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**THREE VILLAGE CENTRAL SCHOOL DISTRICT
STONY BROOK, NEW YORK**

BOARD OF EDUCATION AGENDA MATERIALS

DATE OF BOARD MEETING: December 9, 2020

DATE SUBMITTED: December 4, 2020

OFFICE OF ORIGIN: District Clerk

CATEGORY OF ITEM: Action

TITLE: POLICY

Staff Recommendation:

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

<u>Policy #</u>	<u>Policy Title</u>
1120	Records Retention Schedule
1500	Public Use of School Facilities
1900	Parental Involvement
5100	Student Attendance
5151	Homeless Children
5152	Admission of Non-Resident Students
5420	Student Health Services
5500	Student Records
8630	Computer Resources and Data Management
9620	Child Abuse in an Educational Setting

Background - Rationale:

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

NOT AN OFFICIAL RECORD; SUBJECT TO CHANGE

SCHOOL DISTRICT RECORDS

It is the policy of the Board of Education to inform members of the public about the administration and operation of the public schools in accordance with the Freedom of Information Law of the State of New York.

The Superintendent of Schools shall develop regulations ensuring compliance with the Freedom of Information Law and setting forth the procedures to be followed to obtain access to District records and submit such regulations to the Board for approval. The Superintendent shall designate, with Board approval, a Records Access and Records Management Officer, pursuant to law.

Retention and Destruction of Records

The Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein. Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein, and only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

The manner of destruction will be determined by the format and the record (i.e. paper, digital, etc.). In addition, destruction will be appropriately documented.

Litigation-Hold

The Superintendent will establish procedures in the event that the school district is served with legal papers. The Superintendent will communicate with applicable parties, including the school attorney and the records management official, to ensure that, when appropriate, a litigation-hold is properly implemented. The litigation-hold is intended to prevent the destruction or disposal of records that may need to be produced as part of discovery. It is the intention of the Board of Education to comply with applicable rules and regulations regarding the production of necessary documents, data, files, etc. The Board directs the Superintendent to institute such procedures to implement this policy.

The Superintendent or his/her designee, with the assistance from the Records Management Officer, shall be responsible for developing and disseminating department-specific retention schedules and guidance to staff, as necessary, to ensure adherence to this policy.

Cross-ref: 8630, Computer Resources and Data Management

Ref: Public Officers Law §84 *et seq.* (Freedom of Information Law)

Education Law §2116

Arts and Cultural Affairs Law, Article 57-A

Federal Rules of Civil Procedure, 26

8 NYCRR Part 185 (Appendix I)

Adoption Date: December 1991
Revised: February 24, 2009
September 3, 2014

Information First Reading – 2020 12 09

PUBLIC USE OF SCHOOL FACILITIES

While the primary use of school facilities is for educating students, the Three Village Central School District's ("District") Board of Education, ("Board") recognizes that these facilities were built with, and are maintained by, public funds, are a valuable community resource, and should be available for community use when not conflicting with educational activities. This policy identifies the uses of District facilities by community groups and the conditions for use.

Allowable Uses

District facilities may be used for activities which are educational, cultural, social, recreational or civic in nature, primarily for the benefit of District residents, and subject to the conditions and restrictions set forth in this policy. Such uses include the following:

- a. Instruction in any branch of education, learning or the arts.
- b. PTA/Booster organizations
- c. Public library purposes, subject to provisions of the New York State Education Law.
- d. Social, civic and recreational meetings/entertainment, or other uses pertaining to the community welfare, as long as such uses are non-exclusive and open to the general public.
- e. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- f. Polling places for primaries and elections or for registration of voters.
- g. Civic forums and community centers.
- h. Recreation, physical training and athletics, including competitive athletic contests.
- i. Child-care programs under limited conditions.
- j. Graduation exercises by not-for-profit elementary/secondary schools, provided that no religious service is performed.
- k. Licensed school-based health, dental or mental health clinics as defined in Education Law §414, operated by an entity other than the school district.

In acknowledging outside use of District facilities, the Board recognizes that such usage increases annual operating costs. Use of District facilities will generally be permitted when use will not interfere with school programs and are generally intended to be at low or no cost to the user, dependent upon use and user.

Additionally, as a condition of receiving state funding, the District permits access to military recruiters to school buildings, grounds and facilities to the same extent it provides access to those who inform students of educational, occupational or career opportunities.

Groups using district facilities that are not comprised primarily of District residents, or are for-profit entities, are eligible for facility use/rental with prior approval of the Superintendent/designee.

The use of District facilities by outside organizations carries with it the responsibility to maintain the buildings and property and to leave the facilities in a condition as good as when acquired.

The Superintendent of Schools ("Superintendent") shall designate an administrator to schedule the use of such facilities, ensure that economical and efficient use is made of the time and space available, and issue permits for use.

Through this policy, the Board authorizes the use of District facilities, and further authorizes the Superintendent/designee to administer this policy in a manner that minimizes costs by scheduling facility use as efficiently as possible while complying with all applicable federal, State and local laws. The Superintendent shall comply with the following:

- a. Authorize use of facilities through written permits, adhering to time slots appropriate for the actual activity.
- b. Develop, for annual Board approval, a Unified Fee Schedule for facility use when there is to be a charge to the user.
 1. To the extent possible, the fee schedule should provide cost-neutral fees based upon historical costs.
 2. "Out-of-District" use should be at "prevailing rate" for comparable facilities (auditoriums, fields, etc.) as determined by annual survey conducted by Superintendent/designee.
- c. Provide that non-profit user groups having a roster of at least 75% District residents be permitted to use District facilities at "no charge" during normal weekdays until a time that is congruent with the evening custodial schedule. Latest Board-approved Unified Fee Schedule shall be used for after hour and weekend use for such groups.
- d. Provide that use of District facilities by groups that charge a tuition or fee be monitored through prescribed user budgets and actual result documents with verified amounts for donations to the District associated with the event.
- e. Provide that use of District facilities by for-profit groups be charged a fee commensurate with income generated.
- f. Assure protection of school property by users.
- g. Provide that users maintain the health and safety of all people involved in the activity.
- h. Require payment for any damage or loss, whether or not a fee for use has been charged.
- i. Require that the user provide proof of adequate insurance coverage naming the District as an additional insured.
- j. Develop a policy, approved by the Board of Education, for school personnel that request use of school facilities for conducting pay-for-service workshops, clinics, etc.

The Superintendent/designee shall take the necessary steps to assure receipt of the following information when a permit application is submitted by a user:

- a. Constitution of the organization.
- b. By-laws currently in effect.
- c. Names of officers and liaison person

- d. List of members
- e. Proof of not-for-profit status, if applicable

Public Use of School Facilities

In the event of conflicting requests for use of District facilities by not-for-profit groups, a ranking by the following criteria for each activity/event shall be made, with those receiving the highest ranking receiving preference:

- a. Having highest percentage of District residents participating
- b. Serving the largest number of participants
- c. Having broadly advertised, open and non-selective enrollment
- d. Having no alternate facility available
- e. Having a history of safe and respectful use of District facilities

Consideration will also be given to community groups' use of District facilities that have had a long-standing relationship with the Three Village Central School District.

All permits for the use of any District facility shall be issued for specified hours, shall be non-transferable, and shall be restricted to the specific purposes for which issued. The Superintendent/designee may revoke any permit at any time.

The Superintendent may make interim changes in the regulations in appropriate situations, and provide notice to the Board.

Prohibited Use

Any use not permitted by this policy is prohibited. In addition, the following uses are specifically prohibited:

- a. Meetings sponsored by political organizations.
- b. Meetings, entertainments and occasions, where admission fees are charged, that are under the exclusive control of and the proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination or of a fraternal, secret or exclusive society or organization, other than veterans' organizations or volunteer fire fighters or volunteer ambulance workers.

Conditions of Use for District Facilities

- A. Use of district facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The district reserves exclusive and non-reviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.
- B. To ensure that district facilities are preserved for the benefit of the greater district community, only community based groups and organizations (that is, groups which are located within the geographic area covered by the district) may be granted access to district facilities.

- C. Use of district facilities will be permitted only where the applicant agrees to pay the district a user fee according to a schedule adopted by the district to cover the costs of heat, electricity, maintenance, custodial services and any other expenses associated with the requested use. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment. The district retains the right to condition use upon an applicant depositing with the district a sum equaling the estimated costs and fees associated with the proposed use 10 days in advance of the requested use. The district retains the further right to waive user fees for groups that are associated with or sponsored by the district.
- D. Where, in the judgment of the district, the requested use of district facilities requires special equipment or supervision, the district reserves the right to deny such use, or in the alternative, to condition such use upon the applicant's payment of additional fees in accordance with paragraph C above. Only authorized personnel shall operate district equipment.
- E. Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (\$1,000,000 minimum) to save the district harmless from all liability, property damage, personal injuries and/or medical expenses. The district will exercise complete and unreviewable discretion regarding what constitutes adequate insurance coverage for each proposed use.
- F. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:
 - 1. By an applicant who has previously misused or abused district facilities or property or who has violated this policy;
 - 2. For any use which could have the effect of violating the Establishment Clause of the United States Constitution or other provisions of the United States or New York State Constitutions;
 - 3. For any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
 - 4. For any use which the Board deems inconsistent with this policy;
 - 5. For any use by a private for-profit entity that has the direct or indirect effect of promoting the products or services of such entity;
 - 6. In any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
 - 7. For any use prohibited by law.

Application Procedure for Use of District Facilities

- A. All applications for use of school facilities shall be made in writing and submitted to the Superintendent of Schools at least 30 days prior to the date of the requested use. A use permit application is available in the Superintendent's office.
- B. The applicant must clearly and completely describe the intended use of the district facility in the application.
- C. All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent of the group or organization requesting use. The applicant's signature on the application shall attest to the group or organization's intent to

comply with all Board policies and regulations and to use district facilities strictly in accordance with the use described in the application.

- D. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided by the applicant at least 10 days before the date of the requested use.
- E. Permits shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the permit is allowed except with the prior written approval of the Superintendent. Permits shall not be transferable.
- F. The Superintendent is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- G. With regard to scheduling activities, the district retains the right to give preference to groups and organizations which are associated with or sponsored by the district.
- H. Issuance of a permit shall not limit the right of access to the facility by district staff.

Implementation

The Superintendent shall establish appropriate Regulations (and associated procedures) to implement this policy.

Ref: NY State Education Law Section 414

Adoption Date: December, 1991

Revised: February 10, 2009

Information First Reading – 2020 12 09

PARENTAL INVOLVEMENT

The Board of Education believes that positive parent and family engagement is essential to student achievement, and thus encourages such involvement in school educational planning and operations. Parent and family engagement may take place either in the classroom or during extra-curricular activities. However, the Board also encourages parent and family engagement at home (e.g., planned home reading time, informal learning activities, and/or homework “contracts” between parents, family members and children). The Board directs the Superintendent of Schools to develop a home-school communications program in an effort to encourage all forms of parent and family engagement.

Title I Parent and Family Engagement- District Level Policy

Consistent with the parent and family engagement goals of Title I, Part A of the federal No Child Left Behind Act of 2001 (NCLB) and its reauthorization in the Every Student Succeeds Act (ESSA), the Board of Education will develop and implement programs, activities and procedures that encourage and support the participation of parents and family members of students eligible for Title I services in all aspects of their child’s education. The Board also will ensure that all of its schools receiving Title I, Part A funds develop and implement school level parent and family engagement procedures, as further required by federal law.

For purposes of this policy, parental involvement refers to the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities.

At a minimum, parent and family engagement programs, activities and procedures at both the District and individual school level must ensure that parents and family members:

- Play an integral role in assisting their child’s learning;
- Are encouraged to be actively involved in their child’s education at school; and
- Are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child.

The federal definition of the term “parents” refers to a natural parent, legal guardian or other person standing in *loco parentis* (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child’s welfare).

District and school level Title I parent and family engagement programs, activities and procedures will provide opportunities for the informed participation of parents and family members (including those who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children).

As further required by federal law, parents and family members of students eligible for Title I services will be provided an opportunity to participate in the development of the District's Title I plan, and to submit comments regarding any aspect of the plan that is not satisfactory to them. Their comments will be forwarded with the plan to the State Education Department.

Parents and family members also will participate in the process for developing either a comprehensive or targeted "support and improvement plan" when the school their child attends is identified by the State as needing this plan.

Parent and family member participation in development of District wide Title I plan

The Board, along with its superintendent of schools and other appropriate District staff will undertake the following actions to ensure parent and family member involvement in the development of the District wide Title I plan:

- The Joint PTA Council President will participate in the development of the policy
- Parent representatives from each of the Title I Schools are invited to assist in the development of the Parent Compact
- Input is requested from all parents through building PTAs
- Parents are encouraged to participate in the Parental Involvement Plan through day and evening Parent-Teacher Conferences, Infinite Campus-Parent Portal, School Messenger messages and the District website.

Development of school level parent and family engagement approaches

The superintendent of schools will ensure that all District schools receiving federal financial assistance under Title I, Part A are provided coordination, technical assistance and all other support necessary to assist them in planning and implementing effective parent and family engagement programs and activities that improve student achievement and school performance. As appropriate to meet individual local needs, the superintendent will:

- Provide an opportunity for parents to provide input and review the parent and family engagement approaches through PTA meetings
- Provide a draft policy on the District website and through the Infinite Campus Parent Portal. Parents will be encouraged to provide feedback and comment
- Provide parents and families an opportunity to provide comment on the parent and family engagement approaches during day and evening Parent-Teacher conferences and junior high school Parent Breakfasts
- Make translations available upon request

Building capacity for parental involvement

To build parent capacity for strong parental involvement to improve their child's academic achievement, the District and its Title I, Part A schools will, at a minimum:

1. Assist parents in understanding such topics as the state's academic content challenging academic standards, state and local academic assessments, Title I requirements, how to monitor their child's progress and how to work with educators to improve the achievement of their child. To achieve this objective, the District and its Title I schools will:
 - Conduct Open Houses and encourage feedback and comment
 - Present information at Shared Decision/Site-Based Team Meetings
 - Present information at building and District level PTA meetings
 - Provide information at day and evening Parent-Teacher Conferences
 - Provide information at flexibly scheduled Parent-Teacher Conferences
 - Post information to the District website
 - Post information to the Infinite Campus Parent Portal
 - Utilize the School Messenger (global telephone communication messaging system) to keep parents informed
 - Provide information through parent mailings and the District calendar
 - Offer parent workshops and disseminate information on community parent programs
 - Utilize report cards, progress reports, and e-mail blasts as additional sources to keep parents of their integral role in assisting their child(ren)

2. Provide materials and training to help parents work to improve their child's academic achievement such as literacy training and using technology (including education about the harms of copyright piracy). To achieve this objective, the District and its Title I schools may offer activities, such as the following:
 - Distribute literacy information during Open Houses, Parent-Teacher Conferences, general school correspondence
 - Conduct elementary *Milk and Cookie Programs*; *Parents as Reading Partners Night*
 - Provide STEM
 - Offer *Book Club Programs*
 - Implement a *Visiting Author Program*
 - Provide a *Summer Reading Program*
 - Offer the *Cultural Arts in Education Program*
 - Provide a PTA – School Report Card Review
 - Post information to the District Website and Infinite Campus Parent Portal
 - Utilize School Messenger messaging and emails
 - Offer Parent Training and workshops
 - Provide parent community forums
 - Provide information through the Board of Education Meetings
 - Extra Help

3. Educate its teachers, specialized instructional support personnel, principals and other school leaders, and other staff, with the assistance of parents, in understanding the value and utility of a parent's contributions and on how to:
 - reach out to, communicate with, and work with parents as equal partners;
 - implement and coordinate parent programs; and
 - build ties between parents and the schools.

To achieve this objective, the District and its Title I schools will:

Actively involve parents in this training through such forums as the PTA and Shared Decision Making/Site Based Teams. In addition, parent training will be offered through parent workshops, as offered through the office of School and Community Partnerships.

4. Ensure that information related to school and parent-related programs, meetings, and other activities is sent to the parents of children participating in Title I programs in an understandable and uniform format, including alternative formats, upon request, and to the extent practicable, in a language the parents can understand.

Coordination of parental involvement strategies

The District will coordinate and integrate strategies adopted to comply with Title I, Part A parental involvement requirements with parental involvement strategies adopted in connection with other Federal, State, and local programs, including public preschool programs. It will do this by:

Review of District wide parent and family engagement policy

The Board, along with its superintendent of schools and other appropriate staff will conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of this parent and family engagement policy in improving the academic quality of Title I schools, including the identification of barriers to greater participation by parents in activities under this policy, and the revision of parent and family engagement policies necessary for more effective involvement. To facilitate this review, the District will conduct the following activities:

- Provide an opportunity for parents to provide input and review of this policy through PTA meetings
- Make this policy available on the District website and through I-Campus parent portal where parents will be encouraged to provide feedback and comment.
- Provide translation services where needed

Cross-ref: 4010, Equivalence in Instruction

Ref: 20 USC §§6318(a)(2); 7801(38), Every Student Succeeds Act (§1116 of the Elementary and Secondary Education Act)

U.S. Department of Education, *Parental Involvement, Title I, Part A, Non-Regulatory Guidance*, April 23, 2004

Adoption date: January 29, 2004

Revised: March 9, 2010

March 7, 2018

Information First Reading - 2020 12 09

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 the Three Village Academy. 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 following procedures will be implemented:

- The District will share this policy 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.
- A plain language summary of this attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
- Parents will receive a plain language summary of this policy by mail or by electronic means at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.
- When a student is absent, tardy, or leaves early from class or school without excuse, designated staff member(s) will notify the student’s parent(s) by phone and mail of the specific ATED, remind them of the attendance policy, and review ATED intervention procedures with them.
- A back-to-school event will be held at the beginning of each school year to emphasize that every day of attendance counts, explain this policy, and stress the parent’s responsibility for their ensuring their children’s attendance.
- School newsletters and publications will include periodic reminders of the components of this policy.
- The District will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.

- All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.
- Copies of this policy will also be made available to any community member, upon request.
- The District will share this policy with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATED's 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), illness or death in the family, 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 by the appropriate building administrator, including but not limited to absences due 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. Parent/guardian signatures for homeless unaccompanied youth are addressed in policy 5151 and regulation 5151-R.

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.

General Procedures/Data Collection

- Attendance will be taken during each class period.
- At the conclusion of each class period or school day, all attendance information will be compiled and provided to the designated staff member(s) responsible for attendance.
- The nature of an ATED will be coded on a student's record.
- Student ATED data should be available to should be reviewed by the designated school personnel in an expeditious manner.
- Where additional information is received that requires corrections to be made to a student's attendance records, such correction will be made immediately. Notice of such a change will be sent to appropriate school personnel subject to applicable confidentiality rules.
- Attendance data will be analyzed periodically to identify patterns or trends in student absences. If patterns emerge, district resources will be targeted to understand and eliminate barriers to attendance.
- Where consistent with other school practices, teachers and staff will detain students in the hallways who are absent from a class period without excuse and refer the students to the Building Principal.
- Continuous monitoring will be conducted to identify students who are absent, tardy, or leave lass or school early. If a pattern of ATED's for an individual student is identified a designated staff person(s) will follow-up in accordance with this policy.

Online/Distance/Remote Learning

Students learning remotely will need to show daily school participation, which is to be recorded by teachers and reported under the provisions of this policy. Such participation will vary depending on the type of remote learning taking place. This can include: documented participation in online or virtual classes, completion of assignments, documentation of daily school activities and learning, or correspondence via District designated online platforms, email, and telephone. Teachers are also expected to pay particular attention to the educational progress of students learning remotely, and initiate appropriate interventions with the student and their family if a student does not show adequate engagement or growth.

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, a negative patterns of ATEDs, or unexcused ATEDs may result in disciplinary action consistent with the District's Code of Conduct. Those penalties may include, for example, detention, in-school suspension, denial of privileges, including but not limited to participating in or attending extracurricular events, parking, or "senior" privileges. However, absences related to homelessness will 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.

In addition, the Building Principal or his/her designee designated staff member will contact local Child Protective Services (CPS) if they suspect that the child is being educationally neglected. The Building Principal or his/her designee will provide CPS with the information necessary to initiate a report. If other staff members suspect education neglect, they must follow the procedures outlined in Board policy and regulation 5460, Child Abuse in a Domestic Setting, and advise the Superintendent of Schools or his/her designee.

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 quarter 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

To ensure that parents and students are aware of this minimum attendance requirement, the teacher or other designated staff member(s) will advise the student and/or contact the parent(s) at appropriate intervals prior to the student reaching the maximum allowable absences.

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 will be made to the Board.

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

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

Ref: 42 USC §11432(g)(1)(I) (McKinney-Vento Homeless Assistance Act)
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

Information First Reading – 2020 12 09

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 the Three Village Academy. 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 following procedures will be implemented:

- The District will share this policy 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.
- A plain language summary of this attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
- Parents will receive a plain language summary of this policy by mail or by electronic means at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.
- When a student is absent, tardy, or leaves early from class or school without excuse, designated staff member(s) will notify the student’s parent(s) by phone and mail of the specific ATED, remind them of the attendance policy, and review ATED intervention procedures with them.
- A back-to-school event will be held at the beginning of each school year to emphasize that every day of attendance counts, explain this policy, and stress the parent’s responsibility for their ensuring their children’s attendance.
- School newsletters and publications will include periodic reminders of the components of this policy.
- The District will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.

- All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.
- Copies of this policy will also be made available to any community member, upon request.
- The District will share this policy with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATED's 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), illness or death in the family, 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 by the appropriate building administrator, including but not limited to absences due 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. Parent/guardian signatures for homeless unaccompanied youth are addressed in policy 5151 and regulation 5151-R.

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.

General Procedures/Data Collection

- Attendance will be taken during each class period.
- At the conclusion of each class period or school day, all attendance information will be compiled and provided to the designated staff member(s) responsible for attendance.
- The nature of an ATED will be coded on a student's record.
- Student ATED data should be available to should be reviewed by the designated school personnel in an expeditious manner.
- Where additional information is received that requires corrections to be made to a student's attendance records, such correction will be made immediately. Notice of such a change will be sent to appropriate school personnel subject to applicable confidentiality rules.
- Attendance data will be analyzed periodically to identify patterns or trends in student absences. If patterns emerge, district resources will be targeted to understand and eliminate barriers to attendance.
- Where consistent with other school practices, teachers and staff will detain students in the hallways who are absent from a class period without excuse and refer the students to the Building Principal.
- Continuous monitoring will be conducted to identify students who are absent, tardy, or leave lass or school early. If a pattern of ATED's for an individual student is identified a designated staff person(s) will follow-up in accordance with this policy.

Online/Distance/Remote Learning

Students learning remotely will need to show daily school participation, which is to be recorded by teachers and reported under the provisions of this policy. Such participation will vary depending on the type of remote learning taking place. This can include: documented participation in online or virtual classes, completion of assignments, documentation of daily school activities and learning, or correspondence via District designated online platforms, email, and telephone. Teachers are also expected to pay particular attention to the educational progress of students learning remotely, and initiate appropriate interventions with the student and their family if a student does not show adequate engagement or growth.

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, a negative patterns of ATEDs, or unexcused ATEDs may result in disciplinary action consistent with the District's Code of Conduct. Those penalties may include, for example, detention, in-school suspension, denial of privileges, including but not limited to participating in or attending extracurricular events, parking, or "senior" privileges. However, absences related to homelessness will 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.

In addition, the Building Principal or his/her designee designated staff member will contact local Child Protective Services (CPS) if they suspect that the child is being educationally neglected. The Building Principal or his/her designee will provide CPS with the information necessary to initiate a report. If other staff members suspect education neglect, they must follow the procedures outlined in Board policy and regulation 5460, Child Abuse in a Domestic Setting, and advise the Superintendent of Schools or his/her designee.

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 quarter 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

To ensure that parents and students are aware of this minimum attendance requirement, the teacher or other designated staff member(s) will advise the student and/or contact the parent(s) at appropriate intervals prior to the student reaching the maximum allowable absences.

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 will be made to the Board.

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

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

Ref: 42 USC §11432(g)(1)(I) (McKinney-Vento Homeless Assistance Act)
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

Information First Reading – 2020 12 09

HOMELESS CHILDREN

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

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

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

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

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

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

The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of 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 the school of origin, the child may also attend the designated receiving school at the next grade level.

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

1. Admission and Participation: Upon designation, the District will 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, including extracurricular activities and summer school programs available to District students. They will not be placed in separate schools or programs based on their status as homeless. The District will 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 will 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 will 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 will, 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 will request the student's records (academic, medical, etc.) from the school the student last attended.
4. Coordination: The District will 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 will coordinate with other school Districts on issues of prompt identification, transportation, transfer of records, and other inter-District activities. This will 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 will 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 will be treated as a student education record, and will not be considered directory information under FERPA. See policy 5500, Student Records, for more information.

The Superintendent will also designate a McKinney-Vento liaison for homeless children and ensure that this person is aware of, and able to carry out, their responsibilities under the law. The Superintendent will 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 will 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 will 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 will 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
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

Information First Reading – 2020 12 09

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 in Grades 7-12 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 Exchange 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 or grade level (when space permits) upon payment of tuition. School assignment shall be at the discretion of the District.

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 **and** 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. However, homeless students who are no longer district residents due to homelessness are addressed in Policy 5151, Homeless Children.

Ref: Education Law §3202(2)

Adoption date: December, 1991

Revised: June 1998

June 1999

November 30, 2010

July 13, 2016

February 8, 2017

Information First Reading – 2020 12 09

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 will 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 will be referred to the parent(s) or guardian(s) who will be encouraged to have their family physician/dentist provide appropriate care.

In order to enroll in school a student must have a health exam and submit a health certificate within 30 calendar days after entering school, and upon entering prekindergarten, kindergarten, and upon entering first, third, fifth, seventh, ninth and eleventh 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.

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 reasons as permitted by state law and regulation.

Homeless students will 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 McKinney-Vento liaison will assist homeless students covered by that law in accessing health services described in this policy and accompanying regulation, including removing barriers for unaccompanied youth caused by a lack of parent/guardian permission.

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 will 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 will be maintained by the school nurse.

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. Parents/guardians will receive notification of non-emergent medical situations that have been reported to the nurse in a timely manner.

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 who have been diagnosed with or are showing symptoms of any 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 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. The District will provide additional protections to students who are otherwise medically vulnerable.

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 are responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours will 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 them 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 prescription medicines prescribed by a medical provider, and over the counter medications which also require provider orders.

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 gives 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 authorized medical provider, which will include the purpose of the medication, the dosage, the time at which or the special circumstances under which medication will be administered, the period for which medication is prescribed, and the possible side effects of the medication; and
3. that in order for a student to carry and use a rescue inhaler, an epinephrine auto-injector, insulin, or glucagon and associated testing supplies, written permission must be provided 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.

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

Life-Threatening Allergies and Anaphylaxis Management

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

5151, Homeless Students

5280, Interscholastic Athletics

5550, Student Privacy

8130, School Safety Plans and Teams

9700, Staff Professional Development

Education Law §§310 (provisions for appeal of child denied school entrance for failure to comply with immunization requirements); 901 et seq. (medical, dental and health services, BMI reporting); 916 (student self-administration of rescue inhalers); 916-a (student provide and maintain nebulizers); 921 (epinephrine auto-injectors; training of unlicensed personnel); 922 (naloxone); 6527 (emergency treatment: anaphylaxis; naloxone); 6909 (emergency treatment: anaphylaxis; naloxone)

Public Health Law §§613 (annual survey); 2164 (immunization requirements); 3000-c (emergency epinephrine); 3309 (naloxone)

8 NYCRR §§ 64.7 (anaphylaxis; naloxone); 135.4 (Physical Education); Part 136 (school health services program; concussion, anaphylaxis, medication, naloxone)

10 NYCRR Part 66-1 (immunization requirements); § 80.138 (naloxone)

Guidelines for Medication Management in Schools, State Education Department, December 2017, www.p12.nysed.gov/sss/documents/MedicationManagement-DEC2017.pdf

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

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

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

self- administration of epinephrine; 916-b (students with diabetes); 919 (

Adoption date: December, 1991

Revised: April 28, 1998

February 23, 2010

March 6, 2012

September 3, 2014

August 22, 2018

July 10, 2019

Information First Reading – 2020 12 09

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 will 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 LGS-1, Retention and Disposition Schedule for New York Local Government Records, as adopted by the Board in policy 1120.

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

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

Definitions

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

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

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

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

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

Personally identifiable information (PII): as it pertains to students, is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the

relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc. This term is fully defined in federal regulations at 34 CFR 99.3.

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 their tasks. The District prohibits volunteers from accessing student information. The District expects that if volunteers discover any information about students in the course of their volunteer duties, they will not redisclose such information to anyone other than a school official with a legitimate educational interest.

Third party contractor: is any person or entity, other than an educational agency (which includes schools, school districts, BOCES, or the State Education Department), that receives student or teacher/principal PII 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 for or on behalf of such educational agency, or audit or evaluation of publicly funded programs. This includes educational partnership organizations that receive student or teacher/principal PII from a school district to carry out responsibilities under Education Law §211-e (for persistently lowest-achieving schools or schools under registration review) and is not an educational agency. This also includes not-for-profit corporations or other nonprofit organizations, other than an educational agency.

Annual Notification

At the beginning of each school year, the District will publish a notification that informs parents, guardians and students currently in attendance of their rights under FERPA and New York State Law and the procedures for exercising those rights. A 'Parents' Bill of Rights for Data Privacy and Security' will be posted on the District website and included in any agreements with third-party contractors. (see 8635-E.1) The notice and 'Bill of Rights' may be published in a newspaper, handbook or other school bulletin or publication. The notice and 'Bill of Rights' will also be provided to parents, guardians, and students who enroll during the school year.

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

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

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

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

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

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

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
- ID number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems (only if the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the student’s identity)
- Address (except information about a homeless student’s living situation, as described below)
- Telephone number
- Date and place of birth
- Major course of study
- Participation in school activities or sports
- Weight and height if a member of an athletic team
- Dates of attendance
- Degrees and awards received
- Most recent school attended
- Grade level
- Photograph 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 will be treated as a student educational record, and shall not be deemed directory information. A parent/guardian or eligible student may elect, but cannot be compelled, to consent to release of a student’s address information in the same way they would for other student education records. The District’s McKinney-Vento liaison will take reasonable measures to provide homeless students with information on educational, employment, or other postsecondary opportunities and other beneficial activities.

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

Students who opt out of having directory information shared are still required to display or present their student ID cards.

Once the proper FERPA notification is given by the District, a parent/guardian or eligible student will have 10 business 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
 8635, Information, Data Privacy, Security Breach and Notification

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 §§185.5 and 185.15 (Appendix I) Retention and Disposition Schedule for New York Local Government Records, LGS01
 “Guidance for Reasonable Methods and Written Agreements,”
http://www2.ed.gov/policy/gen/guid/fpco/pdf/reasonablemtd_agreement.pdf
 Parents’ Bill of Rights for Data Privacy and Security, July 29, 2014:
<http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>
 Family Policy Compliance Office website:
<http://www2.ed.gov/policy/gen/guid/fpco/index.html>

Adoption Date: December, 1991
 Revised: September 24, 2002
 May 24, 2011
 January 24, 2012
 September 3, 2014
 September 13, 2017

Information First Reading – 2020 12 09

COMPUTER RESOURCES AND DATA MANAGEMENT

The Board of Education recognizes that computers are a powerful and valuable education and research tool and as such are an important part of the instructional program. In addition, the District depends upon computers as an integral part of administering and managing the schools' resources, including the compilation of data and recordkeeping for personnel, students, finances, supplies and materials. This policy outlines the Board's expectations in regard to these different aspects of the District's computer resources.

General Provisions

The Superintendent shall be responsible for designating a Director of Instructional Technology who will oversee the use of District computer resources. The Director of Instructional Technology will prepare in-service programs for the training and development of District staff in computer skills, appropriate use of computers and for the incorporation of computer use in subject areas.

The Superintendent, working in conjunction with the designated purchasing agent for the District, and Director of Instructional Technology will be responsible for the purchase and distribution of computer software and hardware throughout the schools. They shall prepare and submit for the Board's approval a comprehensive multi-year technology plan which shall be revised as necessary to reflect changing technology and/or District needs.

The Superintendent, working with the Director of Instructional Technology shall establish regulations governing the use and security of the District's computer resources. (Computer resources include all devices that process data, including but not limited to laptops, fax machines, copiers, and scanners.) The security and integrity of the District computer network and data is a serious concern to the Board and the District will make every reasonable effort to maintain the security of the system. All users of the District's computer resources shall comply with this policy and regulation, as well as the District's Internet/Network Use and Internet Safety Student Code of Conduct (4526 and 4526.1). Failure to comply may result in disciplinary action, as well as suspension and/or revocation of computer access privileges.

All users of the District's computer resources must understand that use is a privilege, not a right, and that use entails responsibility. Users of the District's computer network must not expect, nor does the District guarantee, privacy for electronic mail (e-mail) or any use of the District's computer network. The District reserves the right to access and view any material stored on District equipment or any material used in conjunction with the District's computer network.

Management of Computer Records

The Board recognizes that since District data is managed by computer, it is critical to exercise appropriate control over computer records, including financial, personnel and student information. The Superintendent, working with the Director of Instructional Technology and the District's business official, shall establish procedures governing management of computer records, taking into account whether the records are stored onsite on District servers or on remote servers in the "cloud".

The procedures will address:

- passwords,
- system administration,
- separation of duties,
- remote access,
- encryption
- user access and permissions appropriate to job titles and duties,
- disposal of computer equipment and resources (including deleting District data or destroying the equipment),
- inventory of computer resources (including hardware and software),
- data back-up (including archiving of e-mail),
- record retention, and
- disaster recovery plans and notification plans.

If the District contracts with a third-party vendor for computing services, the Superintendent, in consultation with the Director for Instructional Technology, will ensure that all agreements address the procedures listed above, as applicable.

Review and Dissemination

Since computer technology is a rapidly changing area, it is important that this policy be reviewed periodically by the Board and the District's internal and external auditors. The regulation governing appropriate computer use will be distributed annually to students and will be included in student handbooks.

Cross-ref: 1120, School District Records
 4526, Internet/Network Use
 4526.1, Internet Safety
 6600, Fiscal Accounting and Reporting
 6700, Purchasing
 8635, Information and Data Privacy, Security, Breach and Notification

Adoption date: April 9, 2013

Revised: April 22, 2015

Information First Reading – 2020 12 09

CHILD ABUSE IN AN EDUCATIONAL SETTING

The Board of Education recognizes that children have the right to an educational setting that does not threaten their physical and emotional health and development. Child abuse by school personnel and school volunteers violates this right and therefore is strictly prohibited.

Allegations of child abuse by school personnel and school volunteers shall be reported in accordance with the requirements of Article 23-B of the Education Law.

Required Reporters

Any person holding any of the following positions shall be required to promptly report written and oral allegations of child abuse by an employee or volunteer in an educational setting:

- school administrator
- teacher
- school nurse
- school guidance counselor
- school psychologist
- school social worker
- other school personnel required to hold a teaching or administrative license or certificate
- school board member
- licensed and registered physical therapist
- licensed and registered occupational therapist
- licensed and registered speech–language pathologist
- teacher aide
- school resource officer, and
- any staff whose duties involve direct student contact and who is paid either by a school district or contracted to provide transportation services to children; or
- who is an employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law.

For purposes of this policy, persons holding these positions shall be referred to as “required reporters.”

Definitions

“Administrator” or “school administrator” shall mean a principal of, or the equivalent title, in a public school, charter school or board of cooperative educational services, or other chief school officer.

“Child” means a person under the age of 21 enrolled in a school.

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

- intentionally or recklessly inflicting physical injury, serious physical injury or death; or
- intentionally or recklessly engaging in conduct that creates a substantial risk of physical injury, serious physical injury or death; or
- any child sexual abuse as prohibited by sections 130 or 235 of the Penal Law; or
- the commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.

“Educational setting” means the buildings and grounds of the school, the vehicles provided by directly or by contract with the school for the transportation of students to and from school buildings, field trips, co-curricular and extra-curricular activities both on and off school grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee and volunteer and a child has allegedly occurred.

"Employee" means any person who is receiving compensation from a school district. Additionally, for the purpose of this policy, one whose duties involve direct student contact and is receiving compensation from any person or entity that contracts with a school to provide transportation services to children or is an employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, whereby such services performed by such person involve direct student contact.

“Law enforcement authorities” means any officer or office of municipal, sheriffs, or division of the state police department.

“Parent” means either both of a child’s parents or other persons legally responsible for the child.

“School” generally means any school district, public school, charter school, non-public school board of cooperative educational series or special act school district and additional entities as defined by section 1125(10) of Education Law.

"Volunteer" means any person, other than an employee, who has direct student contact and provides services to a school or school district which involve direct student contact and who provides services to any person or entity which contracts with a school to provide transportation services to children.

Reporting Requirements

In any case where a written or oral allegation of child abuse by an employee or volunteer in an educational setting is made to a required reporter, the required reporter shall:

1. promptly complete the required State Education Department report form; and
2. personally deliver it to the Principal of the school in which the child abuse allegedly occurred.

If the allegation involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the required reporter must promptly forward the report form to the Superintendent of the district of attendance and the Superintendent of the school district where the abuse allegedly occurred (if different).

If an allegation is made to a school bus driver employed by a person or entity that contracts with a school to provide transportation services to children that a child has been subjected to child abuse by an employee or volunteer in an educational setting, such driver shall promptly report to his or her supervisor.

If an allegation is made to a supervisor of a school bus driver employed by a person or entity that contracts with a school to provide transportation services to children, that a child has been subjected to child abuse by an employee or volunteer in an educational setting, such supervisor shall promptly complete a written report on the attached form (9620-E.1) and shall personally deliver it to the school district superintendent employed by the school district where the child abuse occurred.

If an allegation is made which involves a school that is not a school district or public school, the appropriate school administrator or administrators, in addition to any appropriate superintendent of schools, shall be notified of the allegation.

Upon receiving a written report, the Principal shall determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. In those circumstances where the Superintendent receives the written report directly, he or she will be responsible for making the reasonable suspicion determination.

In any case where the employee the allegation is being made against is the superintendent or the administrator, the report of such allegations shall be made to the Assistant Superintendent for Human Resources.

Upon receiving a written report, the Principal shall determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. In those circumstances where the Superintendent receives the written report directly, he or she will be responsible for making the reasonable suspicion determination.

If the Principal/Superintendent determines there is reasonable suspicion to believe that an act of child abuse has occurred, he or she shall promptly notify the parent of the alleged child victim (assuming that the parent is not the person who originally reported the alleged abuse) that an allegation of child abuse in an educational setting has been made and promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Regulations of the Commissioner of Education.

If the person making the allegation of abuse is someone other than the child or the child's parent, the Principal/Superintendent shall contact the person making the report to learn the source and basis for the allegation.

The Principal shall also promptly provide a copy of the written report to the Superintendent and send a copy to the appropriate law enforcement authorities. In no event shall the Principal delay in sending the report to law enforcement because of an inability to contact the Superintendent.

The Superintendent shall send to the Commissioner of Education any written report forwarded to the local law enforcement authorities where the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the department.

Rights of Employees and Volunteers

Any employee or volunteer against whom an allegation of child abuse has been made and against whom the district intends to take adverse action shall be entitled to receive a copy of the report and to respond to the allegations. In addition, such persons are entitled to seek disclosure of reports involving them under the Freedom of Information Law.

Confidentiality

All reports, photographs, and other written material submitted pursuant to this policy and Article 23-B of the Education Law shall be confidential and may not be redisclosed except to law enforcement authorities involved in investigating the alleged abuse or except as expressly authorized by law or pursuant to a court-ordered subpoena. The Principal and Superintendent shall exercise reasonable care to prevent unauthorized disclosure.

Willful disclosure of a written record required to be kept confidential to a person not authorized to receive or review such record is a Class A misdemeanor.

Penalties

Willful failure of an employee to prepare and submit a written report of alleged child abuse required by Article 23-B of the Education Law shall be a class A misdemeanor.

Willful failure of any Principal or Superintendent to submit a written report of alleged child abuse to an appropriate law enforcement authority, as required by Article 23-B of the Education Law, shall be a class A misdemeanor. In addition, the Commissioner of Education may, following an administrative determination, impose a civil penalty of up to five thousand dollars on any administrator who fails to submit a report of child abuse to an appropriate law enforcement authority.

The law further prohibits any Principal or Superintendent from agreeing to withhold from the appropriate law enforcement authorities, a superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of

the alleged perpetrator. Violation of this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

Record Retention

Any report of child abuse by an employee or volunteer that does not result in a criminal conviction shall be expunged from the records kept by the district with respect to the subject of the report after five years from the date the report was made.

Training

The Superintendent shall be responsible for establishing and implementing on an ongoing basis a training program for all current and new required reporters on the procedures required under Article 23-B. The program shall include at a minimum information regarding the physical and behavioral indicators of child abuse and maltreatment, reporting requirements including but not limited to, when and how a report must be made, what other actions the reporter is can and should take, the legal protections afforded reporters, and the consequences for failing to report, and any other elements as specified in Commissioner's regulations.

Further, all persons employed on or after July 1, 2019 as a school bus driver employed by any person or entity that contracts with a school to provide transportation services to children shall be required to complete two hours of coursework or training (from an approved provider) regarding the identification and reporting of child abuse and maltreatment. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment, reporting requirements including but not limited to, when and how a report must be made, what other actions the reporter is can and should take, the legal protections afforded reporters, and the consequences for failing to report. Each employee in such titles shall provide the school administrator of the school with documentation showing that he or she completed the required training. In addition, each school bus driver shall provide such contracting person or entity with documentation showing that he or she completed the required training. The department shall be authorized to request such records on a periodic basis and may publish a list of any persons or schools who are not in compliance with this subdivision on its website.

The coursework or training required by this section shall not apply to those persons already required to undergo coursework or training regarding the identification and reporting of child abuse and maltreatment pursuant to sections three thousand three and three thousand four of this chapter.

Ref: Education Law §§1125-1133
 Penal Law §§130, 235, 263
 8 NYCRR §100.2 (hh) (Reporting of Child Abuse in an Educational Setting)
Appeal of S.S., 42 EDR 273 (2003)

Adoption date: October 28, 2003

Revised: October 25, 2011

Information First Reading – 2020 12 09