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THREE VILLAGE CENTRAL SCHOOL DISTRICT
SETAUKET, NEW YORK

BOARD OF EDUCATION AGENDA MATERIALS

DATE OF BOARD MEETING: August 24, 2016

DATE MATERIAL SUBMITTED: August 19, 2016

OFFICE OF ORIGIN: District Clerk

CATEGORY OF ITEM: Information

TITLE: Policy

STAFF RECOMMENDATION:

Be it RESOLVED that the Board of Education accept the following Policies delineated below:

<u>Policy #</u>	<u>Policy Title</u>
4325	Academic Intervention Services and Response to Intervention
5151 and 5151-R	Education of Homeless Children
8130	School Safety Plans and Teams
9150	Staff-Student Relations (Fraternization)

BACKGROUND - RATIONALE:

Adopt the Policies at the First Reading or move to Second Reading.

NOT AN OFFICIAL RECORD; SUBJECT TO CHANGE

ACADEMIC INTERVENTION SERVICES & RESPONSE TO INTERVENTION

The Board of Education is committed to providing academic intervention services to students at risk of not meeting the state learning standards. Such services may include additional instruction supplementing the instruction provided in the general curriculum and/or student support services such as guidance, counseling, attendance and study skills needed to support improved academic performance.

The Board of Education recognizes a relationship between Academic Intervention Services and Response to Intervention. The District's Response to Intervention program includes appropriate instruction, universal screenings, targeted intervention, assessments, application of information to make education decisions, and written notification to parents. The District's Response to Intervention program meets the requirements for ~~literacy~~ English language arts (ELA) and math in Kindergarten through Grade ~~Four~~ Eight and will be used in lieu of AIS (8 NYCRR 100.2 (ee) (7)).

Eligibility for academic intervention services will be determined based on a student's ~~performance on state assessment exams and/or in accordance with the uniformly applied district-developed district-adopted procedures~~ performing below the median scale score between a Level 2/partially proficient and a Level 3/proficient on a grade 3-8 ELA or mathematics state assessment. Upon identification of a student for consideration for AIS, the District will use district-developed procedure, to be applied uniformly at each grade level, for determining which students shall receive AIS. The procedure is based on multiple measures of student performance and is delineated in the District's Response to Intervention and Academic Intervention Services Plan. Eligible students will receive services consistent with law and regulations which shall commence no later than the beginning of the semester following a determination that a student is eligible for such services.

Parental Notification and Involvement

Notification on Commencement of Services. The Building Principal will notify the parents of a student determined to be in need of academic intervention services, in writing, upon the commencement of such services. Such notification will include:

- A summary of the academic intervention services to be provided;
- The reason the student needs such services; ~~and~~
- ~~Consequences of not achieving expected performance levels.~~

Notification on Ending of Services. The Principal will notify the parent in writing when academic intervention services are no longer needed. Such notification will include:

- The criteria for ending services; and
- The performance levels obtained on district selected assessments, if appropriate.

In addition, the district/schools will provide for ongoing communication with parents which must include opportunities to consult with teachers and other professional staff, regular reports on the student's progress and information on ways to monitor and work with educators to improve the student's performance.

All parental notifications and communications will be done in English and translated, when appropriate, into the native language or mode of communication of the parents.

Description and Review of Academic Intervention Services

The Superintendent of Schools, in consultation with each Building Principal, shall maintain a description of academic intervention and/or student support services for each school. This description will include any variations in services in schools within the district and will specifically delineate:

- the District-wide procedures used to determine the need for academic intervention services;
- the academic intervention instructional and/or support services to be provided;
- whether instructional services and/or support services are offered during the regular school day or during an extended school day or year; and
- the criteria for ending services, including, if appropriate, performance levels that students must obtain on district-selected assessments.

Beginning ~~July 1, 2002~~ September 1, 2016, ~~and every two years thereafter,~~ the Superintendent shall, [annually](#), review and revise the description of academic intervention services based on student performance results and present such revised description to the Board for approval.

Ref: 8 NYCRR §§100.1(g); 100.2(r), (ee); 100.4(b)(4), (d)
(Academic Intervention Services)

Adoption date: January 24, 2012

[Information First Reading – August 24, 2016](#)

NYSSBA Sample Policy 5151

☒ (X) Required

☐ () Local

☐ () Notice

HOMELESS CHILDREN

***NEW NOTE:** We have modified this policy to reflect the changes made under the federal Every Student Succeeds Act (ESSA). In general, there is an increased focus on identifying homeless students and ensuring that they can continue their education with as little disruption as possible. New York State law and regulations have not yet been revised to reflect these changes. Additional revisions to this policy may be required once state law and regulations are modified. However, the changes under ESSA to the McKinney-Vento Act on homeless students go into effect October 1, 2016. NYSSBA Policy Services wished to give districts as much notice as possible of the main changes under federal law. New text is underlined below and text to be deleted is in ~~strikeout~~.*

We will be evaluating additional related policies in the future, to ensure that other district policies do not inadvertently create barriers for homeless students.

The Board of Education recognizes its responsibility to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education 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 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 awaiting foster care placement; or is a migratory child who qualifies as homeless. An unaccompanied youth is a homeless child for whom no parent or person in parental relation is available.

***NEW NOTE:** We have modified the paragraph below to better reflect the rights of homeless children. New York State law currently permits homeless children to attend an additional year in his/her school of origin, after becoming permanently housed, if that year is the last year served by that school, which expanded the requirements of the previous federal law. ESSA now mandates that if a homeless child completes the final grade level at the school of origin, that child may attend the designated receiving school at the next grade level, and does not put an end limit to such attendance.*

NYSSBA Sample Policy 5151

NEW NOTE (cont.):

We also bring to your attention that ESSA uses the term “school of origin” while New York State law and regulations use the terms “district of origin” and “district of current location.” While there is no difference in the end result – i.e., that homeless children may attend either the school they attended when they became homeless, or the school they last attended, or the school they may attend due to their current location – we are choosing to conform more closely to the federal definitions.

A homeless child has the right to attend school in either the district 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 ~~district~~ 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:

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, 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 provide transportation for homeless students currently residing within the district as required by applicable law, as described in the accompanying regulation.
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.

NYSSBA Sample Policy 5151

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.

NEW NOTE: The following paragraph is a new requirement under ESSA.

Information about a homeless child's living situation shall be treated as a student education record, and shall not be deemed to be directory information under FERPA (see policy 5500).

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

NEW NOTE: Under ESSA, the homeless liaison's responsibilities are greatly expanded. Some additional duties are listed and underlined below, while other more detailed duties are added to the accompanying regulation.

Note also that while school districts were already required under McKinney-Vento to provide parents/guardians of homeless children with "meaningful opportunities to participate in the education of their children" (see item 1 below), under ESSA, state educational agencies (i.e., SED) are now required to evaluate the extent to which districts are doing so, in awarding federal funds under McKinney-Vento. In fact, ESSA specifically allows districts to use these funds for such purposes.

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 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;

NYSSBA Sample Policy 5151

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).

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.

***NEW NOTE:** If additional guidance from the federal Education Department is released, we will review this policy and provide additional modifications, if necessary.*

Ref: 42 USC §§11431 et seq.
School Enrollment Guidelines on the McKinney-Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002)
Education Law §§207; 305; 3202; 3205; 3209
Executive Law §§532-b; 532-e
Social Services Law §§17; 62; 397
8 NYCRR §§100.2(x); 175.6

Adoption date:

Information First Reading – August 24, 2016

NYSSBA Sample Regulation 5151-R

HOMELESS CHILDREN REGULATION

***NEW NOTE:** This regulation has been updated to reflect the requirements of the federal Every Student Succeeds Act (ESSA), which amended the federal McKinney-Vento Education of Homeless Children and Youth Assistance Act. As with the accompanying sample policy, this regulation may need to be modified further depending on future changes to New York State Education Law and Commissioner's Regulations.*

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:

NYSSBA Sample Regulation 5151-R

- 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 ~~Even~~ 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;
- 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.

***NEW NOTE:** We have provided the following paragraph to more fully explain the district’s transportation responsibilities for homeless children.*

NYSSBA Sample Regulation 5151-R

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.

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.

NYSSBA Sample Regulation 5151-R

***NEW NOTE:** State regulations currently require that if a homeless student (or his/her parent/guardian) appeals a school district's decision to the Commissioner of Education, that child may continue to attend the district's school and receive transportation, as long as that appeal contained a "stay application" (i.e., maintain the student's current situation) granted by the Commissioner. ESSA requires that during disputes, students remain at the school being sought, and receive transportation, "pending final resolution, including all available appeals." Accordingly, school districts should consult with counsel as to whether ESSA permits the additional technical restriction of requiring that a stay application be included in the appeal. To the extent to which school district counsel interprets ESSA to not permit such restriction, districts should delete the text in ~~strikeout~~ below*

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 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.

NYSSBA Sample Regulation 5151-R

- 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.
- 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 ~~with a stay application~~ 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 ~~on the stay application~~.

Adoption date:

Information First Reading – August 24, 2016

SCHOOL SAFETY PLANS AND TEAMS

Emergencies and violent incidents in schools are critical issues that must be addressed in an expeditious and effective manner. The Board of Education recognizes its responsibility to adopt and keep current a comprehensive district wide school safety plan and building-level emergency response plan(s) which address violence prevention, crisis intervention, emergency response and management.

Taken together, the district-wide and building level plans shall provide a comprehensive approach to addressing school safety and violence prevention, and provide the structure where all individuals can fully understand their roles and responsibilities for promoting the safety of the entire school community. The plans shall be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the district's coordination with local and county resources. The plans shall also address risk reduction/prevention, response and recovery with respect to a variety of types of emergencies and violent incidents in district schools.

In accordance with state law and regulation, the district shall have the following safety teams and plans to deal with violence prevention, crisis intervention and emergency response and management:

Comprehensive District-Wide School Safety Team and Plan

The Board shall annually appoint a district-wide school safety team that includes, but is not be limited to, a representative from the following constituencies: the Board, teachers, administrators, and parent organizations, school safety personnel and other school personnel. This team shall be responsible for the development and annual review of the comprehensive district-wide school safety plan. The plan shall cover all district school buildings and shall address violence prevention (taking into consideration a range of programs and approaches that are designed to create a positive school climate and culture), crisis intervention, emergency response and management including communication protocols, at the district level. It shall include all those elements required by law and regulation.

The Board may also appoint a student representative to the district-wide school safety team. However, no confidential building-level emergency response plans shall be shared with the student member, nor shall the student member be present during discussion of any confidential building-level emergency response plans, or confidential portions of the district-wide emergency response strategy.

The Superintendent of Schools or his/her designee shall be the district's chief emergency officer, and shall coordinate communication between school staff and law enforcement and first responders. The chief emergency officer shall ensure that all staff understand the district-wide school safety plan, and receive training on the building-level emergency response plan, violence prevention and mental health, and shall also ensure that the district-wide and building-level emergency response plans are completed, reviewed annually, and updated as needed by the

designated dates. The Chief Emergency Officer shall ensure that the district-wide plan is coordinated with the building-level plans, and shall ensure that required evacuation and lock-down drills are conducted.

~~To maintain security and in accordance with law, the building-level emergency response plan(s) shall be confidential and shall not be subject to disclosure under the Freedom of Information Law or any other law.~~

Building-Level Emergency Response Plans and Teams

Each Building Principal shall be responsible for annually appointing a building-level emergency response team that includes representation from teachers, administrators, parent organizations, school safety personnel, other school personnel, law enforcement officials, fire officials and other emergency response agencies. The emergency response team shall be responsible for the development and review of a building-level emergency response plan for each district building. The plan(s) shall address response to emergency situations, such as those requiring evacuation, sheltering and lock-down at the building level and shall include all components required by law and regulation. These confidential plans shall include evacuation routes, shelter sites, medical needs, transportation and emergency notification of parents and guardians.

Building-level emergency response plans shall include protocols in response to carbon monoxide alarms or detection. Alarm or detection of carbon monoxide will result in the appropriate actions as described by the emergency response plan.

Building-level emergency response plans shall designate:

- an emergency response team for incidents that includes appropriate school personnel, law enforcement officials, fire officials, and representatives from local, regional and/or state emergency response agencies to assist the school community in responding to a serious violent incident or emergency; and
- a post-incident response team that includes appropriate school personnel, medical personnel, mental health counselors and other related personnel to assist the community in coping with the aftermath of a serious violent incident or emergency.

The Building Principal, in consultation with the Superintendent and the Chief Emergency Officer, shall annually designate a threat assessment team to provide ongoing support and information in order to identify, and assess individuals who may be potential threats to safety, with the intent of minimizing acts of violence in the school community. The threat assessment team shall be composed of, but not limited to, the following personnel from both within the school and the larger community, as appropriate: building administrators, legal counsel, the medical director and/or school nurse, school counselors, local mental health and social service providers, law enforcement, school resource officers, security personnel, and facilities and maintenance personnel. The team shall meet regularly. The team shall be mindful of the need for discretion and observance of confidentiality requirements.

Students shall be encouraged to bring their concerns to any district employee. If a district employee becomes aware of a threat to the school community, the Building Principal shall be

informed and he/she will convene the threat assessment team. The Building Principal may request the participation of the following additional individuals who may have specific knowledge of the potential perpetrator: supervisors, teachers, students and parents. The Building Principal is responsible for keeping the Superintendent informed about the activities of the threat assessment team. Threat assessment team members shall receive appropriate training.

The Building Principal shall be responsible for conducting at least one test every school year of the emergency response procedures under this plan including procedures for sheltering and early dismissal.

To maintain security and in accordance with law, the building-level emergency response plan(s) shall be confidential and shall not be subject to disclosure under the Freedom of Information Law or any other law.

Annual Review and Report

All building level plans shall be annually reviewed and updated, if necessary, by the appropriate team by October 1st. In conducting the review, the teams shall consider any changes in organization, local conditions and other factors including an evaluation of the results of the annual test of the emergency response procedures which may necessitate updating of plans. If the plan requires no changes, then it shall remain in effect. If the district-wide plan requires change, then the updated plan shall be submitted to the Board of Education in time to allow 30-days of public comment and to hold a public hearing which provides for the participation of school personnel, students and other interested parties prior to Board adoption. - The district wide safety plan must be adopted by the Board of Education ~~by July 1~~ [at the annual re-organization meeting each July](#).

The Superintendent of Schools shall be responsible for filing the district-level school safety plan and any amendments to the plan with the Commissioner within 30 days after their adoption. The district-wide plan will be posted on the district's website. The Chief Emergency Officer shall be responsible for filing the building-level emergency response plan for his or her building and any amendments to the plan with the appropriate local law enforcement agency and the state police within 30 days after their adoption.

Cross-ref: 0115, Bullying and Harassment Prevention and Intervention
5300, Code of Conduct
9700, Staff Development

Ref: Education Law §2801-a (school safety plans)
Executive Law §2B (state and local natural and manmade disaster preparedness)
8 NYCRR Part 155 (Educational Facilities)
19 NYCRR §1228.4 (carbon monoxide detection)
School Safety Plans Guidance, New York State Education Department, June 2010

Adoption date: December, 1991 (Emergency Plans)

Revised: July 13, 2016
[Information First Reading – August 24, 2016](#)

STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board of Education requires that all School District employees maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action. ~~by the District up to and including termination of employment.~~

Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; request for sexual activity; unethical physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student ~~and/or parent~~ (via phone, e-mail, letters, notes, ~~instant messaging, text messaging, etc.~~) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; ~~including, but not limited to, hugging or kissing a student, or grabbing, squeezing, pinching or rubbing the person of a student or making any contact whatsoever with the intimate or sexual parts, as defined by law, of a student's body;~~ and engaging in sexual contact and/or sexual relations.

Even if the student ~~and/or parent~~ participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal or the District's designated complaint officer. In all events such reports shall be

forwarded to the designated complaint officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her building principal or supervisor.

The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

Personal Use of Facebook and Other Social Media

Personal Use of Facebook

~~District employees are encouraged to keep their personal lives personal even in the digital world where personal and professional can become blurred. District procedure prohibits employees from "friending" current students on their personal Facebook account. Procedures also discourage "friending" parents of students. If you have a personal Facebook account, the following response is recommended when denying such requests.~~

~~**Sentence for staff to respond to "friend" requests on their personal Facebook page:** *If you are a current student or the parent of a current student and requested to be my "friend" on Facebook, please do not be surprised or offended if I ignore your request. As an employee of _____ School District policy discourages me from "friending" current students or parents of current students on my personal Facebook page. I would encourage you to friend our school and the _____ School Facebook page.*~~

Prohibition of Retaliation

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. ~~Any act of retaliation is subject to appropriate disciplinary action by the District.~~

District Responsibility/Training

The principal of each school and/or program supervisor shall be responsible for informing students, staff and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student relationships. Student shall be provided such training in an age appropriate manner.

The District's policy shall be disseminated as appropriate to staff, students and parents, and will be posted to the District's web site. Further, this topic shall be addressed in the District Code of Conduct.

Disciplinary Sanctions

~~Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.~~

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Education Law Article 23-B

Social Services Law Sections 411-428

8 New York Code of Rules and Regulations (NYCRR) Part 83

Adoption Date:

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