psychologist's, social worker's, and/or guidance counselor's office.
- b. The parent must be notified.
- c. Supportive assistance must be given on a regular basis.
- d. The parent must be provided with a list of referrals.
- e. If student is already in outside therapy, contact should be made with the therapist for strategy planning.
- f. Student and parent must be made aware of available assistance in an emergency.
- g. Notification should be made to student's guidance counselor, teacher(s), coach, and nurse.
- h. Follow-up must be made to ensure that contact for assistance has been made.
- I. If contact for assistance has not been made, supportive help must be provided.

*Medium Risk Indicators (one or more present):

Some threat of committing suicide through explicit statements but without a concrete plan; does not have the means of completing an attempt; probably lacking any support from a professional or significant others, and/or has exhibited any radical changes in behavior.

3. If it is determined that the situation is a Low Risk*:

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5431-R

- a. A contract should be signed with the student by which the student agrees not to do anything while the staff member is working with him/her.
- b. Notification should be made to student's guidance counselor, teacher(s), coach, and nurse.
- c. Careful monitoring of the student with frequent contacts with the student and with staff members who are involved with the student should be provided.
- d. The parent must be notified.
- e. Supportive counseling should be provided and the student and parents referred to an outside source.
- f. If student is already in outside therapy, contact should be made with the therapist for strategy planning.

*Low Risk Indicators (one or more present):

Frequent or prolonged vague feelings of hopelessness, no suicidal plans, no explicit written or verbal threat, supportive help available.

III. A report of an identified suicide risk shall be completed by the appointed member of the Crisis Response Team and submitted to the Director of Pupil Personnel Services. The report shall be kept on file in the Office of Pupil Personnel Services. **No copies are to be kept in the buildings as this report would then be considered part of a student's record.**

IV. The Crisis Response Team member will maintain contact with the student and his/her parents on a regular basis.

MANAGEMENT OF SUICIDE IN THE SCHOOLS

If a suicide by a student or staff member occurs, the Superintendent of Schools and the Director of Pupil Personnel Services will be notified immediately.

A. Communication

1. In accordance with the district's Crisis Response Plan, all requests for information will be directed to the principal.
2. The principal will assemble administrative staff and follow procedures as outlined in the district's Crisis Response Plan.

B. Action Plan

1. Assemble faculties prior to the opening of school to provide accurate information and to present the plans for the school day.
2. A crisis team of pupil personnel staff members will be assigned by the Director of Pupil Personnel Services to the building affected by the incident in order to assist the staff and students in dealing with the general school situation and any individual problems which may arise.

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Members of the team will assist the building staff in developing and implementing the Crisis Response Plan within the building.

3. The Crisis Team should identify those students who have the greatest potential for suicide and/or reaction to this incident and provide the closest monitoring for these students.

4. The Crisis Response Plan should include provisions for group discussions as well as individual sessions with students and staff.

C. Students

Following a suicide, the atmosphere in school can be a critical factor in preventing additional suicides. Some students will be affected more than others, and the impact might surface in different ways. Students should be allowed to discuss their feelings of loss without embarrassment but should not be forced to participate in such discussions. Any discussions of a suicide should be tailored to the age, maturity, and needs of the student(s) involved.

Adoption Date: December 1991

Revised: March 1997

DRUG AND ALCOHOL ABUSE

The Board of Education believes that substance abuse (drugs, alcohol and tobacco) is a school-community problem and views with grave concern its serious implications. It is the Board's goal to provide a substance-free environment in District schools and to create and maintain a climate in the schools that encourages people with substance abuse problems to seek and receive help.

The Board wants the school system to be supportive of students who are resisting substance abuse and to assist substance-involved students who seek help, while at the same time protecting the general student body and staff. Therefore, the Board and the professional staff shall continue to seek ways to educate students of the District about the dangers of the illegal use of drugs and the abuse of alcohol and tobacco. Instructional units will include sessions about the causes and effects of drug, alcohol and tobacco abuse, especially in young people.

The Board encourages students to identify the problem and its causes and to organize to help solve it; to identify the variety of positive alternatives to substance abuse; to develop a deeper understanding about themselves and society; to make constructive decisions concerning their use of drugs, alcohol and tobacco and to support one another in producing a substance-free school environment.

In order to reach these goals, the Board authorizes and directs that:

- a) The possession, use, purchase, or distribution of illegal drugs, drug paraphernalia or alcohol in any place or vehicle under school jurisdiction and at all school-sponsored activities, regardless of location, is prohibited.
- b) A comprehensive substance abuse education program be provided in grades K-12, with an emphasis on self-esteem, prevention, provision for intervention and treatment referrals, and coordinated awareness activities.
- c) The professional staff assist in supervising and coordinating substance abuse activities.
- d) The professional staff develop and maintain an appropriate program for intervention utilizing existing staff and treatment referrals to agencies outside the school system.
- e) A student assistance program be made available in the District.
- f) Staff shall be held harmless in order to assist substance-involved students seeking help and shall maintain confidentiality between the student voluntarily seeking help and the school system, subject to appropriate limitations relating to the safety of the student, the requirements of law, and the failure of the student to carry out agreed-upon referral programs.
- g) Programs be developed for parents and other community members to learn about substance abuse and to encourage participation in school-community efforts directed at substance abuse prevention.

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- h) The District become involved in joint school-community efforts directed at substance abuse prevention, where appropriate.
- i) An ongoing training program for instructional and non-instructional staff be instituted in the area of prevention/intervention efforts.

Any staff member observing narcotics possession or usage by students shall report the incident immediately to the Superintendent of Schools or his/her designee, who shall then take immediate action to confiscate any illegal drugs, drug paraphernalia or alcohol. The Superintendent or designee shall then notify the parent(s)/guardian(s) of the student(s) involved and the appropriate disciplinary action taken.

Cross-ref: 1530, Smoking and Other Tobacco Use on School Premises
5300, Code of Conduct

Ref: Education Law §804; 912; 3214
8 NYCRR §100.2(c); 135.3

Adoption date: December, 1991

Revised: October 25, 2011

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5450.1

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 Building Principals, 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 Building Principal. Requests for information from community residents shall be directed to the Assistant Superintendent for Business Services.

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

This policy shall be posted on the District website and in the school calendar.

Ref: 42 U.S.C. §1407(d)
Correction Law, Article 6-C (Sex Offender Registration Act)
Doe v. Pataki, 3 F.Supp.2d 456 (SDNY 1998) (current injunction)
Doe v. Pataki, 12 0 F.3d 1263 (2d. Cir. 1997), *cert. denied*, 522 U.S. 1122 (1998)

Adoption date: March, 1995

Revised: September 28, 1999
May 10, 2011

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5450.1R

NOTIFICATION OF RELEASE OF CONVICTED SEX OFFENDERS REGULATION

When the School District receives information from law enforcement officials regarding the probation, parole and/or release of convicted sex offenders into our school community the information shall be disseminated in accordance with the Sex Offenders Registration Act or other applicable law/agency. To ensure uniformity in complying with this regulation, the following guidelines will apply.

The information shall be disseminated to all staff members including, but not limited to, school board members, building principals, instructional and non-instructional staff, including teachers and support staff, custodians, bus drivers, coaches, leaders of groups utilizing school facilities, security personnel, individuals who issue school building "visitor passes", local PTA/PTO and Joint Council presidents, the Superintendent of the Western and Eastern Suffolk BOCES, and the school's site based team. The Superintendent or designee reserves the right to further disseminate such information to such other individuals or groups including but not limited to area directors of the public library, private schools and nursery schools who, in the opinion of the Superintendent, have a legitimate need to be notified of such information in order to protect the health, safety, or welfare of school district students and personnel.

Each school principal shall disseminate to his/her site based team, PTA/PTO and Joint Council leaders, and staff members all information provided to the school district by local law enforcement officials in accordance with the Sex Offender Registration Act or other applicable law/agency. This will be done either at a general meeting or in small group meetings.

Staff members shall be advised that they are receiving such information in their official capacity as employees of the school district and that such data should not be released to other individuals, except as authorized by administrative regulation.

Each principal shall maintain a file in his/her office that includes all information received from local law enforcement agencies regarding the probation, parole or release of such convicted sex offenders into the school community. The current notification shall be available for parents to review upon request. Prior notifications shall be maintained in the Principal's' file for a period two years, or until the District is notified that the offender is no longer a resident. Each principal shall also publish and mail a notification to student's home when the convicted sex offender resides within their individual school boundaries. This letter shall inform parents that they may review the notification at their school principal's office and further refer them to the Assistant Superintendent for Business Services' office located at 200 Nicolls Road, Setauket, for a duplication of the law enforcement notification or for more information. This letter shall also reiterate safety and security measures and procedures that should be taken both at school and at home.

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5450.1R

If an employee believes that he/she has seen any individual whose description matches that of a released sex offender provided to the District by local police authorities on school property, at school activities, on or near District bus routes, or believes the offender has come in contact with children, the employee is required to report such sightings to the building principal or his/her designated representative. The building principal shall then immediately inform local law enforcement authorities as well as the Superintendent or his/her designated representative.

All groups, which regularly use District facilities and have children in attendance, shall be identified by the administration, and the notification information shall be disseminated to the designated supervisor of each such group. Notification sent to the community shall advise parents/guardians of the notification received as well as reiterate that safety and security measures and procedures should be taken both at school and at home. Administration will also forward such notification to the chief school officer of each private and parochial school within the geographic boundaries of the School District, or any other agency permitted by law for which the Superintendent determines to have a legitimate need.

The Superintendent shall publish and mail a letter to all residents within the school district boundaries notifying them of the sex offender's presence in the community and shall refer them to the Assistant Superintendent for Business Services' office located at 200 Nicolls Road, Setauket for a duplication or viewing of the law enforcement notification or for further information. This letter shall advise parents/guardians and residents of the notification received as well as reiterate safety and security measures and procedures that should be taken both at school and at home.

Upon request information provided by the applicable law enforcement agency shall be made available. The information shall include, but not be limited to the following: name, exact address for level 3 high risk sex offenders and approximate address based on zip code for level 2 moderate risk sex offenders, a photograph, background information including the offender's crime of conviction, mode of operation, type of victim targeted, offense description and the description of special conditions imposed on the offender.

Disclosure of sex offender information received by the school district from a source other than a local Law Enforcement Agency shall be subject to the Board policy governing the filing of a Freedom of Information Law request.

When disseminating information pursuant to Megan's Law, the District shall provide general informational materials received from local law enforcement agencies explaining Megan's Law and Sex Abuse and Abduction Prevention.

Administration shall refer all questions for further specifics concerning information on the probation, paroled/released sex offender to the appropriate law enforcement agency and/or probation, parole officer.

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5453

STUDENT BICYCLE USE

Students shall be permitted to ride bicycles to school upon written permission signed by the student's parents being filed in the main office of the school building. Bicycles are to be parked and locked in the designated rack area. While on school grounds, all bicycle riders are to wear a helmet and ride with caution. Any student found to be endangering the safety of him/herself or others while riding a bicycle on school grounds shall have his/her bicycle privileges denied.

Adoption date: December, 1991

Revised: May 10, 2011

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5454

STUDENT PARKING

Student parking on District property is a privilege granted by the Board of Education to high school seniors in good standing.

Only students who hold a valid Class D driver's license and parking permit issued by the school shall be permitted to park on school grounds. The number of student parking permits issued shall not exceed the number of student parking spaces available.

Any parking or moving violations, misuse of parking privileges, disciplinary or attendance problems may result in the revocation of a student's parking permit.

In addition to this policy, students shall be subject to the provisions of Policy 8240, Motor Vehicles, when operating a vehicle on District property.

The Board of Education may, at any time, direct the Superintendent to further restrict students parking privileges.

Cross-ref: 8240, Motor Vehicles

Adoption date: December, 1991

Revised: November, 1994
May 10, 2011

CONCUSSION MANAGEMENT

The Board of Education recognizes the seriousness of concussions and directs District staff to exercise appropriate care in managing these injuries and to the best of their abilities to ensure the health and safety of the student. Designated staff will receive training to recognize the signs, symptoms and behaviors consistent with concussion and immediately contact the appropriate health care professional.

Once a student has been identified as having a head injury such as a concussion, they will be required to acquire medical clearance from the Chief Medical Officer or his/her designee before they can return to the District for any activities.

Adoption date: October 25, 2011

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5460

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.

THREE VILLAGE CENTRAL SCHOOL DISTRICT

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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.

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 employees. 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/or available 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

Cross-ref: Attendance, 5100

Ref: Child Protective Services Act of 1973, Social Services Law §§411 et seq.

THREE VILLAGE CENTRAL SCHOOL DISTRICT

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 §§3209-a, 3036
Penal Law 240.50

Adoption Date: November 17, 2009

Revised: April 22, 2015

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5460-R

CHILD ABUSE, MALTREATMENT OR NEGLECT IN A DOMESTIC SETTING REGULATION

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

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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

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- 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 Building Principal may take color photographs or cause photographs to be taken of the areas of visible trauma on the child, and/or, if medically indicated, cause an examination to be performed. Such actions may be performed at public expense if they will provide appropriate documentation when filing the report. Photographic equipment shall be kept at the school and be available for this purpose.
6. The written report that must be filed shall include all information which the Commissioner of Social Services may require.

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7. 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.
8. 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.
9. 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 employees.
10. Employee handbooks shall include a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
11. Only one report of any suspected abuse is required.
12. 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.
13. 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.
14. 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.
15. Any school employee who fails to comply with this policy is subject to discipline in accordance with collective bargaining agreements and/or policy.

Adoption date: April 22, 2015

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. The District will execute agreements with third-party contractors in accordance with Education Law 2-d.

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, with certain exceptions provided by FERPA and its implementing regulations, including:

- 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.

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Personally identifiable information: 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.

Third party contractor: 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. This notice may be published in a newspaper, handbook or other school bulletin or publication. This notice will also be provided to parents, guardians, and students who enroll during the school year. The District shall publish the Parents' Bill of Rights on its website.

The notice 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.

The annual notice will inform parents/guardians and students:

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- 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 (as defined 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.
- 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.

The District will provide translations of this notice, where necessary, to parents, guardians and students in their native language or dominant mode of communication.

The District may also release student education records, or the personally identifiable information contained within, without consent, where permitted under federal law and regulation. (See accompanying regulation 5500-R, Section 5.)

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
- Address (except information about a homeless student's living situation, as described below)

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- 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 and video footage
- E-mail address
- Enrollment status
- The present and prior educational agency or institution attended by the student

Information about a homeless student's living situation shall be treated as a student educational record, and shall not be deemed directory information.

Social security numbers, student identification 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 eligible 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 eligible student for the release. Once the eligible 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
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

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Use by School Districts and BOCES

“Guidance for Reasonable Methods and Written Agreements,”

http://www2.ed.gov/policy/gen/guid/fpc/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/fpc/index.html>

Adoption Date: December, 1991

Revised: September 24, 2002

May 24, 2011

January 24, 2012

September 3, 2014

September 13, 2017

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STUDENT RECORDS REGULATION

It is recognized that the confidentiality of student records must be maintained. The following necessary procedures have been adopted to protect the confidentiality of student records.

Section 1. Pursuant to the Family Educational Rights and Privacy Act (FERPA) it shall be the policy of this school district to permit parents/guardians, and “eligible students” to inspect and review any and all official records, files and data directly related to that student, including all materials that are incorporated into each student's cumulative record folder. For the purpose of this regulation, “eligible students” are those students who are 18 or older or former students who are attending any school beyond the high school level. The rights created by FERPA transfer from the parents/guardians to the student once the student attains eligible student status. However, districts can disclose information to parents of eligible students under certain circumstances, including when the student is a dependent under the IRS tax code, when the student has violated a law or the school’s rules regarding alcohol or substance abuse (and the student is under 21); or when the information is needed to protect the health or safety of the student or other individuals.

Section 2. Parents/guardians or the eligible student will have an opportunity for a hearing to challenge the content of the student's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Section 3. A letter shall be sent annually to parents/guardians of students currently in attendance and eligible students currently in attendance informing them of their rights pursuant to FERPA. See Exhibit 5500-E.1. The District shall provide translations of this notice, where necessary, to parents/guardians and eligible students in their native language or dominant mode of communication. (See Policy 5500 for further information on the notice requirements.)

Section 4. To implement the rights referenced in sections 1 and 2, the following procedures are adopted:

1. A parent/guardian or an eligible student who wishes to inspect and review student records shall make a request for access to the student's school records, in writing, to the Building Principal. Upon receipt of such request, arrangements shall be made to provide access to such records within 45 days after the request has been received. If the record to which access is sought contains information on more than one student, the parent/guardian or eligible student will be allowed to inspect and review only the specific information about the student on whose behalf access is sought.

In the case of a student with a disability or suspected of possessing a disability, educational records will be provided without unnecessary delay and before any meeting

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- regarding an Individualized Educational Plan (IEP) or other expedited hearing, but in no case more than 45 days after the request has been made.
2. A parent/guardian or an eligible student who wishes to challenge the contents of the student's school records shall submit a request, in writing, to the Building Principal identifying the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student together with a statement of the reasons for their challenge to the record.
 3. Upon receipt of a written challenge, the Building Principal shall provide a written response indicating either that he/she:
 - a. finds the challenged record inaccurate, misleading or otherwise in violation of the student's rights and that the record will be corrected or deleted; or
 - b. finds no basis for correcting or deleting the record in question, but that the parent/guardian or eligible student will be given an opportunity for a hearing. The written response by the Building Principal shall be provided to the parent/guardian or eligible student within 14 days after receipt of the written challenge. The response shall also outline the procedures to be followed with respect to a hearing regarding the request for amendment.
 4. Within 14 days of receipt of the response from the Building Principal, a parent/guardian or eligible student may request, in writing, that a hearing be held to review the determination of the Building Principal.
 1. The hearing shall be held within 10 days after the request for the hearing has been received. The hearing will be held by the Superintendent of Schools or his/her designee.
 6. The parent/guardian or eligible student shall be given a full and fair opportunity to present evidence at the hearing. The parent/guardian or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
 7. The Superintendent or other individual designated by the Superintendent will make a decision in writing within 14 days after the hearing.
 8. After the hearing, if the Superintendent or the individual designated by the Superintendent decides not to amend the record, the District will inform the parent/guardian or eligible student that they have the right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the decision of the District. Any statement placed in the record will be maintained with the contested part of the student record for as long as the record is maintained. Further, the statement will be disclosed by the District whenever it discloses the portion of the record to which the statement relates.

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Section 5. Except to the extent that FERPA authorizes disclosure of student records without consent, student records, and any material contained therein which is personally identifiable, are confidential and will not be released or made available to persons other than parents/guardians or eligible students without the prior written consent of the parents/guardians or eligible student.

Exceptions to prior consent requirement adopted by the district include, but are not limited to disclosure:

1. To other school officials within the District who have been determined to have legitimate educational interests.
2. To officials of another elementary or secondary school or school system where the student seeks or intends to enroll.
3. To authorized representatives of the Comptroller General of the United States, the U.S. Secretary of Education, the U.S. Attorney General, or state and local education authorities in connection with an audit or evaluation of a federal- or state-supported education program or in compliance with legal requirements related to those programs.
4. In connection with the student's application for or receipt of financial aid.
5. To state and local officials or authorities in compliance with state law that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are being released.
6. To organizations conducting studies for, or on behalf of, education agencies or institutions, in order to develop tests, administer student aid, or improve instruction.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined by the Internal Revenue Code.
9. To comply with a judicial order or lawfully issued subpoena. Prior to complying with a judicial order or subpoena, the District will make a reasonable effort to notify the parent/guardian or eligible student, unless the District has been ordered not to disclose the existence or content of the order or subpoena, or unless the parent is the subject of a court proceeding involving child dependency or child abuse and neglect matters, and the order is issued in context of the proceeding.
10. In connection with a health or safety emergency.
11. To teachers and school officials in other schools who have legitimate educational interests in the behavior of the student when the information concerns disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
12. To provide information that the district has designated as "directory information."
13. To provide information from the school's law enforcement unit records.
14. To a court, when the District initiates legal action against a parent or student, and the education records of the student that are disclosed are relevant for the District to proceed with the legal action as plaintiff.
15. To the U.S. Secretary of Agriculture, its authorized representatives from the Food and Nutrition Service, or contractors acting on its behalf, to monitor, evaluate and measure performance of federally-subsidized school food programs, subject to certain privacy protections.

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16. To any caseworker or representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan, where the agency or organization is legally responsible for the care and protection of that student, not to be redisclosed except as permitted by law.

The District will use reasonable methods to provide access to student educational records to only those authorized under the law and to authenticate the identity of the requestor. The District will use an array of methods to protect records, including physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records), and administrative procedures. The District will document requests for and release of records, and retain the documentation in accordance with the law.

The district will, via written agreements, designate authorized representatives who have access to educational records. The written agreement will specify how the work falls within the exception, what personally identifiable information is to be disclosed, how the educational records will be used, and that the records will be destroyed by the authorized representative once they are no longer needed for that purpose or the agreement expires.

Section 6. Whenever a student record or any material contained therein is to be made available to third persons, other than those covered by the exceptions authorized by FERPA, the parent/guardian or eligible student must file a written consent to such action. The written consent must specify the records to be released, the reasons for such release, and to whom. If the parent or eligible student so requests, the district will provide him or her with a copy of the records disclosed. In addition, if the parent of a student who is not an eligible student so requests, the district will provide the student with a copy of the records disclosed.

Section 7. Unless specifically exempted by FERPA, all persons requesting access to such records will be required to sign a written form which indicates the legitimate educational interest that such person has in inspecting the records. Such form will be kept with the student's file and will be maintained with the student's file as long as the file is maintained. See Exhibit 5500-E.4.

Retention and Disposition of Student Records

The Board has adopted the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. The Board directs all District officials to adhere to the schedule and all other relevant laws in retaining and disposing of student records. In accordance with Article 57-A, the District will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

Adoption date: December, 1991

Revised: September 24, 2002

September 3, 2014

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5500-E.1

NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Dear Parent or Eligible Student:

This is to advise you of your rights with respect to student records pursuant to the Family Educational Rights and Privacy Act (FERPA). FERPA is a federal law designed to protect the privacy of student records. The law gives parents and students over 18 years of age (referred to in the law as “eligible students”) the following rights:

1. The right to inspect and review the student’s education records within 45 days of the day the district receives a request for access. In the case of a student with a disability or suspected of possessing a disability, educational records will be provided without unnecessary delay and before any meeting regarding an Individualized Educational Plan (IEP) or other expedited hearing, but in no case more than 45 days after the request has been made.

Parents or eligible students should submit to the Building Principal a written request that identifies the records they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading or in violation of the privacy or other rights of the student.

Parents or eligible students may ask the district to amend a record that they believe is inaccurate or misleading or in violation of the privacy or other rights of the student by writing the Principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as

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5500-E.1

a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another elementary or secondary school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue SW
Washington, DC 20202-4605

NOTIFICATION OF DIRECTORY INFORMATION DESIGNATIONS

In addition to the rights outlined above, FERPA also gives the school district the option of designating certain categories of student information as “directory information.” Directory information includes a student’s name, address, 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, class schedule, photograph, e-mail address, and class roster.

You may object to the release of any or all of this “directory information”; however, you must do so in writing within 10 business days of receiving this notice. If we do not receive a written objection, we will be authorized to release this information without your consent. For your convenience, you may note your objections to the release of directory information on the enclosed form and return it to the Building Principal.

Sincerely,

BUILDING PRINCIPAL

Adoption date: December, 1991

Revised: September 24, 2002

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5500-E.2

**OBJECTION TO RELEASE OF DIRECTORY
INFORMATION DESIGNATIONS**

The school district has designated certain categories of student information as “directory information.” Directory information includes a student’s name, address, 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, class schedule, photograph, e-mail address, and class roster.

If you object to the release of any or all of the directory information listed above, you must do so in writing within 10 business days of receiving this notice. For your convenience, you may note your objections to the release of directory information on this form and return it to the Building Principal.

Please do not release directory information without my prior consent.

(Parent/Guardian or Eligible Student Signature)

(Date)

Adoption date: December, 1991

Revised: September 24, 2002

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5500-E.3

NOTIFICATION OF RELEASE OF STUDENT RECORDS
PURSUANT TO COURT ORDER OR SUBPOENA

TO: _____
Parent - Student

Address

The purpose of this notice is to notify you that on _____ (date), the _____
School District released the following documents:

from your child's (your own) student records to _____
pursuant to a court order or subpoena, a copy of which is attached hereto.

DATED: _____

THREE VILLAGE CENTRAL SCHOOL DISTRICT

5500-E.4

**APPLICATION TO REVIEW STUDENT'S RECORDS
AND CONSENT THERETO BY PARENT OR STUDENT**

APPLICATION

I, _____,

have hereby requested access to _____

records for the following reasons:

Said records will not be made available to any other person or persons without the specific written consent of _____

_____ (Parent – Student).

DATED: _____

CONSENT _____

I hereby consent that _____
have access to my child's (to my) records with the understanding that such records will not be released by him/her to other persons without my further consent.

DATED: _____

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5500-E.5

APPLICATION TO REVIEW STUDENT'S RECORDS
BY PARTIES ENTITLED THERETO WITHOUT
CONSENT BY PARENT OR STUDENT

I, _____,

have hereby requested access to _____

records for the following reasons:

Said records will not be made available to any other person or persons without the specific written consent of _____

_____(Parent-Student).

DATED: _____

Adoption date: December, 1991

Revised: September 24, 2002

STUDENT PRIVACY

The Board recognizes its responsibility to enact policies that protect student privacy, in accordance with law. This is particularly relevant in the context of the administration of surveys that collect personal information, the disclosure of personal information for marketing purposes and in conducting physical exams.

Surveys

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. In accordance with law and Board policy, parental consent is required for minors to take part in surveys which gather any of the following information:

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).

In the event that the District plans to survey students to gather information included in the list above, the District will obtain written consent from the parent/guardian in advance of administering the survey. The notification/consent form will also apprise the parent/guardian of their right to inspect the survey prior to their child's participation.

Marketing

It is the policy of the Board not to collect, disclose, or use personal information gathered 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 for, or to students or educational institutions such as:

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- 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 that such data is collected by the District, disclosure or use of student personal information will be protected by the District pursuant to the requirements of the Family Educational Rights and Privacy act (FERPA). [For guidance regarding the disclosure of “directory information,” rather than personal information, see policy 5500, Student Records.]

Inspection of Instructional Material

Parents/guardians shall have the right to inspect, upon request, any instructional material, used as part of the educational curriculum for students. “Instructional material” is defined as: “instructional content that is provided to a student, regardless of format including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). It does not include tests or academic assessments.”

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the Building Principal. 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.

Invasive Physical Examinations

Prior to 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, a student’s parent/guardian will be notified and given an opportunity to opt their child out of the exam. Hearing, vision and scoliosis screenings are not subject to prior notification.

Notification

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 District shall also notify parents/guardians within a reasonable period of time after any substantive change to this policy.

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

Ref: 20 USC §1232h (No Child Left Behind Act)
34 CFR Part 98
Education Law §903

Adoption date: May 24, 2011

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STUDENTS AND PERSONAL ELECTRONIC DEVICES

The Board of Education recognizes that there are personal electronic devices that have educational applications such as calculators, voice recorders, digital cameras and music listening devices. In some instances a “smart phone” may include applications that permit these functions. These devices shall be allowed to be used in classrooms and instructional spaces (i.e. library, gym cafeteria, study hall) only when they are included as part of a lesson under the direction and approval of a teacher.

The Board acknowledges that cellular phones, pagers, and 2-way communication systems can be a positive means to facilitate communication; however, the display and/or use of such devices can cause disruption to the educational process.

In emergency situations, exceptions to the prohibition of the use of cellular phones, pagers, and 2-way communication systems may be granted by teachers or administrators.

Misuse of any of these electronic devices will result in its confiscation as outlined in the code of conduct. Some uses of personal electronic devices constitute violation of the school district code of conduct and in some instances, the law. The school district will cooperate with law enforcement officials as appropriate. The District is not responsible for stolen, lost or damaged personal electronic devices.

In order to assure the integrity of testing, in accordance with state guidelines, students are not allowed to bring cell phones or other electronic devices into classrooms or other exam locations during testing. The exception to this policy is if a teacher gives specific permission for a cell phone or other electronic device to be used during a classroom, non-state assessment, State or national testing situation.

Test proctors, monitors, and school officials shall have the right to collect cell phones and other prohibited electronic devices prior to the start of the test and to hold them for the duration of the test taking time. Admission to the test will be prohibited to any student who has a cell phone or other electronic device in their possession and does not relinquish it.

Students with individualized education plans (IEPs), 504 Plans, or documentation from a medical practitioner that specifically requires the use of an electronic device may do so as specified.

Cross-ref: 5300, Code of Conduct

Ref: *Price v. New York City Board of Education*, 16 Misc.3d 543 (2007).

Adoption date: April 9, 2013

Revised: September 3, 2014

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VIOLENT AND DISRUPTIVE INCIDENT REPORTING

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

Reporting Requirement

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

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

Confidentiality

Any violent or disruptive incident report prepared in accordance with law shall be available for inspection by the State Education Department upon request. All names and other personally identifiable information included in any report shall be confidential and shall not be disclosed to any person for use by any person for purposes other than the reporting purposes in Education Law §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: November 25, 2003

Revised: October 25, 2011