FOREWORD

Here are the policy statements formulated by the Board of Education (Board) of the Lafayette Central School District (District).

Policy is defined as a basic plan of action. It establishes limits within which freedom of judgment can be exercised. Policy is also a governing principle of management. It is a statement that has an effect on the interests of those who come under its jurisdiction. A policy may originate from the constitution, from statute, from local determinations, or from customary patterns of formal behavior.

Policy should accomplish the following:

a) State a position taken by the District;

b) Grant the authority to act;

c) Be sufficiently detailed to give adequate direction;

d) Be achievable within the real environment of the school and community;

e) Provide for impartial procedures.

In addition to the adopted policies, the operation of the District is governed by and subject to all applicable laws, regulations of the Commissioner of Education, Civil Service requirements, Board Resolutions, School Administrative Regulations and Contracts of Agreement.

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts will remain in full effect unless and until they are amended or repealed by the Board of Education. The official record of the adoption, amendment, or repeal of the by-laws and policies of the Lafayette Central School District will be the minutes of the Board's meetings.

LAFAYETTE CENTRAL SCHOOL DISTRICT

POLICY MANUAL CONTENTS

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SECTION 2000	INTERNAL OPERATIONS
SECTION 3000	COMMUNITY RELATIONS
SECTION 4000	ADMINISTRATION
SECTION 5000	NON-INSTRUCTIONAL/BUSINESS OPERATIONS
SECTION 6000	PERSONNEL
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The following citations will be used in the Policy Manual:

Federal:

USC	United States Code
CFR	United States Code of Federal Regulations

State:

NYCRR	New York Code of Rules and Regulations
8 NYCRR	Regulations of the Commissioner of Education

LAFAYETTE CENTRAL SCHOOL DISTRICT

MISSION STATEMENT

The mission of the LaFayette School District through the combined efforts of community, parents, and teachers is to develop an environment for each student which will create a positive self-image, a life-long interest in learning, an atmosphere for high academic achievement, foster an understanding and appreciation of cultural diversity, gender equity and stress tolerance and respect for others, so that students become responsible and productive members of society.

LAFAYETTE CENTRAL SCHOOL DISTRICT

PHILOSOPHY STATEMENT

The educational programs of the LaFayette School District are rooted in the basic principle that every individual has worth and dignity. Further, the implementation of our many programs recognizes the human personality regardless of race, creed, sex, wealth, ability or ethnic origin.

We believe that every student can be taught at some level. It is our task to identify that level and institute a program which will provide the student with success and a feeling of achievement necessary for satisfactory fulfillment of future academic and societal goals.

We recognize that our youth must be free to learn. However, they must know that freedom carries responsibility and does not imply doing as one pleases. Our schools need students, teachers and administrators who care and create an atmosphere conducive to learning so that our young people know their school is a place of warmth and encouragement, not only for educational considerations, but for life itself.

In order to prepare students to live in an ever more complex world, we must provide a curriculum that responds to the changing times, while respecting the traditions and enduring human truths of the past.

We believe our educational system should provide the opportunity for parents and the community in general to better understand the educational program so that we might work cooperatively for the benefit of each student.

We acknowledge the variability of student needs and expectations and accept the challenge to help each student develop to the best of his or her ability, to acquire an understanding of his or her worth and dignity, and to respect the worth, opinions and ambitions of others to whom he or she must relate.

The LaFayette School District is dedicated to the ideals of: pursuit of knowledge, respect for all, and preservation of the earth's richness and beauty.

In order to realize the beliefs of our philosophy, students should:

a) Develop intellectual curiosity and eagerness for lifelong learning.

b) See education as a means to career identification and feel a sense of responsibility to contribute to society.

    1. Develop occupational competencies necessary to secure employment commensurate with abilities and aspirations; and to perform work in a manner that is gratifying to the individual and to those served.

    2. Develop an awareness of opportunities and requirements related to careers and occupations.

    3. Develop the ability to make use of guidance information and counseling services.

    4. Develop an appreciation of good workmanship.

PHILOSOPHY STATEMENT (Cont'd.)

c) Develop pride in work and a feeling of self-worth.

1. Develop a feeling of student pride, both in individual and group achievements and progress.

2. Develop self-understanding, self-awareness and self-discipline.

3. Develop a feeling of positive self-worth, security, and self-assurance.

d) Develop skills in reading, writing, speaking and listening.

1. Develop the ability and communicate ideas and listening.

2. Develop skills in oral and written English.

e) Learn how to locate, examine and use information.

1. Develop skills to think and proceed logically.

2. Develop the ability to examine critically and creatively.

3. Develop reasoning abilities.

f) Be involved in problem-solving and decision-making processes. The acquisition of content knowledge should serve the student in acquiring a developing sense of understanding and ability to deal with the world in which he or she lives.

g) Understand the fundamental concepts of mathematics and be skillful in the use of numbers and related basic arithmetic processes as they apply in everyday life.

h) Understand the fundamentals of the natural and physical sciences as they apply to everyday life.

i) Develop an awareness of his or her responsibilities as a citizen of the community of mankind in general and in particular those of his or her country.

1. Be aware of civic rights and responsibilities.

2. Develop an attitude of respect for personal and public property.

3. Develop an understanding of the processes of effective citizenship in order to participate in and contribute to the government of their society.

(a) Be knowledgeable of political, economic and legal systems, with emphasis on democratic institutions and on the global interdependence of these systems.

(b) Be knowledgeable of the American political process at the national, state and local levels.

(c) Be knowledgeable of taxation and fiscal policy.

PHILOSOPHY STATEMENT (Cont'd.)

(d) Acquire citizenship skills:

1) Decision-making
2) Group participation
3) Leadership

j) Understand that human feelings and values are expressed through various media: art, music, movement and writing.

1. Develop special talents in music, art, theater, literature and languages.

2. Develop an understanding of the inter-relationships of art, music, social sciences, philosophy and literature.

k) Understand that the applied arts, such as home economics and industrial arts, are for creative expression and enjoyment, as well as having career and practical applications.

l) Maintain his or her mental, physical and emotional health.

1. Establish sound personal health habits and an awareness of practices detrimental to mental, physical and emotional well-being.

2. Acquire a knowledge of and a concern for sound community health practices.

3. Be knowledgeable of safety principles and demonstrate safety habits.

m) Learn how to use leisure time.

1. Develop a positive attitude toward participation in a range of leisure-time activities -- physical, intellectual and creative.

2. Develop appreciation and interest which will lead to wise and enjoyable use of leisure time in the home, school and community.

n) Develop an understanding and an acceptance of change as a basic element of our world.

1. Develop the ability to adjust to the changing demands of society.

2. Understand the past, identify with the present and strengthen their ability to meet the future.

o) Acquire knowledge of the environment and the relationship between one's own acts and the quality of the environment and human life.

1. Practice the preservation and wise use of resources.

2. Understand the effects on the environment of man's activities and values: his life styles, technology, population growth and energy utilization.

3. Understand the interrelatedness of all life.

LAFAYETTE CENTRAL SCHOOL DISTRICT

ORGANIZATION

Personal, professional and human relations depend upon a clear understanding of the relative functions in an organizational structure. In recognition of this principle, the Board of Education acknowledges the following inter-relationships as being of utmost importance in achieving the educational goals of the local community and of the state as prescribed by the Constitution of the State of New York and the State Legislature.

The Citizens provide support and, through an elected Board of Education, determine the policies of the LaFayette Central School District.

The Board of Education adopts and evaluates general school policies so as to make it possible to achieve the goals as stated in the Standards of Excellence and purposes set forth in the Mission Statement of the LaFayette Central School District; prepares and adopts a budget consistent with established policies and goals for presentation to the citizenry at the annual budget hearing; selects the Superintendent of Schools who serves as the Chief Executive Officer of the District, and supports him or her in the discharge of his or her duties.

The Superintendent of Schools furnishes professional leadership as the District's Chief Executive Officer in the general administration of the school system; recommends policies to the Board; and coordinates and directs the total administrative team to the end of carrying out the policies to the Board of Education.

The Directors and Specialists who report directly to the Superintendent serve in areas of special responsibility in planning, coordinating, supervising, and directing the whole system as a unified enterprise under the direction of the Superintendent of Schools and in accordance with the policies adopted by the Board of Education.

The Principals are executive heads of the schools and furnish instructional and community leadership for the educational program.

The Coordinators serve as agents of the Superintendent in the coordination, facilitation, planning and evaluation of school operations on a system-wide basis. They act as helpers and counselors to principals and teachers on special problems and provide leadership in the improvement of the school programs in their respective areas of assignment.

The Teaching Personnel provide learning experiences for students under the direction of the administration, accomplishing the goals and purposes set forth in the Standards of Excellence Mission Statement of the LaFayette Central School District.

Non-Teaching Personnel provide the necessary supporting services for the educational program and for the operations of the schools.

The Students of the LaFayette Central School District are provided educational experiences leading ultimately to responsible citizenship.

Education Law Section 1709

Lafayette Central School Districts **NUMBER**

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SUBJECT: SCHOOL DISTRICT AND BOARD OF EDUCATION LEGAL STATUS AND AUTHORITY

The Constitution of New York State instructs the Legislature to provide for a system of free common schools wherein all children of the State may be educated.

The State Legislature has implemented this constitutional mandate through the creation of school districts of various types. As a Central School District, the Lafayette Central School District is organized under and subject to the provisions of Education Law Article 37.

The Board is the corporate body charged with the general control, management, and responsibility of the schools of the Lafayette Central School District. As such, it possesses those powers and duties set forth in law.

The Board is authorized to act as a body duly called in session. Individual Board members have no authority over school affairs.

Education Law §§ 2, 1501, 1604, 1701, 1709, 1804, 2502, and 2503

Adoption Date: October 12, 2017

SUBJECT: BOARD OF EDUCATION: QUALIFICATIONS, NUMBERS AND TERMS OF OFFICE

A Board member of the District must meet the following qualifications:

a) A citizen of the United States;

b) Eighteen (18) years of age or older;

c) Able to read and write;

d) A legal resident of the District for a continuous and uninterrupted period of at least one year prior to the election;

e) Cannot be an employee of the District;

f) The only member of his or her family (that is, cannot be a member of the same household) on the District Board;

g) May not simultaneously hold another incompatible public office, including, but not limited to Superintendent, clerk, tax collector, treasurer or librarian, or an employee of the Board. However, in a central school district, a Board member may be appointed clerk of the Board and of the District.

h) Must not have been removed from a school district office within one year preceding the date of appointment or election to the Board.

Number of Members

The Board of the District will consist of seven members elected by the qualified voters of the District at the annual election as prescribed by law.

Terms of Office

Members of the Board will serve for three years beginning July 1 following their election and each term will expire on the 30th day of June of the third year.

Education Law §§ 1602, 1702(1), 1804(1), 1950(9), 2101, 2102, 2103, 2103-a, 2130(1), 2105, and 2502
Public Officers Law § 3
Town Law § 23(1)

Adoption Date: October 12, 2017

SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION

a) Candidates for the office of member of the Board must be nominated by a petition directed to the District Clerk which is signed by at least 25 qualified voters of the District, or by two percent of the number of voters who voted in the previous annual election, whichever is greater. Petitions must state the residence of each signer and the name and residence of each candidate.

b) The notice of the Annual District Meeting must state that petitions nominating candidates for the Board must be filed with the Clerk of the District no later than 30 days before the Annual or Special District Meeting at which the school board election will occur, between 9 a.m. and 5 p.m.

c) Voting will be by machine or paper ballot, and provision will be made for the election by "write-in-vote" of any candidate not previously nominated. The position of candidates on ballots will be determined by lot at a drawing conducted by the District Clerk on the day after the last filing. Candidates or their proxies may be present for the drawing.

d) The hours of voting will be as indicated by Board resolution.

e) The candidates receiving the largest number of votes will be declared elected in accordance with Education Law.

f) At least ten days prior to the election, the Board will appoint at least two inspectors of election for each voting machine or ballot box, and set their salary.

g) The District Clerk will oversee the election. The Clerk will also give notice immediately to each person declared elected to the Board, informing him or her of the election and his or her term of office.

h) Only qualified voters, as determined by Education Law Section 2012, may vote at any District meeting or election.

i) No electioneering will be allowed within 100 feet of the polling place.

j) When a term of office expires at the end of a school year and the office has become vacant at the time of election, the person elected to fill the new full term vacancy also fills the remaining days of the previous term, beginning his or her term of office immediately upon election and the taking and filing of the oath of office.

Education Law §§ 2004, 2012, 2018, 2025, 2029, 2031-a, 2032, 2034, 2105(14), 2121, 2502, 2602, 2608(1) and 2610

Adoption Date: October 12, 2017

SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS

Each candidate for the position of member of the Board whose expenses and/or contributions received exceed $500 must file a statement accounting for his or her campaign expenditures and contributions with the District Clerk and an additional statement with the Commissioner of Education. In the event the expenses do not exceed $500 and the aggregate amount of all contributions made to the candidate do not exceed $500, then a sworn statement to that effect must only be filed with the District Clerk.

Required contribution statements must include:

a) The dollar amount and/or fair market value of any receipt, contribution, or transfer which is other than money;

b) The name and address of the transferor, contributor, or person from whom received;

c) If that transferor, contributor or person is a political committee as defined in Election Law Section 14-100;

d) The name and political unit represented by the committee;

e) The date of receipt;

f) The dollar amount of every expenditure;

g) The name and address of the person to whom the expenditure was made, or the name of and political unit represented by the committee to which it was made; and

h) The date of the expenditure.

The times for filing the statements are as follows:

a) The first statement on or before the thirtieth day preceding the election to which it relates;

b) A second statement on or before the fifth day before the election;

c) A third statement within twenty days after the election.

Any contribution or loan in excess of $1000 received after the close of the period covered in the last statement filed before the election (b above) but before the election itself must be reported within 24 hours after receipt.

All statements must be sworn before a notary public, a commissioner of deeds, a lawyer or a public official authorized by New York State law to administer oaths.

(Continued)

SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS (Cont'd.)

Education Law §§ 1528 and 1529
Election Law § 14-100(1)

Adoption Date: October 12, 2017

SUBJECT: RESIGNATION AND DISMISSAL

Board members may resign at a District meeting of residents (i.e., the annual meeting, not a regular Board meeting) or by filing a written resignation with the District Superintendent of the Supervisory District who must endorse his or her approval and file the resignation with the District Clerk.

Alternatively, a Board member may resign by filing a written resignation with the District Clerk. The Clerk must then notify the Board and the State Board of Elections.

A resignation may be withdrawn only with the consent of the person to whom the resignation was delivered (i.e., the District Clerk or BOCES District Superintendent). The Board has no authority to act upon a request to withdraw a resignation.

The resignation will take effect upon the date specified in the letter of resignation; however, if no effective date is specified, it will take effect on the date of delivery to or filing with the District Clerk. If an effective date is specified in the letter of resignation, the date must not be more than 30 days subsequent to the date of its delivery or filing.

It will be the duty of each member of the Board to attend all meetings of the Board and, if any member refuses to attend three consecutive meetings of the Board after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board will proceed to declare that office vacant.

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty, or willfully disobeying any decision, order or regulation of the Commissioner. The Board may also remove a Board member for misconduct relating to the exercise of authority as a Board member. A written copy of all charges made of such misconduct must be served upon the Board member at least ten days before the time designated for a hearing on the charges; and the Board member will be allowed a full and fair opportunity to refute such charges before removal.

In the event of death, resignation, removal from office or from the District, or refusal to serve as a Board member, the District has the power and duty to fill the vacancy. If the Board chooses to fill the vacancy by appointment, the appointment requires a majority vote of the full Board and will be only for a term ending with the next annual election of the District.

The Board, at its own option, may instead call a special election within 90 days to fill the unexpired term. If not filled by Board appointment or special election, the District Superintendent of the Supervisory District may appoint a competent person to fill the vacancy until the next annual election. Alternatively, the Commissioner of Education may order a special election for filling a vacancy. When a special election is ordered, the vacancy will not be otherwise filled.

(Continued)

SUBJECT: RESIGNATION AND DISMISSAL (Cont'd.)

A person elected or appointed to fill a vacancy will take office immediately upon filing the oath of office.

A Board member who has been removed from office will be ineligible to appointment or election to any office in the District for a period of one year from the date of such removal.

Education Law §§ 306, 1607, 1706, 1709(17)(18), 1804(1), 2103(2), 2109, 2111, 2112, 2113, 2502, 2503 and 2553
Public Officers Law §§ 30, 31 and 35

Adoption Date: October 12, 2017

SUBJECT: POWERS AND DUTIES OF THE BOARD

As a Central School District, the Board will have powers and duties as set forth in New York State Education Law, principally Articles 33, 35, and 37, and other applicable federal and state laws and regulations. In general, the Board will have in all respects the superintendence, management, and control of the educational affairs of the District and will have all the powers necessary to exercise these powers expressly granted to it by the laws of New York State and the Commissioner of Education.

Education Law §§ 1604, 1709, 1804 and 2503

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

Adoption Date: October 12, 2017

SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS AND DUTIES OF THE PRESIDENT AND VICE PRESIDENT

Board officers will be nominated and elected by the Board at its annual organizational meeting for a term of one year. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board are:

a) President; and

b) Vice president.

Duties of the President of the Board

The president's duties may include the following:

a) Presides at all meetings of the Board;

b) Calls special meetings as necessary or on request;

c) Appoints members to all committees of the Board;

d) Serves ex-officio as a member of all committees;

e) Executes documents on behalf of the Board;

f) Performs the usual and ordinary duties of the office.

Duties of the Vice President of the Board

The Board may, in its discretion, elect one of its members vice president, who will have the power to exercise the duties of the president in case of the president's absence or disability. If the presidency becomes vacant, the vice president will act as president until a president is elected.

Education Law §§ 1701, 1804, 2105(6), and 2502

Adoption Date: October 12, 2017

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD

Appointments

The Board is authorized to appoint individuals to positions which will facilitate the meeting of its responsibilities to the State, the School System, and the community. These appointments usually take place at the Annual Organizational Meeting.

The following will be appointed annually:

a) District Clerk;

b) Deputy District Clerk

c) District Treasurer;

d) Deputy Treasurer;

e) Tax Collector and Deputies;

f) External (Independent) Auditor;

g) Central Treasurer, Extraclassroom Activities Account;

h) Faculty Auditor, Extraclassroom Activities Account;

i) Audit Committee.

The following must be appointed but need not be reappointed annually:

a) Census Enumerator and assistants if District conducts census;

b) Director of School Health Services (District Physician/Nurse Practitioner);

c) Supervisors of Attendance;

d) Committee on Special Education and Committee on Preschool Special Education;

e) Records Access Officer;

f) Records Management Officer;

g) Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) designee;

(Continued)

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD (Cont'd.)

h) Compliance Officer (Title IX/Section 504/ADA) for discrimination and harassment issues;

i) Liaison for Homeless Children and Youth;

j) Chemical Hygiene Officer;

k) Dignity Act Coordinator (one in each building).

l) Chief Emergency Officer

The following may also be appointed:

a) School Attorney;

b) Claims Auditor/Deputy Claims Auditor;

c) Insurance Advisor;

d) Copyright Officer.

Designations

The following designations will be made by the Board at the Annual Organizational Meeting in July:

a) Petty Cash Fund(s);

b) Official Newspaper(s);

c) Official Bank Depositories;

d) Official Bank Signatories;

e) Purchasing Agent;

f) Certifier of Payrolls;

g) Designated Educational Official (DEO) to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;

h) School Pesticide Representative;

(Continued)

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD (Cont'd.)

i) Reviewing Official, Hearing Official, and Verification Official for participation in the federal Child Nutrition Program (the Hearing Official may not be the same person as the Reviewing and/or Verification Official).

Authorizations

The following authorizations will be made by the Board at the Annual Organizational meeting in July:

a) Approval of attendance at conferences, conventions, workshops, and the like;

b) Superintendent to approve budget transfers within limits prescribed by Commissioner's regulation Section 170.2 and Board guidelines;

c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;

d) Establish mileage reimbursement rate;

e) Other(s) as deemed appropriate/necessary.

McKinney-Vento Homeless Education Assistance Act, § 722, as reauthorized by the No Child Left Behind Act of 2001
29 CFR § 1910.1450
Education Law §§ 305(31), 1709 and 2503
8 NYCRR Part 185
21 NYCRR Parts 1401, 9760

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE DISTRICT CLERK

The District Clerk will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one year. The Clerk's duties include the following:

a) Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;

b) Prepares minutes of the meetings of the Board, obtains approval of the minutes by the Board at the next meeting, signs the minutes to signify their official standing, and forwards copies of the minutes to each member of the Board;

c) Sends notices of special meetings to members of the Board; contacts and communicates with members as required;

d) Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;

e) Maintains an up-to-date record of Board policies and by-laws;

f) Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;

g) Distributes notices to the public announcing availability of copies of the budget to be presented at the Annual District Meeting in compliance with the requirements of the State Education Law;

h) Administers oaths of office, as required by Public Officers Law Section 10;

i) Gives written notice of appointment to persons appointed as inspectors of election;

j) Calls all meetings to order in the absence of the President and Vice President;

k) Gives notice forthwith to every person elected or appointed to office of his election or appointment;

l) Notifies the Board of Education of every resignation duly accepted by the District Superintendent;

m) Notifies the County Treasurer of the name and address of the person appointed to the offices of District Treasurer and District Tax Collector;

(Continued)

SUBJECT: DUTIES OF THE DISTRICT CLERK (Cont'd.)

n) Executes official documents on behalf of the Board of Education, and affixes the District seal thereto, when required;

o) Maintains custody of the official seal of the District;

p) Handles and processes absentee ballots;

q) Assumes other duties customary to the office.

The above duties of the District Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The District Clerk will perform such other duties as may be assigned from time to time by the Board.

Education Law § 2121
Public Officers Law § 104

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE DISTRICT TREASURER

The Treasurer is appointed by the Board at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting, and preparing reports and statements concerning District finances, the District Treasurer will perform other specific tasks as follows:

a) Acts as custodian of all moneys belonging to the District and lawfully deposits these moneys in the depositories designated by the Board;

b) Pays all authorized obligations of the District as directed, including payments of bond principal and interest;

c) Maintains proper records and files of all checks, and approved payment of bills and salaries;

d) Makes all such entries and posts to all such financial ledgers, records and reports, including bond and note registers, as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;

e) Signs all checks drawn on District fund accounts provided that the District's Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds;

f) Safeguards either his or her electronic signature and/or the check-signing machine and signature plate, personally overseeing all preparation of checks;

g) Assumes other duties customary to the office.

Education Law §§ 2122, 2130 and 2523
Local Finance Law §§ 163 and 165
8 NYCRR §§ 170.2(g), 170.2(o) and 170.2(p)
9 NYCRR § 540.4

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE TAX COLLECTOR

Tax Collector Appointed by the Board

The Tax Collector is appointed annually by the Board and will be covered by a bond. It is the responsibility of the District Tax Collector to perform the following duties:

a) Prepares and mails tax notices;

b) Uses suitable printed tax receipt forms as prescribed by the State Tax Commission;

c) Collects taxes in the amount of the warrant, upon the issuance of the tax warrant by the Board and penalty fees in accordance with the terms of the warrant;

d) Turns over daily to the District Treasurer all money collected by virtue of any tax list and warrant issued;

e) Submits a report, certified by him or her to the Board, showing the amount of taxes and fees collected along with the unpaid listing. The combination of taxes collected and uncollected must equal the amount of the warrant;

f) Turns over to the County Treasurer, prior to November 15, a list of unpaid taxes;

g) Carries out any other duties of the position as prescribed in Education Law, Real Property Tax Law, or as established by the Commissioner's regulations.

Education Law §§ 2126, 2130 and 2506
General Municipal Law Article 5-G
Real Property Tax Law §§ 578(2), 922, 924, 1322, 1330 and 1338
8 NYCRR § 170.2

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

The Board by law must obtain an annual audit of its records by an independent certified public accountant (CPA) or an independent public accountant (PA). The audit must also include all extraclassroom activity funds. The independent accountant will present the report of the annual audit to the Board. The Board will adopt a resolution accepting the audit report and file a copy of the resolution with the Commissioner. The District will also file the audit report with the Commissioner for a specific school year by October 15 of the following school year. In addition to the annual audit, the District is subject to State audits conducted by the State Comptroller.

The independence and objectivity of the auditor may be enhanced when the Board and Audit Committee perform an oversight role with respect to the hiring and performance of the auditor, as required by law. Similarly, no audit engagement will be for a term longer than five consecutive years. The District, may, however, permit an independent auditor engaged under an existing contract for those services to submit a proposal for those services in response to a request for competitive proposals or be awarded a contract to provide those services under a request for proposal process.

Duties and Responsibilities

The independent auditor must conduct the audit in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States. Standards of GAGAS are organized as general, fieldwork, and reporting.

Below are some important considerations the District will expect of the auditor in preparing the audit; however, they should not be considered all-inclusive or a substitute for the auditor's professional judgment.

a) Independence: The auditor must document that he or she is independent of the District and free of personal and external impairments. The auditor must establish an internal quality control system to identify any personal and external impairment and assure compliance with GAGAS independence requirements.

b) Internal Quality Control System: The auditor must document that his or her internal quality control processes adequately demonstrate compliance with government auditing standards. He or she must establish an organizational structure, policies, and procedures to provide reasonable assurance of complying with applicable standards governing audits.

c) Internal Controls: The auditor must obtain a sufficient understanding of the District's internal controls and document such understanding covering the five interrelated components: the control environment, risk assessment, control activities, information and communication, and monitoring.

(Continued)

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR (Cont'd.)

d) Planning and Supervision: The auditor's work is to be properly planned and supervised and will consider materiality and/or significance in order to provide reasonable assurance of detecting misstatements resulting from direct and illegal acts and irregularities to financial statements. The auditor should also be aware of the possibility that indirect illegal acts may have occurred.

e) Audit documentation: In order to meet the GAGAS requirements, the audit documentation should provide a clear understanding of its purpose, the source, and the conclusions the auditor reached. It should be organized to provide a clear link to the findings, conclusions, and recommendations contained in the audit report.

f) Reporting on Internal Controls and Compliance: The auditor must report on and present the results of his or her testing of the District's compliance with laws and regulations and its internal controls over financial reports in light of irregularities, illegal acts, other material noncompliance, significant deficiencies, and material weaknesses in internal controls.

Generally Accepted Government Auditing Standards (GAGAS) §§ 3.50-3.54, 4.03, 4.19-4.24, and 5.07-5.20
Education Law §§ 1709 (20-a) and 2116-a
General Municipal Law §§ 33 and 104-b
8 NYCRR §§ 170.2, 170.3 and 170.12

Adoption Date: October 12, 2017

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board will appoint a Claims Auditor to audit and approve claims, to certify that each claim listed on the claims warrant was audited and payment authorized, and to perform other tasks consistent with law and regulation. The Claims Auditor will hold his or her position subject to the pleasure of the Board and report directly to the Board. The Board may, in its discretion, require that the Claims Auditor report to the Clerk of the District or the Board, or to the Superintendent for administrative matters such as workspace, time, and attendance.

Qualifications

The Claims Auditor must have the necessary knowledge and skills to effectively audit claims, including experience with purchasing, bidding, and claims. The Claims Auditor must be bonded or included in the District's blanket undertaking, prior to assuming his or her duties.

No person will be eligible for appointment to the office of Claims Auditor who will be:

a) A member of the Board;

b) The Clerk or Treasurer of the Board;

c) The Superintendent or official of the District responsible for business management;

d) The Purchasing Agent;

e) Clerical or professional personnel directly involved in accounting and purchasing functions of the District or under the direct supervision of the Superintendent;

f) The individual or entity responsible for the internal audit function (the Internal Auditor);

g) The External (Independent) Auditor responsible for the external audit of the financial statements;

h) A close or immediate family member of an employee, officer, or contractor providing services to the District. A "close family member" is defined as a parent, sibling, or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

(Continued)

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR (Cont'd.)

Delegation of the Claims Audit Function

The Board may delegate the claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, or independent contractors, provided that the individual or organization serving as independent contractor meets the following standards for independence between the Claims Auditor and the District:

a) Has no other responsibilities related to the business operations of the District;

b) Has no interest in any other contracts with, and does not provide any goods or services to, the District; and

c) Is not a close or immediate family member of anyone who has responsibilities related to business operations of the District, or has an interest in any other contracts with the District.

If the District delegates the claims audit function using an intermunicipal cooperative agreement, shared service or an independent contractor, the Board remains responsible for auditing all claims for services from the entity providing the delegated Claims Auditor, either directly or through a delegation to a different independent entity.

Valid claims against the District will be paid by the Treasurer only upon the approval of the Claims Auditor. The Claims Auditor will certify that each claim listed on the warrant was audited and payment was authorized. He or she will:

a) Examine all claim forms with respect to the availability of funds within the appropriate codes and adequacy of evidence to support the District's expenditure;

b) Meet such other requirements as may be established by the Regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law §§ 1604(35), 1709(20-a), 2526 and 2554(2)
8 NYCRR § 170.12(c)

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE EXTRACLASSROOM ACTIVITY FUND CENTRAL TREASURER AND FACULTY AUDITOR

Central Treasurer

The Extraclassroom Activity Fund Central Treasurer is appointed by the Board and is responsible for the supervision of the extraclassroom activity fund.

The Treasurer's duties include the following:

a) Countersigns all checks disbursing funds from the Extraclassroom Activity Account;

b) Provides general supervision to ensure that all receipts are deposited and that disbursements are made by check only;

c) Maintains records of all receipts and expenditures;

d) Submits records and reports to the Board as required;

e) Assumes other duties customary to the position.

Faculty Auditor

The Extraclassroom Activity Fund Faculty Auditor is appointed by the Board and is responsible for auditing of all financial transactions of the fund.

The Auditor's duties include:

a) Examines the statement of accounts from the Central Treasurer once each month;

b) Audits the ledgers kept by student treasurers at least twice per year;

c) Examines transactions and procedures to determine if correct;

d) Certifies the accuracy of entries posted and available balances listed;

e) Investigates instances when Central Treasurer's report and club ledgers do not agree; and

f) Prepares year-end report summarizing the financial condition of each activity and submit to the building principal and Board.

8 NYCRR Part 172

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE SCHOOL ATTORNEY

The Board will appoint a school attorney to provide legal counsel to the District. The school attorney's duties may include:

a) Providing legal representation to the District in proceedings before courts and administrative agencies;

b) Providing legal opinions as requested by the Board or its agents, and consistent with any agreement between the District and the school attorney;

c) Providing counsel in matters related to due process hearings; and/or

d) Such other duties as are consistent with law and the scope of the school attorney's representation.

Adoption Date: October 12, 2017

SUBJECT: DUTIES OF THE SCHOOL PHYSICIAN/NURSE PRACTITIONER

The school physician or nurse practitioner will be appointed by the Board. The duties of the school physician or nurse practitioner will include, but are not limited to, the following:

a) Performing professional medical services in the examination and care of school children;

b) Performing routine examinations of school children to detect the presence of contagious diseases and physical defects;

c) Serving as an on call member on the Committee on Special Education;

d) Reporting to the Board on school health services;

e) Coordinating scheduling for physical examinations to all students participating in interscholastic athletics;

f) Providing final medical clearance for a return to extra class athletic activities for all students who have or are believed to have sustained a mild traumatic brain injury (concussion);

g) Developing the program of health service in accordance with policies approved by the Board and as directed by the Superintendent;

h) Conducting physical exams for all bus drivers and substitutes prior to employment and annually thereafter;

i) Conducting a medical evaluation on any employee at the request of the Board of Education.

8 NYCRR § 136.5
Education Law §§ 902, 913 and 6902

Adoption Date: October 12, 2017

SUBJECT: POLICY AND ADMINISTRATIVE REGULATIONS

The formulation and adoption of these written policies will constitute the basic method by which the Board will exercise its leadership in the operation of the School System. The Superintendent will act as an advisor to the Board in adopting and approving of written Board policies. The Board will seek input from staff and the community where appropriate. These written board policies will govern the operation of the School System.

The adoption of a written policy will occur only after the proposal has been moved, discussed, and voted on affirmatively at two separate meetings of the Board (i.e., the "first reading" and the "second reading"). The policy draft may be amended at the second meeting. By a majority vote, the Board may waive the "second reading" and complete the adoption of the proposed policy at its "first reading."

Board action is also necessary for revising policies that require amendment or rescinding policies that are no longer relevant or applicable to the District.

The formal adoption, amendment, or deletion of written Board policy will be recorded in the official minutes of the Board. This written Board policy will govern the conduct and affairs of the District and will be binding upon the members of the educational community in the District.

It will be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision. The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out-of-date or for other reasons appear to need revision.

Execution of Policy: Administrative Regulations

The Board will delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. These rules and detailed arrangements will constitute the administrative regulations governing the schools and be consistent with the policies adopted by the Board. The Board will be kept informed periodically of changes in administrative regulations.

Education Law §§ 1604(9), 1709(1), 1709(2) and 2503(2)

Adoption Date: October 12, 2017

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)

All Board meetings will be open to the public except those portions of the meetings which qualify as executive sessions. Reasonable efforts will be made to ensure that all meetings are held in an appropriate facility which can adequately accommodate any and all members of the public who wish to attend.

Whenever such a meeting is to take place, there must be at least 72 hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of other meetings will be given as soon as is practicable in accordance with law. When the District has the ability to do so, notice of the time and place of a meeting will be conspicuously posted on the District's website.

District records available to the public under FOIL, as well as any proposed rule, regulation, policy or amendment, scheduled to be discussed at a Board meeting, will be made available upon request, to the extent practicable, prior to the meeting. Copies of such records may be made available for a reasonable fee. These records will be posted on the website to the extent practicable, prior to the meeting.

If videoconferencing or online technology is used to conduct a meeting, the public notice for the meeting will inform the public that videoconferencing will be used, identify all the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations. Voting may be done through videoconferencing, provided that members can be both seen and heard voting and participating from remote locations.

Regular meetings of the Board of the District will take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified at subsequent meetings of the Board.

It is the responsibility of the Superintendent to prepare the agenda and review it with the Board President for each meeting of the Board. The agenda for each meeting will be prepared during the week prior to the meeting. The agenda will be distributed to Board members no later than the Friday before such regular meeting. Whenever the President or other members of the Board wish to bring a matter to the attention of the Board, this request should be made to the Superintendent so that it can be placed on the agenda. Whenever individuals or groups wish to bring a matter to the attention of the Board, this request must be addressed in writing to the Superintendent. The Superintendent will present this matter to the Board.

The District Clerk will notify the members of the Board in advance of each regular meeting. This notice, in writing, will include an agenda and the time of the meeting.

(Continued)

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)

In the event that a meeting date falls on a legal holiday, interferes with other area meetings, or there is an inability to attend the meeting by Board members to the extent that a quorum would not be present, the Board will select a date for a postponed meeting at the previous regular meeting, and will direct the Clerk to notify all members.

Any meeting of the Board may be adjourned to a given future date and hour if voted by a majority of the Board present.

The Superintendent and members of his or her staff at the Superintendent's discretion will attend all meetings of the Board. The Superintendent will attend all executive session meetings of the Board except those that concern his or her evaluation, employment status, and salary determination. The Board may request the attendance of such additional persons as it desires.

Recording of Meetings

The Board recognizes that advances in technology allow public meetings to be photographed, broadcast, webcast and/or otherwise recorded, by means of audio or video, in a non-disruptive manner and supports the use of such technology to facilitate the open communication of public business.

Public Expression at Meetings

Public expression at Board meetings is encouraged and a specific portion of the agenda for such meetings will provide for this privilege of the floor. Participants will limit their presentation to three minutes and issues addressed must be exclusive of personalities and personnel. At its discretion, the Board may invite visitors to its meetings to participate in the Board's discussion of matters on the agenda.

Quorum

The quorum for any meeting of the Board will be four members. No formal action will be taken at any meeting at which a quorum is not present. Unless otherwise required by law, official action will only be taken by approval of the majority of the full Board.

Use of Parliamentary Procedure

The business of the Board will be conducted in accordance with the authoritative principles of parliamentary procedure as found in the latest edition of Robert's Rules of Order.

(Continued)

SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)

Education Law §§ 1708 and 2504
General Construction Law § 41
Public Officers Law Article 7, §§ 103(d), 104 and 107

NOTE: Refer also to Policies #1520 -- Special Meetings of the Board of Education
#1540 -- Executive Sessions
#6211 -- Employment of Relatives of Board Members

Adoption Date: July 6, 2017

SUBJECT: SPECIAL MEETINGS OF THE BOARD

Any member of the Board may call for a special meeting. A reasonable and good-faith effort will be made by the Superintendent or the Board president, as the case may be, to give every member of the Board 24-hours' notice of the time, place, and purpose of the meeting. In an emergency, however, the members may waive the 24-hour notice requirement.

All special meetings will be held at a regular meeting place of the Board and in accordance with all applicable provisions of the Open Meetings Law. Public notice of the time and place will be given, to the extent practicable, to the news media, and it will be conspicuously posted in one or more designated public locations at a reasonable time before the meeting.

Education Law § 1606(3)
Public Officers Law §§ 103 and 104

NOTE: Refer also to Policy #1510 -- Regular Board Meetings and Rules (Quorum and Parliamentary Procedure)

Adoption Date: December 7, 2017

SUBJECT: MINUTES

The minutes are a legal record of the activities of the Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes of all meetings will be kept by the Clerk or, in his or her absence, by the Superintendent or his or her designee. The minutes will be complete and accurate, and maintained in accordance with law, and posted on the District website. However, minutes of executive sessions need not include any matter which is not required to be made public by the Freedom of Information Law (FOIL).

The minutes of each meeting of the Board will state:

a) The type of meeting;

b) The date, time of convening, and adjournment;

c) Board members present and absent;

d) Board members' arrival and departure time, if different from opening or adjournment times;

e) All action taken by the Board, including a record or summary of all motions, proposals, resolutions, and other matters formally voted upon, with evidence of those voting in the affirmative and the negative, and those abstaining.

All Board minutes must be signed by the District Clerk when approved and maintained in accordance with law. Unless otherwise provided by law, minutes will be available to the public within two weeks following the date of a meeting; draft copies, so marked, are acceptable, subject to correction.

Minutes of Executive Sessions

Minutes will be taken at executive sessions of any action that is taken by formal vote. The minutes will consist of a record or summary of the final determination of the action, the date, and the vote. However, such summary need not include any matter which is not required to be made public by the FOIL.

If action is taken by a formal vote in executive session, minutes will be available to the public within one week of the date of the executive session.

Education Law §§ 2121 and 3020-a
Public Officers Law §§ 103 and 106

Adoption Date: December 7, 2017

SUBJECT: EXECUTIVE SESSIONS

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board may conduct an executive session for discussion of the below listed purposes only, provided, however, that no action by formal vote will be taken except on an Education Law Section 3020-a probable cause finding. For all other purposes, the action by formal vote will be taken in open meeting and properly recorded in the minutes of the meeting. Attendance at an executive session will be permitted to any Board member and any persons authorized or requested to attend by the Board.

a) Matters that will imperil the public safety if disclosed;

b) Any matter that may disclose the identity of a law enforcement agent or informer;

c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;

d) Discussions regarding proposed, pending or current litigation;

e) Collective negotiations pursuant to Civil Service Law Article 14;

f) Medical, financial, credit, or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;

g) Preparation, grading, or administration of examinations;

h) Proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Motions for executive sessions should state the subject or subjects to be discussed in executive session. It is insufficient to merely recite statutory language.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session.

Education Law § 3020-a
Public Officers Law Article 7

Adoption Date: December 7, 2017

SUBJECT: ANNUAL DISTRICT MEETING AND ELECTION/BUDGET VOTE

The Annual District Meeting and Election/Budget Vote for the District will be held on the third Tuesday in May. At this time, the District's registered voters will elect members of the Board and will also vote on the District Budget for the upcoming school year. However, in the event that the third Tuesday in May conflicts with a religious holiday, the Board may petition the Commissioner of Education to obtain permission to hold the Annual Meeting and Election/Budget Vote on the second Tuesday in May. This request from the Board must be certified and received by the Commissioner no later than March 1.

In the event that a school budget revote is necessary; it will be held on the third Tuesday of June. However, in the event that the third Tuesday of June conflicts with a religious holiday, the Board may petition the Commissioner of Education to obtain permission to hold the budget revote on the second Tuesday in June. This request from the Board must be certified and received by the Commissioner no later than March 1.

The District Clerk will give notice of the time and place of holding the Annual Meeting and Election/Budget Vote by publishing such notice four times within seven weeks preceding the meeting. The first publication of the notice must be at least 45 days prior to the meeting. Such notice must appear in two newspapers, if there are two newspapers which have a general circulation within the District, or one newspaper, if there is one newspaper with a general circulation within the District. The notice must also contain such other information as required by law.

Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election will be available to District residents, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday, or holiday during the 14 days preceding such Annual Meeting. The availability of this budget information will be included in a legal notice of the Annual Meeting; and the copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election.

Education Law §§ 1608, 1716, 1804(4), 1906(1), 2003(1), 2004(1), 2007(3), 2017(5), 2017(6), 2022(1), 2504 and 2601-a(2)

NOTE: Refer also to Policy #1640 -- Absentee Ballots

Adoption Date: December 7, 2017

SUBJECT: BUSINESS OF THE ANNUAL DISTRICT ELECTION

The Board will appoint a qualified voter as chairperson of the Annual District Meeting and Election/Budget Vote.

The chairperson will call the Annual District Meeting to order and proceed to the following order of business:

a) Designate the District Clerk as clerk of the election and assistant clerks;

b) Designate tellers and/or inspectors of election as previously appointed by the Board;

c) Read the notice of call of the election by the Clerk;

d) Open the voting process, whether by machine or paper ballot;

e) Close the voting process;

f) Receive the Clerk's report of the election results;

g) Adjourn.

Education Law §§ 1716, 2025 and 2601-2613

Adoption Date: December 7, 2017

SUBJECT: ANNUAL ORGANIZATIONAL MEETING

The Annual Organizational Meeting of the Board will be held on the first Tuesday in July of each year, unless that day is a legal holiday, in which event it will be held on the first Wednesday in July.

The Board may pass a resolution, however, to hold its Annual Organizational Meeting at any time during the first 15 days of July.

Officers

The meeting will be called to order by the District Clerk, who will act as a Temporary Chairperson. The Board will proceed to the election of a President. The President will then take the chair. The Board will then elect a Vice President. Election will be by a majority vote.

Oath of Office

The District Clerk will administer the Oath of Office to the newly elected officers and new members of the Board.

Education Law §§ 1701, 1706, 1707, 1709, 2109, 2502(9) and 2504(1)

Adoption Date: December 7, 2017

SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT DISTRICT MEETINGS

A person will be entitled to register and vote at any school meeting for election of members of the Board, and upon all matters which may be brought before such meeting, who is:

a) A citizen of the United States;

b) Eighteen (18) years of age or older;

c) A resident within the District for a period of 30 days preceding the next meeting at which he or she offers to vote.

Any person who would not be qualified to register or vote under the provisions of Election Law Sections 5-100 and 5-106 will not have the right to register for or vote in an election.

Education Law §§ 2012, 2025 and 2603
Election Law Article 5

Adoption Date: July 6, 2017

SUBJECT: ABSENTEE BALLOTS

The Board authorizes the District Clerk or a Board designee to provide absentee ballots to qualified District voters. Absentee ballots will be used for the election of Board members, District public library trustees, the adoption of the annual budget, and District public library budget and referenda.

A District voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason he or she will not be able to appear in person on the day of the District election/vote for which the absentee ballot is requested. The application must be received by the District Clerk or Board designee at least seven days before the election/vote if the ballot is to be mailed to the voter, or the day before the election/vote if the ballot is to be delivered personally to the voter.

In accordance with the provisions of Education Law, a qualified District voter is eligible to vote by absentee ballot if he or she is unable to appear to vote in person on the day of the District election/vote because:

a) He or she is or will be a patient in a hospital, or is unable to appear personally at the polling place on the day of the election/vote because of illness or physical disability;

b) He or she has duties, occupation or business responsibilities, or studies which require being outside of the county or city of residence on the day of the District election/vote;

c) He or she will be on vacation outside of the county or city of residence on the day of the District election/vote;

d) He or she will be absent from the voting residence due to detention in jail awaiting action by a grand jury or awaiting trial, or is confined in prison after conviction for an offense other than a felony; or

e) He or she will be absent from the District on the day of the District election/vote by reason of accompanying spouse, parent, or child who is or would be, if he or she were a qualified voter, entitled to apply for the right to vote by absentee ballot.

Statements on the application for absentee ballot must be signed and dated by the voter.

An absentee ballot must reach the Office of the District Clerk or Board designee not later than 5 p.m. on the day of the election/vote in order that his or her vote may be canvassed.

(Continued)

SUBJECT: ABSENTEE BALLOTS (Cont'd.)

A list of all persons to whom absentee ballots have been issued will be maintained in the Office of the District Clerk or Board designee and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of this list, file a written challenge of the qualifications as a voter of any person whose name appears on this list, stating the reason for the challenge. The written challenge will be transmitted by the District Clerk or Board designee to the election inspectors on the day of the District election/vote. In addition, any qualified voter may challenge the acceptance of the absentee voter's ballot of any person on this list by making his or her reasons known to the election inspector before the close of the polls.

Education Law §§ 1501-c, 2014, 2018-a, 2018-b and 2613

Adoption Date: December 7, 2017

SUBJECT: SUBMISSION OF QUESTIONS AND PROPOSITIONS AT THE ANNUAL MEETING AND ELECTION AND SPECIAL DISTRICT MEETINGS

Questions and Propositions at the Annual Meeting and Election

The following rules and regulations will apply to the submission of the questions or propositions at the annual meeting and election of this District:

a) Questions or propositions must be submitted by petition directed to the District Clerk and must be signed by 25 qualified voters, or 5% of the registered voters of the District who voted in the previous annual election of Board members, whichever is greater.

b) A separate petition will be required for each question or proposition.

c) Each petition must be filed with the District Clerk. Petitions relating to an Annual Election must be filed not later than 60 days preceding the election at which the question or proposition is to be voted upon.

d) Questions or propositions submitted in accordance with these rules and accepted will be printed on the ballot. The District, however, retains the right to reject petitions as permitted by law, including, but not limited to, instances where the petitions are advisory in nature or beyond the power of the voters.

e) The Board will cause the rules and regulations set forth in this policy to be distributed within the District.

f) Nothing herein contained will affect the nominations of candidates as set forth in the Annual District Election notice in accordance with Education Law Section 2018.

Questions or Propositions to be Submitted at Special District Meetings

The procedure for requesting the Board to call a Special District Meeting to vote on a question or proposition will be in accordance with Education Law.

Education Law §§ 1703, 2008, 2018, 2035(2) and 2601-a

Adoption Date: December 7, 2017

Lafayette Central School District **NUMBER**

INTERNAL OPERATIONS

1.1 Orienting and Training New Board Members 2110

BOARD OF EDUCATION COMMITTEES

2.1 Committees of the Board 2210

BOARD OF EDUCATION ACTIVITIES

3.2 Attendance by Board Members at Conferences, Conventions and Workshops 2320
3.3 Compensation and Expenses 2330
3.4 Board Self-Evaluation.....2340

SUBJECT: ORIENTING AND TRAINING NEW BOARD MEMBERS

The Board and its staff will assist each new member-elect to understand the Board's functions, policies, and procedures before he or she takes office, by the following methods:

a) The electee will be given selected materials relating to the responsibilities of Board membership, which material is supplied by the New York State School Boards Association, the National School Boards Association, and/or other professional organizations;

b) The electee will be invited to attend Board meetings and to participate in its discussions;

c) The Clerk will supply material pertinent to meetings and explain its use;

d) The electee will be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board;

e) A copy of the Board's policies and by laws will be given to the electee by the Clerk;

f) The opportunity will be provided for new Board members to attend the New York State School Boards Association orientation program.

Board Member Training

Within the first year of election or appointment, each Board member must complete a minimum of six hours of training on the financial oversight, accountability, and fiduciary responsibilities of a school board member and a training course acquainting him or her with the powers, functions, and duties of Boards, as well as the powers and duties of other governing and administrative authorities affecting public education. Re-elected Board members will not be required to repeat this training. The curriculum and provider of this training must be approved by the Commissioner of Education.

Upon completing the required training, the Board member will file with the District Clerk a certificate of completion issued by the provider of the training. Actual and necessary expenses incurred by a Board member in complying with these requirements are a lawful charge to the District.

Education Law § 2102-a
8 NYCRR § 170.12(a)

Adoption Date: December 7, 2017

SUBJECT: COMMITTEES OF THE BOARD

The Board and/or the President of the Board may, at its discretion, establish committees for the purpose of undertaking a specific task in connection with Board activity. These committees, however, cannot make legal decisions for the entire Board.

At the request of the Board, the President will appoint temporary committees consisting of less than a quorum of the full membership for special purposes. These committees will be discharged on the completion of their assignment. The President of the Board will be an ex-officio member of these committees.

The Board recognizes that it may be necessary from time to time to authorize advisory committees for the purpose of enlisting opinions and counsel of the general public. These committees will be appointed by the Board. The Board has the right to accept, reject, or modify all or any part of a committee recommendation.

Audit Committee

The Board has established an audit committee to oversee the annual audit of the District and report on its findings to the Board.

Visitation Committees

The Board will appoint one or more committees to visit every school or department at least once annually and report on their conditions at the next regular meeting of the Board.

Education Law §§ 1708, 2116-c and 4601

NOTE: Refer also to Policy #5572 -- Audit Committee

Adoption Date: December 7, 2017

SUBJECT: ATTENDANCE BY BOARD MEMBERS AT CONFERENCES, CONVENTIONS, AND WORKSHOPS

The Board believes that continuing in-service training and development are important for its members. The Board, therefore, encourages the participation of all members at appropriate school board conferences, conventions, and workshops which are believed to be of benefit to the District. However, in order to control both the investment of time and funds necessary to implement this policy, the Board establishes the following guidelines:

a) The Board Clerk will inform the Board of upcoming conferences, conventions, and workshops. The Board will periodically decide which meetings appear to be most likely to produce direct and indirect benefits to the District. At least annually, the Board will identify those new ideas or procedures and/or cost benefits that can be ascribed to participation at such meetings.

b) Funds for participation at such conferences, conventions, workshops and the like will be budgeted for on an annual basis. When funds are limited, the Board will designate which members are to participate at a given meeting.

c) Reimbursement to Board members for all actual and necessary registration fees, expenses of travel, meals and lodging, and all necessary tuition fees incurred in connection with attendance at conferences and the like will be in accordance with established regulations for expense reimbursement.

d) When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

The authorization for Board members to attend a conference, convention, workshop and the like will be by Board resolution adopted prior to such attendance. However, the Board, in its discretion, may delegate the power to authorize attendance at such conferences to the President of the Board.

Where authorization has been delegated to the President of the Board, no expense or claim form will be paid unless a travel order or similar document signed by the President is attached to the form, authorizing the claimant to attend the conference.

Education Law § 2118
General Municipal Law §§ 77-b and 77-c

NOTE: Refer also to Policies #5323 -- Reimbursement for Meals/Refreshments
#6161 -- Conference/Travel Expense Reimbursement

Adoption Date: December 7, 2017

SUBJECT: COMPENSATION AND EXPENSES

No member of the Board may receive any compensation for his or her services unless he or she also serves as District Clerk and is paid as Clerk. All members of the Board may be reimbursed for actual expenses incurred in representing the District. All bills or claims for reimbursement must be itemized in reasonable detail.

Conference Travel for Newly Elected Board Members

In accordance with General Municipal Law, the Board, by a majority vote, may authorize a newly elected Board member whose term of office has not yet commenced to attend a conference. This conference travel must be for official District business utilizing a cost-effective and reasonable method of travel.

Authorization must be by resolution adopted prior to such attendance and duly entered in the minutes. However, the Board may delegate the power to authorize attendance at a conference to the Board President or Board Vice President.

Education Law § 2118
General Municipal Law §§ 77-b and 77-b(2)

Adoption Date: December 7, 2017

SUBJECT: BOARD SELF-EVALUATION

The Board will review the effectiveness of its internal operations at least once annually and formulate a plan for improving its performance. The Superintendent and others who work regularly with the Board may be asked to participate in this review and to suggest ways by which the Board can improve its functioning as a legislative body.

Adoption Date: December 7, 2017

Lafayette Central School District **NUMBER**

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SUBJECT: MEDIA/MUNICIPAL GOVERNMENTS/SENIOR CITIZENS

School District Media

The building principal is responsible for the preparation of news releases concerning the activities within that building, and for reviewing them with the Superintendent prior to release. Copies of all final news releases will be sent to the Superintendent's Office.

In addition, a periodic newsletter may be prepared and sent to each resident of the District or posted on its website. Included in the newsletter will be information regarding school activities, a monthly calendar, and other items of interest to the community. The Board accepts the funding obligation for the necessary staff and production costs.

As the official spokesperson, the Superintendent or designee will issue all news releases concerning the District. All statements of the Board will be released through the Office of the Superintendent and/or the District Clerk.

Municipal Governments

The Board will establish and maintain a positive working relationship with the governing bodies of the municipality. The Board will also cooperate with municipal, county, and state agencies whose work affects the welfare of the children of the District, including, but not limited to, the County Social Services Department, the Board of Health, the Recreation Department, the Public Library, and all community emergency services agencies.

Senior Citizens

The Board will consider school related programs for senior citizens in accordance with Education Law and/or the Commissioner's regulations. These programs include special use of school buildings or school buses, school lunches, and partial tax exemptions.

Education Law §§ 1501-b(1)(a), 1501-b(1)(b), and 1709(22)
Real Property Tax Law § 467

Adoption Date: January 25, 2018

SUBJECT: AUDIO, VIDEO, AND/OR DIGITAL TAPING OF MEETINGS AND CONVERSATIONS

Audio, video, and/or digital taping of conversations and/or meetings with teachers, administrators, or of classroom lessons is strictly prohibited unless pre-approved by the teacher or administrator involved. However, CSE meetings or meetings about special education placements may be recorded.

Adoption Date: January 25, 2018

Community Relations

SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING

General Criteria

The availability of Internet access in the District provides an opportunity for staff and students to access information and contribute to the District's online presence. The District/school/classroom websites must relate to curriculum or instructional matters, school authorized activities, or general information of interest to the public pertaining to the District or its schools. Staff and students are prohibited from publishing personal home pages or links to personal home pages as part of the District/school/classroom Web Page(s). Similarly, no individual or outside organization will be permitted to publish personal Web Pages as part of the District/school/classroom Web Page(s).

Internet access for the creation of Web Pages is provided by the District and all information must be reviewed by the Website Manager prior to publishing it on the Web. Personnel designing information for the Web Pages must familiarize themselves with and adhere to District standards and procedures. Failure to follow District standards or responsibilities may result in disciplinary sanctions in accordance with law and/or the applicable collective bargaining agreement.

The District will ensure that any and all notifications and documents required by law, regulation, or District policy to be posted on its website will be published.

Content Standards

a) Approval for posting a Web Page must be obtained from the Website Manager or his or her designee(s). If at any time, the Website Manager or designee(s) believes the proposed material does not meet the standards approved by the District, it will not be published on the Web. Decisions regarding access to active Web Pages for editing content or organization will be the responsibility of the Website Manager or designee(s).

b) A Web Page must be sponsored by a member of the District faculty, staff or administration who will be responsible for its content, design, currency and maintenance. The sponsor is responsible for ensuring that those constructing and maintaining the Web Page have the necessary technical training and that they fully understand and adhere to District policies and regulations. The Web Page must include the name of the sponsor.

c) Staff or student work should be published only as it relates to a school/classroom authorized project or other school-related activity, and in compliance with any and all relevant laws, rules, and regulations.

d) The review of a Student Web Page (if considered a school sponsored student publication) will be subject to prior District review as would any other school sponsored student publication.

(Continued)

SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

e) An authorized teacher who is publishing the final Web Page(s) for himself or herself or for a student will edit and test the Page(s) for accuracy of links and check for conformance with District standards and practices.

f) Commercial advertising or marketing on the District/school/classroom Web Page(s) (or the use of school-affiliated Web Pages for the pursuit of personal or financial gain) will be prohibited unless otherwise authorized in accordance with law and/or regulation. Decisions regarding website advertising must be consistent with existing District policies and practices on this matter. School-affiliated Web Pages may mention outside organizations only in the context of school programs that have a direct relationship to those organizations (e.g., sponsorship of an activity, student community service project).

g) Web Pages may include faculty or staff names; however, other personal information about employees including, but not limited to, home telephone numbers, addresses, email addresses, or other identifying information such as names of family members may be published only with the employee's written permission.

h) All Web Pages must conform to the standards for appropriate use found in the District's Acceptable Use Policy(ies) and accompanying regulations regarding standards of acceptable use; examples of inappropriate behavior; and compliance with applicable laws, privacy, and safety concerns.

i) All staff and/or students authorized to publish material on the District/school/classroom Web Page(s) must acknowledge receipt of the District's Web Page Standards and agree to comply with these standards prior to posting any material on the Web.

Release of Student Education Records/Directory Information

The District will not permit students' personally identifiable information to be posted on any District Web Pages unless such action is consistent with the Family Educational Rights and Privacy Act (FERPA) and District policy.

Use of Copyrighted Materials and "Fair Use" Exceptions

Copyrighted Materials

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, "Fair Use" guidelines, licenses, or contractual agreements, or the permission of the copyright proprietor. Web Page publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials or notice that the publication is in accordance with the "Fair Use" provisions of the Copyright Law.

(Continued)

SUBJECT: DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

Consequences for Non-Compliance

Web Pages that do not comply with the above criteria are subject to revocation of approval and removal from the District/school/classroom websites.

Staff

Faculty or staff posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with law and applicable collective bargaining agreements. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Students

Students posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with applicable due process procedures and the District *Code of Conduct*. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Oversight

The Superintendent or designee will have the authority to approve or deny the posting of any proposed Web Pages on school-affiliated websites based upon compliance with the terms and conditions set forth in this policy as well as applicable District practices and procedures.

Digital Millennium Copyright Act (DMCA), 17 USC §§ 101 et seq., 512 and 1201 et seq.
Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)
34 CFR Parts 99 and 201

NOTE: Refer also to Policies #7241 -- Student Directory Information
#7410 -- Extracurricular Activities
#8350 -- Use of Copyrighted Materials

Adoption Date: January 25, 2018

SUBJECT: FLAG DISPLAY

In accordance with State Education Law and Executive Law, the Board will display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as the statutes may require or the Board may direct.

When ordered by the President, Governor, or local official, to commemorate a tragic event or the death of an outstanding individual, the flag will be flown at half-staff. The Superintendent's approval will be required for the flag to be flown at half-staff on any other occasion.

The flag will be displayed in every assembly room (i.e., the auditorium) including the room where the Board meetings are conducted, as well as displayed in all rooms used for instruction.

4 USC § 6
Education Law §§ 418-420
Executive Law §§ 402 and 403
8 NYCRR §§ 108.1-108.3

Adoption Date: January 25, 2018

SUBJECT: SCHOOL VOLUNTEERS

The Board recognizes the need to develop a school volunteer program to support District instructional programs and extracurricular activities. The purpose of the volunteer program will be to:

a) Assist employees in providing more individualization and enrichment of instruction;

b) Build an understanding of school programs among interested citizens, thus stimulating widespread involvement in a total educational process;

c) Strengthen school/community relations through positive participation.

Volunteers are persons who are willing to donate their time and energies to assist building principals, teachers, and other school personnel in implementing various phases of school programs. Volunteers will serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program.

An application must be filled out by each prospective volunteer and forwarded to the District Office for evaluation. The building principal will forward his or her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent, volunteers selected for work in the District will be placed on the list of approved volunteers. However, the Superintendent retains the right to approve or reject any volunteer applications submitted for consideration.

Volunteer Protection Act of 1997, 42 USC § 14501 et seq.
Education Law §§ 3023 and 3028
Public Officers Law § 18

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

Adoption Date: January 25, 2018

SUBJECT: CHARTER SCHOOLS

A charter school is a public school financed through public local, state, and federal funds that is independent of local school boards. The local school district within which the charter school is located has the right to visit, examine, and inspect the charter school for compliance with all applicable laws, regulations, and charter provisions.

Charter schools may be located in part of an existing public school building, a private work site, a public building, or any other suitable location. At the request of the charter school or prospective applicant, the District will make available a list of vacant and unused school buildings and vacant and unused portions of school buildings, including private school buildings, within the District which may be suitable for the operation of a charter school.

Academic Credit

The District's high school(s) may accept academic credit from students who transfer from the charter school as authorized and/or permitted in accordance with law, Commissioner's regulations, and local District standards. Either the charter school or the local School Board may issue a high school diploma upon students' graduation from a charter school depending on the charter school's relationship with the School Board.

Educational Materials

Students attending a charter school have the same access to textbooks, software, and library materials loaned by the District as if enrolled in a nonpublic school. Within available District inventory and budgetary appropriations for purchase of these materials, the District is required to provide these materials on an equitable basis to all public school students and to all nonpublic school and charter school students who are residents of the District or who attend a nonpublic or charter school in the District. The base year enrollment of students in the charter school may be claimed by the District for the purposes of Textbook, Software, and Library Materials Aids, in the same manner as nonpublic school enrollments are claimed.

Transportation

For the purpose of transportation, charter schools are considered nonpublic schools. Students attending charter schools who reside within a 15 mile radius of the charter school (or a greater radius if the voters of the district of residence have approved nonpublic transportation for more than 15 miles) will receive transportation from their district of residence on the same basis as nonpublic school students; that is, subject to the applicable minimum mileage limits for transportation in the district of residence, and the requirement of the timely filing of the request for transportation in accordance with Education Law.

A student cannot be dually enrolled in the charter school and District schools. However, the district of residence of students attending a charter school may, but is not required to, allow those students to participate in athletic and extracurricular activities.

(Continued)

SUBJECT: CHARTER SCHOOLS (Cont'd.)

Special Education

Special Education programs and services will be provided to students with disabilities attending a charter school in accordance with the individualized education program recommended by the Committee or Subcommittee of Special Education of the student's district of residence. The charter school may arrange to have these services provided by the district of residence or by the charter school directly or by contract with another provider. Where the district of residence provides the special education programs or services, they will be provided in the same manner as provided to students in other public schools in the District. This includes the provision of supplementary and related services on site to the same extent the District's policy and practices provide such services on the site of other public schools.

Employees

All employees of a public school converted to a charter school are included within the negotiating unit for the local school district, but the collective bargaining agreement of that negotiating unit may be modified by a majority vote of the members who work at the charter school, with the approval of the Board of Trustees of the charter school.

Instructional employees of a charter school which has not been converted from an existing public school and which has more than 250 students during the first year of instruction will be represented in a separate negotiating unit at the charter school by the same employee organization representing similar employees in the local school district. Employees may be included in the Teachers' Retirement System and other retirement systems open to employees of the District. Financial contributions for these benefits are the responsibility of the charter school and the charter school's employees.

Leaves of Absence

Teachers employed by the District may apply for a leave of absence for purposes of teaching at a charter school. Approval for such leave of absence for a period of two years or less will not be unreasonably withheld. If this approval is granted to a teacher by the District, the teacher may return to teach in the District during the period of leave without the loss of any right of certification, retirement, seniority, salary status, or any other benefit provided by law or by collective bargaining agreement. If an appropriate position is unavailable, the teacher's name will be placed on a preferred eligible list of candidates for appointment to a vacancy that may occur after in an office or position similar to the one the teacher filled in the District immediately prior to the leave of service.

(Continued)

SUBJECT: CHARTER SCHOOLS (Cont'd.)

Charter School Finances

The enrollment of students attending charter schools will be included in the enrollment, attendance and, if applicable, count of students with disabilities of the school district in which the charter school student resides. The charter school will report all of this data to the districts of residence in a timely manner for reporting to the State Education Department (SED). The school district of residence will pay directly to the charter school for each student enrolled in the charter school the basic tuition as determined by the Commissioner of Education as set forth in Education Law. The district of residence must forward these payments to the charter school in six substantially equal installments each year beginning on the first business day of the months of July, September, November, January, March, and May.

Approved operating expenses include the essential operating cost of the District. Excluded are costs for transportation, debt services, construction, tuition payments to other school districts, some BOCES payments, cafeteria or school lunch expenditures, balances and transfers, rental income from leased property, and certain other limited categories unless otherwise authorized by the State Charter School Facilities Incentive Program.

Charter school financing in the first year of operation will be based on the number of students projected to be served by the charter school and the approved operating expenses of the district of residence of those students. Adjustments will be made in each subsequent year based upon the final report by the charter school of actual enrollment.

Federal and State aid attributable to students with disabilities are required to be paid to a charter school by the school district of residence for those students attending the charter school in proportion to the services the charter school provides such students directly or indirectly. Payment of federal aid attributable to a student with a disability attending a charter school must be made according to the requirements set forth in federal law and regulations. Failure by the District to make required payments will result in the State Comptroller deducting the required amounts from State funds due to the District and paying them to the charter school.

The District, the charter entity, and the State are not liable for the debts of the charter school.

Notice and Hearing Requirements

The New York State Board of Regents is required to provide the District information on the charter school process. If a charter school is proposed, the charter entity and the Board of Regents will notify the school district in which the charter school is located and public and nonpublic schools in the same geographic area as the proposed charter school at each significant stage of the chartering process.

(Continued)

SUBJECT: CHARTER SCHOOLS (Cont'd.)

This notification will be provided by the charter entity within 30 days of its receipt of an application for formation of a new charter school or for renewal of an existing charter school and at least 45 days prior to initial approval of the charter application by the charter entity.

Before a charter is issued, revised, or renewed, the school district in which the charter school is located will hold a public hearing to solicit comments from the community potentially impacted by the proposed charter school. When a revision involves the relocation of a charter school to a different school district, the proposed new school district will also hold a hearing. The school district will, at the time of its dissemination, provide the SED with a copy of the public hearing notice.

No later than the business day next following the hearing, the school district will provide written confirmation to both the charter entity and the SED of the date and time the hearing was held. Copies of all written records or comments generated from the hearing will be submitted to the charter entity and the SED within 15 days of the hearing.

The school district will also be given the opportunity to comment on the proposed charter to the charter entity. The charter entity will consider any comments raised and submit them to the Board of Regents with the application for issuance, revision, or renewal of a charter.

In the event the school district fails to conduct a public hearing, the Board of Regents will conduct a public hearing to solicit comments from the community in connection with the issuance, revision, or renewal of a charter.

20 USC §§ 76.785-76.799
State Charter School Facilities Incentive Program, 34 CFR Part 226
34 CFR § 300.209
Education Law Article 56 and §§ 701, 711, 751, 912, 3602(11) and 3635
8 NYCRR Parts 100 and 119

Adoption Date: January 25, 2018

SUBJECT: VISITORS TO THE SCHOOL

All visitors will be required to report to the Main Office upon arrival at school and state their business. Visitations to classrooms for any purpose require permission in advance from the building principal in order to allow teachers the opportunity to arrange their schedules to accommodate these requests.

When individual Board members visit the schools, they must abide by the regulations and procedures developed by the administration regarding school visits.

Electronic Visitor Management System

The District utilizes an electronic visitor management system (EVMS) in order to ensure the safety and welfare of its students, staff, and guests. When any visitor, including parents and volunteers, wishes to enter any school building during school hours, he or she must present a valid state or government issued photo ID, such as a valid driver's license. Prior to entry being permitted, the EVMS will check visitors against known sexual offender databases. Once the visitor's ID is scanned, the EVMS will print a visitor's badge which must be worn throughout the duration of the visit. Visitors should return this badge at the end of their visit so that they may be checked out of the building in a timely fashion. Visitors who refuse to produce IDs or fail the check of sexual offender databases, may be asked to either wait in the school building lobby or to leave school premises.

Education Law § 2801
Penal Law §§ 140.10 and 240.35

Adoption Date: July 20, 2017

SUBJECT: USE OF SERVICE ANIMALS

The Board allows the use of service animals on school grounds by individuals with disabilities, subject to restrictions permitted by federal and/or state law, and procedures established by the Superintendent or designee.

A service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals.

The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Psychiatric service animals that have been trained to take a specific action to help avoid an anxiety attack or to reduce its effects, however, may qualify as a service animal.

Where reasonable, the Board also allows the use of miniature horses on school grounds by individuals with disabilities. This use will only be permitted where a miniature horse has been individually trained to do work or perform tasks to benefit an individual with a disability. The use of miniature horses by individuals with disabilities is subject to the considerations and restrictions permitted by federal and/or state law.

The Superintendent or designee may create procedures, regulations, and/or building-specific rules regarding the use of service animals and miniature horses on school grounds by individuals with disabilities.

28 CFR §§ 35.104, 35.136, 35.139

Adoption Date: January 25, 2018

SUBJECT: PUBLIC COMPLAINTS

Complaints by citizens regarding any facet of the school operation often can be handled more satisfactorily by the administrative officer in charge of the unit closest to the source of the complaint. In most instances, therefore, complaints will be made to the building principal and/or his or her assistant if the matter cannot be resolved by the teacher, coach, or other school employee.

If the complaint and related concerns are not resolved at this level to the satisfaction of the complainant, the complaint may be carried to the Superintendent or their assistant. Unresolved complaints at the building level must be reported to the Superintendent by the building principal. The Superintendent may require the statement of the complainant in writing.

If the complaint and related concerns are not resolved at the Superintendent level to the satisfaction of the complainant, the complaint may be carried to the Board. Unresolved complaints at the Superintendent level must be reported to the Board by the Superintendent. The Board reserves the right to require prior written reports from appropriate parties.

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District
#8330 -- Objection to Instructional Materials and Controversial Issues
District *Code of Conduct*

Adoption Date: January 25, 2018

SUBJECT: SOLICITATION OF CHARITABLE DONATIONS

School Children

Direct solicitation of charitable donations from children in the District schools on school property during regular school hours will not be permitted. It will be a violation of District policy to ask District school children directly to contribute money or goods for the benefit of a charity during the hours in which District students are compelled to be on school premises.

However, this policy does not prevent the following types of fund raising activities:

a) Fund raising activities which take place off school premises, or outside of regular school hours during before-school or after-school extracurricular periods;

b) Arms-length transactions, where the purchaser receives a consideration for his or her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity, will not be prohibited as the purchaser will receive consideration - the concert or social event - for the funds expended;

c) Indirect forms of charitable solicitation on school premises that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money. However, collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.

The Board will ultimately decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities comply with the terms of this policy and the Rules of the Board of Regents.

School Personnel

Soliciting of funds from school personnel by persons or organizations representing public or private organizations will be prohibited. The Superintendent will have the authority to make exceptions to this policy in cases where solicitation is considered to be in the District's best interest. The Board will be notified of these instances.

Distribution of information about worthwhile area charities may be made through the Office of the Superintendent as a service to District personnel.

New York State Constitution Article 8, § 1
Education Law § 414
8 NYCRR § 19.6

NOTE: Refer also to Policy #7450 -- Fund Raising by Students

Adoption Date: January 25, 2018

SUBJECT: ADVERTISING IN THE SCHOOLS

Neither the facilities, the staff, nor the students of the District will be employed in any manner for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency, individual or organization, except that:

a) Schools may cooperate in furthering the work of any non-profit, community-wide, social service agency, provided that such cooperation does not restrict or impair the educational program of the schools or conflict with the Rules of the Board of Regents;

b) The schools may use films or other educational materials bearing only simple mention of the producing firm;

c) The Superintendent may, at his or her discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit;

d) The schools may, upon approval of the Superintendent, cooperate with any agency in promoting activities in the general public interest that are non-partisan and non-controversial, and that promote the education and other best interests of the students.

No materials of a commercial nature will be distributed through the children in attendance in the District except as authorized by law or the Commissioner's regulations.

New York State Constitution Article 8, § 1
8 NYCRR § 19.6

Adoption Date: January 25, 2018

SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS, AND EQUIPMENT

School Facilities

It is the policy of the Board to encourage the greatest possible use of school facilities for community-wide activities including those uses permitted by New York State law. Groups wishing to use the school facilities must secure written permission from the Board or its designee and abide by the rules and regulations established for use including restrictions on alcohol, tobacco, and drug use.

The District reserves the right to charge a fee for the use of its facilities in a manner consistent with law, and on terms specified in regulation or by agreement with these organizations.

Materials and Equipment

Except when used in connection with, or rented under provisions of Education Law Section 414, school-owned materials or equipment may be used for school related purposes only. Private or personal use of school-owned materials and equipment is strictly prohibited. The loan of equipment and materials for public purposes that serve the welfare of the community is allowed, as long as the equipment is not needed at that time for school purposes and that the proposed use will not disrupt normal school operations.

The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations. The Board will also allow the loan of equipment to local governments and other entities that benefit the welfare of the surrounding community. The Board supports this inter-municipal cooperation as it saves taxpayer monies and is a more efficient use of scarce or costly equipment and resources.

Education Law § 414
NY Constitution Article 8

NOTE: Refer also to Policies #3281 -- Use of Facilities by the Boy Scouts of America and Patriotic Youth Groups
#3410 -- Code of Conduct on School Property
#5640 -- Smoking/Tobacco Use
#7320 -- Alcohol, Tobacco, Drugs and Other Substances
#7410 -- Extracurricular Activities
District *Code of Conduct*

Adoption Date: July 20, 2018

SUBJECT: USE OF FACILITIES BY THE BOY SCOUTS OF AMERICA AND PATRIOTIC YOUTH GROUPS

To the extent the District receives funds made available through the United States Department of Education and maintains a "designated open forum" or a "limited public forum," as those terms are defined in federal regulation, it will not deny any group officially affiliated with the Boy Scouts of America or any other patriotic youth group listed in Title 36 of the United States Code equal access or a fair opportunity to meet. Likewise, the District will not discriminate against any group that requests to conduct a meeting within the District's designated open forum or limited public forum, including denying such access or opportunity or discriminating for reasons based on the group's membership or leadership criteria or oath of allegiance to God and country.

The District will provide groups officially affiliated with the Boy Scouts of America or other Title 36 patriotic youth group access to facilities and the ability to communicate using school-related means of communication on terms that are no less favorable than the most favorable terms provided to other outside youth or community groups.

The District is not required to sponsor any group officially affiliated with Boy Scouts or any other Title 36 patriotic youth group.

20 USC § 7905
36 USC Subtitle II
34 CFR Parts 75, 76 and 108

NOTE: Refer also to Policy #3280 -- Use of School Facilities, Materials and Equipment

Adoption Date: January 25, 2018

SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

The use of motor-driven vehicles, including cars, snowmobiles, mini-bikes, motorcycles, all-terrain vehicles (ATVs) and other like vehicles is prohibited on any school grounds or areas except for authorized school functions or purposes. A school function means a school sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place in another state.

All student vehicles must be registered with the high school principal and parked in authorized areas only.

Education Law § 2801(1)
Vehicle and Traffic Law § 1670

Adoption Date: January 25, 2018

SUBJECT: PUBLIC ACCESS TO RECORDS

Access to records of the District will be consistent with the rules and regulations established by the State Committee on Open Government and will comply with all the requirements of the New York State Public Officers Law Sections 87 and 89.

A Records Access Officer will be designated by the Superintendent, subject to the approval of the Board, who will have the duty of coordinating the District's response to public request for access to records.

The District will provide copies of records in the format and on the medium requested by the person filing the Freedom of Information Law (FOIL) request if the District can reasonably do so regardless of burden, volume, or cost of the request.

Requests for Records via Email

If the District has the capability to retrieve electronic records, it must provide such records electronically upon request. The District will accept requests for records submitted in the form of electronic mail and respond to those requests by electronic mail using the forms supplied by the District. This information will be posted on the District website, clearly designating the email address for purposes of receiving requests for records via this format.

When the District maintains requested records electronically, the response will inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium.

Education Law § 2116
Public Officers Law §§ 87 and 89
21 NYCRR Parts 1401 and 9760

Adoption Date: January 25, 2018

SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION

The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data will be limited only to authorized personnel of the District.

It is a violation of the District's policy to release confidential computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of computerized data is subject to disciplinary action.

However, if the computerized information sought is available under the Freedom of Information Law and can be retrieved by means of existing computer programs, the District is required to disclose this information.

Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)
34 CFR Part 99
Public Officers Law § 84 et seq.

Adoption Date: January 25, 2018

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written *Code of Conduct* for the Maintenance of Order on School Property, including school functions, which will govern the conduct of students, teachers, and other school personnel, as well as visitors and/or vendors. The Board will further provide for the enforcement of this *Code of Conduct*.

For purposes of this policy, and the *Code of Conduct*, school property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus; and a school function means a school sponsored extracurricular event or activity regardless of where the event or activity takes place.

The District *Code of Conduct* has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The District *Code of Conduct* will be adopted by the Board only after at least one public hearing that provided for the participation of school personnel, parents or persons in parental relation, students, and any other interested parties.

The District *Code of Conduct* will be reviewed on an annual basis, and updated as necessary in accordance with law. The District may establish a committee to facilitate review of its *Code of Conduct* and the District's response to violations. The Board will reapprove any updated *Code of Conduct* or adopt revisions only after at least one public hearing that provides for the participation of school personnel, parents or persons in parental relation, students, and any other interested parties. The District will file a copy of its *Code of Conduct* and any amendments with the Commissioner, in a manner prescribed by the commissioner, no later than 30 days after their respective adoptions.

The Board will ensure community awareness of its *Code of Conduct* by:

a) Posting the complete *Code of Conduct* on the Internet website, if any, including any annual updates and other amendments to the Code;

b) Providing copies of a summary of the *Code of Conduct* to all students in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year;

c) Providing a plain language summary of the *Code of Conduct* to all parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;

d) Providing each existing teacher with a copy of the complete *Code of Conduct* and a copy of any amendments as soon as practicable following initial adoption or amendment. New teachers will be provided a complete copy of the current *Code of Conduct* upon their employment; and

(Continued)

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

e) Making complete copies available for review by students, parents or persons in parental relation to students, other school staff, and other community members.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment, including District computers; users do not have exclusive use of these locations or equipment and should not expect that materials stored in them are private.

Education Law Article 2, §§ 801-a, 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law § 142
8 NYCRR § 100.2

NOTE: Refer also to District *Code of Conduct*

Adoption Date: January 25, 2018

SUBJECT: PROHIBITION OF WEAPONS ON SCHOOL GROUNDS

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Board or its designee, no person may have in his/her possession any weapon on school grounds, in any District building, on a school bus or District vehicle, or at any school sponsored activity or setting under the control and supervision of the District. This prohibition includes, but is not limited to: any of the objects or instruments referred to in Section 265.01 of the New York State Penal Law; any air-gun, spring-gun, or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge; and any object that could be considered a reasonable facsimile of a weapon.

Penal Law §§ 265.01-265.06

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#7313 -- Suspension of Students
#7360 -- Weapons in School and the Gun-Free Schools Act

Adoption Date: January 25, 2018

SUBJECT: THREATS OF VIOLENCE IN SCHOOL

The District is committed to the prevention of violence against any individual or property in the schools, on school property, or at school activities whether such acts and/or threats of violence are made by students, staff, or others. Threats of violence against students, school personnel and/or school property will not be tolerated whether or not such threats occur on school grounds or during the school day.

Any person who commits an act or threatens an act of violence, including bomb threats, whether made orally, in writing, by email, or by any other electronic format, will be subject to appropriate discipline in accordance with applicable law, District policies and regulations, as well as the *Code of Conduct* and collective bargaining agreements, as necessary.

The District does not condone acts and/or threats of violence which threaten the safety and well-being of staff, students, visitors, and/or the school environment. Employees, students, agents, and invitees will refrain from engaging in threats or physical actions which create a safety hazard for others.

All staff who are made aware of physical acts and/or threats of violence directed to students or staff are to report these incidents to the building principal or designee, who will report these occurrences to the Superintendent. Additionally, the building principal or designee will also report occurrences of violence, whether involving an actual confrontation or threat of potential violence, to the school psychologist and/or Director of Special Education if applicable. Local law enforcement agencies may be called as necessary upon the determination of the Superintendent or designee.

Students should report all acts and/or threats of violence, including threats of suicide, of which they are aware to the school hotline, a faculty member, or the building principal.

The District reserves the right to seek restitution, in accordance with law, from the parent or guardian and/or student for any costs or damages which had been incurred by the District as a result of the threats or acts of violence in the schools.

This policy will be disseminated, as appropriate, to students, staff, and parents and will be available to the general public upon request. Appropriate sanctions for violations of this policy by students will be addressed in the *Code of Conduct*.

Adoption Date: January 25, 2018

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT

The Board is committed to providing an environment free from discrimination and harassment. Accordingly, the Board prohibits discrimination and harassment on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, or other legally protected category. These actions and occurrences are prohibited regardless of whether they take place on District premises or at school sponsored events, programs, or activities held at other locations.

Prohibited Conduct

Determinations as to whether conduct or occurrences constitute discrimination or harassment for the purposes of this policy and its implementing administrative regulations or procedures will be made consistent with applicable law. These determinations may depend upon a number of factors, including but not limited to: the particular conduct or occurrence at issue, the ages of the parties involved, the context in which the conduct or occurrence takes place, the relationship of the parties to one another, the category or characteristic that is alleged to have been the basis for the action or occurrence, and other considerations as are necessary and consistent with law. The characterizations and examples below are intended to serve as a general guide for individuals in determining whether to file a complaint of discrimination or harassment, and should not be construed to add or limit the rights individuals and entities possess as a matter of law.

Discrimination is, generally, the practice of conferring or denying privileges on the basis of membership in a legally protected class. Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of his or her membership in a protected class, denying an individual access to facilities or educational benefits on the basis of his or her membership in a protected class, or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

Harassment generally consists of subjecting an individual, on the basis of his or her membership in a protected class, to conduct and/or communications that are sufficiently severe, pervasive, or persistent as to have the purpose or effect of: creating an intimidating, hostile, or offensive environment; substantially or unreasonably interfering with an individual's work or a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting an individual's employment or educational opportunities.

Harassment includes unwelcome verbal, written, or physical conduct which offends, denigrates, or belittles an individual because of his or her membership in a protected class. This conduct includes, but is not limited to: derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Civil Rights Compliance Officer

The District will designate one or more individuals to serve as the Civil Rights Compliance Officer (CRCO). The CRCO will be responsible for coordinating the District's efforts to comply with and carry out its responsibilities regarding non-discrimination and anti-harassment, including investigations of complaints alleging discrimination, harassment, or the failure of the District to comply with its obligations under relevant non-discrimination and anti-harassment laws and regulations (e.g., the Americans with Disabilities Act, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973).

Prior to the beginning of each school year, the District will issue an appropriate public announcement or publication which advises students, parents or guardians, employees, and other relevant individuals of the District's established grievance procedures for resolving complaints of discrimination and harassment. Included in this announcement or publication will be the name, address, telephone number, and email address of the CRCO. The District's website will reflect current and complete contact information for the CRCO.

The CRCO for the District is the Superintendent of Schools.

Investigation of Complaints and Grievances

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination and/or harassment based on any of the characteristics described above, and will promptly take appropriate action to protect individuals from further discrimination or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

It is essential that any individual who is aware of a possible occurrence of discrimination or harassment immediately report such occurrence. All reports will be directed or forwarded to the District's designated CRCO. These complaints are recommended to be in writing, although verbal complaints of discrimination or harassment will also be promptly investigated in accordance with applicable law and District policy and procedure. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity.

To the extent possible, all complaints will be treated as confidential. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials.

If an investigation reveals that discrimination or harassment has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable laws and regulations, as well as any and all relevant codes of conduct, District policies and administrative regulations, collective bargaining agreements, and/or third-party contracts.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Knowingly Makes False Accusations

Any employee or student who knowingly makes false accusations against another individual as to allegations of discrimination or harassment will face appropriate disciplinary action.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination and/or harassment. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity.

Where appropriate, follow-up inquiries will be made to ensure that discrimination and/or harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Additional Provisions

Procedures or regulations will be developed for reporting, investigating, and remedying allegations of discrimination and/or harassment.

In order to promote familiarity with issues pertaining to discrimination and harassment in the schools, and to help reduce incidents of prohibited conduct, the District will provide appropriate information and/or training to staff and students. As may be necessary, special training will be provided for individuals involved in the investigation of discrimination and/or harassment complaints.

A copy of this policy and its accompanying procedures or regulations will be available upon request and will be posted and/or published in appropriate locations and/or school publications.

This policy should not be read to abrogate other District policies and/or procedures or regulations or the District *Code of Conduct* prohibiting other forms of unlawful discrimination, harassment, and/or inappropriate behavior within this District. It is the intention of the District that all such policies and/or regulations be read consistently to provide protection from unlawful discrimination and harassment. However, different treatment of any individual which has a legitimate, legal, and non-discriminatory reason shall not be considered a violation of District policy.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE DISTRICT (Cont'd.)

Age Discrimination in Employment Act, 29 USC § 621
Americans with Disabilities Act, 42 USC § 12101 *et seq.*
§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 *et seq.*
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d *et seq.*
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e *et seq.*
Title IX of the Education Amendments of 1972, 20 USC § 1681 *et seq.*
Education Law § 2801(1)
Executive Law § 290 *et seq.*
October 26, 2010 OCR Dear Colleague Letter (Harassment and Bullying)
April 4, 2011 OCR Dear Colleague Letter (Sexual Violence)
April 24, 2015 OCR Dear Colleague Letter (Title IX Guidance)

NOTE: Refer also to Policies #6120 -- Equal Employment Opportunity
#6121 -- Sexual Harassment of District Personnel
#6122 -- Employee Grievances
#7550 -- Dignity For All Students
#7551 -- Sexual Harassment of Students
District *Code of Conduct*

Adoption Date: January 25, 2018

SUBJECT: UNIFORM VIOLENT AND DISRUPTIVE INCIDENT REPORTING SYSTEM (VADIR)

The District will record each violent or disruptive incident that occurs on school property or at school functions. School property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus. A school function means a school sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place.

The District will submit an annual report of violent and disruptive incidents (on the *Summary of Violent and Disruptive Incidents* form) from the previous school year to the Commissioner of Education. Summary data will be used to determine the rate of violent and disruptive incidents in each school and to identify schools as persistently dangerous.

The District will utilize the *Individual Violent and Disruptive Incident Report* form for the reporting of individual incidents by each building and/or program under its jurisdiction and for the tally count of incidents into the Summary Form. Copies of the incident reports will be retained for the time prescribed by the Commissioner. These reports will be available for inspection by the State Education Department (SED) upon request.

All personally identifiable information included in a violent or disruptive incident report will be confidential and will not be disclosed to any person for any purpose other than that specified in Education Law Section 2802, except as otherwise authorized by law.

The District will include a summary of the District's annual violent or disruptive incident report in its School District Report Card in the format prescribed by the Commissioner.

Reporting Guidelines

The District will utilize the SED's website to obtain copies of the forms, directions, glossary, and additional information.

Education Law §§ 2801(1) and 2802
Vehicle and Traffic Law § 142
8 NYCRR § 100.2 (gg)

Adoption Date: January 25, 2018

SUBJECT: EMERGENCY SCHOOL CLOSINGS

In the event it is necessary to close school for the day, activate a delayed starting time or early dismissal (as well as information relating to cancellation of after-school activities/late bus runs), due to inclement weather, impassable roads, or other emergency reasons, announcements will be made over local radio and television stations, auto dialing, and the Internet/District website.

When school is closed, all related activities, including athletic events and student activities, will be cancelled for that day and evening.

The attendance of personnel will be governed by their respective contracts.

Education Law § 3604(7)

Adoption Date: January 25, 2018

Lafayette Central School District **NUMBER**

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SUBJECT: ADMINISTRATIVE PERSONNEL

Administrative and supervisory personnel will be considered to be those District employees officially designated by Board action as responsible for the administrative and supervisory tasks required to carry out Board policy, programs, decisions, and actions.

These employees must meet all certification and/or Civil Service requirements as outlined in New York State Civil Service Law, and the Commissioner's regulations. Administrative and supervisory staff must be eligible to meet these requirements at the time of employment.

Abolishing an Administrative Position

Existing administrative positions will not be abolished by the Board without previous written notification of the impending abolition. This written notification must be served to the individual currently holding that position. In all cases the individual currently holding the position should receive as much advance notice as possible.

Education Law §§ 1709, 2503(5), and 3013

Adoption Date: March 1, 2018

SUBJECT: ADMINISTRATIVE ORGANIZATION AND OPERATION

The basic principles of administrative organization and operation are:

a) The working relationships will involve two types of officers: line and staff. Line organization involves a direct flow of authority upward and downward from Superintendent to building principal. A line officer has power and authority over subordinates. Staff officers do not stand in the direct line of authority; they serve as coordinators or consultants.

b) The Board will formulate and legislate educational policy.

c) Administrative regulations will be developed by the Superintendent in cooperation with affected or interested staff members or lay persons.

d) The Central Office staff will provide overall leadership and assistance in planning and research.

e) A reasonable limit will be placed upon the number of persons with whom an administrator will be expected to work effectively.

f) Areas of responsibility for each individual will be clearly defined.

g) There will be full opportunity for complete freedom of communication between all levels in the school staff.

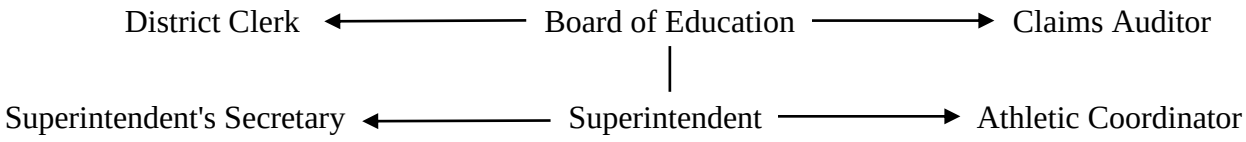
Line Responsibility

All employees of the District will be under the general direction of the Superintendent. Teachers will be immediately responsible to the principal of the building in which they work. Other employees will be immediately responsible to the administrative personnel under whom they work directly.

The lines of responsibility/reporting will be as depicted on the organizational chart.

Adoption Date: March 1, 2018

LAFAYETTE CENTRAL SCHOOL
ORGANIZATIONAL CHART 2018-2019



Jr./Sr. High School Principal	Big Picture Principal	Grimshaw Elementary Principal	Onondaga Nation Principal	Director of CSE	Assistant Superintendent for Business
Teachers	Teachers	Teachers	Teachers	Psychologists	Treasurer
Teacher Assistants	Teacher Assistants	Teacher Assistants	Teacher Assistants	Psychologist Intern	Account Payable
Nurse	Clerical	Network Admin.	Nurse	Spec. Ed. Teachers	Payroll Clerk
Clerical	Counselors	Computer Techs	Clerical	Teacher Assistants	School Tax Collector
Counselors	Substitutes	Nurse	Counselors	Clerical	
NA Liaison		Clerical	Home School Liaison		
Café Aides		Counselors	Café Aides		
Substitutes		Café Aides	Substitutes		
		Related School Personnel			
		Substitutes			

Transportation Supervisor	School Lunch Manager	Director of Facilities
Head Mechanic/Driver	Cook/Manager	Maintenance Workers
Mechanic/Driver	Cook	Custodians
Drivers	Food Service Helper I	Custodial Worker I & II
Aides	Food Service Helper II	Grounds Person
Substitutes	Food Service Director	Summer Help
Messenger	Substitutes	Substitutes

SUBJECT: ADMINISTRATIVE AUTHORITY

During the Absence of the Superintendent

The Superintendent will delegate to another administrator the authority and responsibility for making decisions and taking actions as may be required during the absence of the Superintendent.

In the Absence of Board Policy

From time to time problems and new questions arise for which no specific policy has been prepared. Members of the administrative staff will act in a manner consistent with the existing policies of the District and will alert the Superintendent to the possible need for additional policy development.

Adoption Date: March 1, 2018

SUBJECT: DISTRICT COMMITTEES

Standing and/or ad hoc committees may be appointed to study and to recommend courses of action in response to department, building, or District needs. These committees may be appointed by the Board, the Superintendent, or other administrators, with the knowledge of the Superintendent, and in accordance with the range of responsibilities of the appointing body or administrator to whom the committee will report. The composition of each committee will reflect its purpose and each committee will have a clear assignment.

Adoption Date: March 1, 2018

SUBJECT: EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF

Superintendent

The Board will conduct annually a formal performance evaluation of the Superintendent. The formal procedures used to complete the evaluation are to be filed in the District Office, and will be made available for review by any individual, no later than September 10 of each year.

The formal performance procedures will include written criteria, a description of the review procedures, provisions for post-conferencing, and methods used to record results of the evaluation. The Superintendent will be granted the opportunity to respond to the evaluation in writing.

Evaluation of Administrative Staff

The Board will direct the Superintendent to conduct an evaluation of all administrative personnel.

The purposes of this evaluation are:

a) To determine the adequacy of administrative staffing;

b) To improve administrative effectiveness;

c) To encourage and promote self-evaluation by administrative personnel;

d) To provide a basis for evaluative judgments by the Superintendent and the Board;

e) To make decisions about continued employment with the District.

8 NYCRR § 100.2(o)(2)(v)

Adoption Date: March 1, 2018

SUBJECT: SUPERINTENDENT OF SCHOOLS

The Superintendent is the chief executive officer of the District. He or she is responsible for carrying out the policy of the Board and for keeping it informed of matters which should be weighed by the Board in reaching decisions. He or she is responsible to the Board in his or her stewardship of the entire school system.

The Superintendent will have the specific powers and duties discussed below and will be directly responsible to the Board for their proper exercise. As chief executive officer of the District, his or her will:

a) Attend all regular, special, and work meetings of the Board except that the Superintendent may be excluded when his or her employment contract or performance is discussed in executive session;

b) Administer all policies and enforce all rules and regulations of the Board;

c) Review the local school situation and recommend to the Board areas in which new policies seem to be needed;

d) Organize, administer, evaluate, and supervise the programs and personnel of all school departments, instructional and non-instructional;

e) Recommend to the Board the appointment of all instructional and support personnel;

f) Prepare and recommend to the Board the annual District budget in accordance with the format and development plan specified by the Board;

g) Advise the public about the activities and needs of the schools through his/her written and spoken statements, and will be responsible for all news releases emanating from the local schools;

h) Create all salary scales and administer the salary plan approved by the Board. Some of these salary scales will be developed within staff contracts negotiated under the provisions of the Taylor Law;

i) Determine the need and make plans for plant expansion and renovation;

j) Recommend for hire, evaluate, promote, and dismiss all professional and non-professional staff personnel;

k) Prepare or supervise the preparation of the teacher's handbook, staff bulletins, and all other District-wide staff materials;

(Continued)

SUBJECT: SUPERINTENDENT OF SCHOOLS (Cont'd.)

l) Plan and coordinate the recruitment of teachers and other staff to assure the District of the best available personnel;

m) Plan and conduct a program of supervision of teaching staff that will have as its goal the improvement of instruction, and, at the same time, will assure that only the teachers found to have a high degree of competence will be recommended for tenure;

n) Distinguish for all concerned between the areas of policy decisions appropriate to the Board and management decisions appropriate to the District's administrative personnel;

o) Transfer personnel when necessary and/or desirable to promote optimal effectiveness. Any personnel transfers will be made pursuant to appropriate guidelines established by state laws, District policies, and negotiated contracts; and

p) Submit data from the School Report Card or other reports of student or District performance as prescribed by and in accordance with requirements of the Commissioner of Education.

Education Law §§ 1711, 2508 and 3003
8 NYCRR § 100.2(m)

Adoption Date: March 1, 2018

SUBJECT: SUPERINTENDENT-BOARD RELATIONS

The Board is accountable for all pursuits, achievements, and duties of the District. The Board's specific role is to deliberate and to establish policies for the district. The Board delegates the necessary authority to the Superintendent who, acting as chief executive officer of the District, is held accountable to the Board for compliance with its policies.

a) With respect to District goals and objectives, the Board will establish broad guidelines to be observed in the development of further policy and action. The Board reserves the right to issue either restrictive or general policy statements.

b) Generally, the Superintendent will be empowered to assign and use resources; employ, promote, discipline, and deploy staff; to translate policies of the Board into action; to speak as agent of the Board; to organize and delegate administrative responsibilities; and to exercise such other powers as are customary for chief executives.

c) The Superintendent may not perform, cause, or allow to be performed any act that is unlawful, in violation of commonly accepted business and professional ethics; in violation of any contract into which the Board has entered; or, in violation of policies adopted by the Board that limit the Superintendent's authority.

d) Should the Superintendent or designee consider it unwise or impractical to comply with an explicit Board policy, the Superintendent will inform the Board of that determination. The Board will decide whether such judgment was warranted.

Education Law §§ 1711, 2503 and 2508

Adoption Date: March 1, 2018

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7.4.1 Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees 5741

SUBJECT: BUDGET PLANNING AND DEVELOPMENT

Budget planning and development for the District is an integral part of program planning so that the annual operating budget may effectively express and implement programs and activities of the District. Budget planning is a year-round process involving participation of District-level administrators, principals, directors, supervisors, coordinators, teachers, and other personnel. The process of budget planning and development will allow for community input and opportunities for public information and feedback.

The Superintendent has overall responsibility for budget preparation, including the construction of and adherence to a budget calendar. Program managers will develop and submit budget requests for their particular areas of responsibility after seeking the advice and suggestions of staff members.

Principals will develop and submit budget requests for their particular schools in conjunction with the advice and suggestions of staff members and their own professional judgment. Each school's budget request will be the principal's recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school. Program budgets and school budgets will reflect state and/or federal requirements, special sources of funding, and District objectives and priorities.

The Board will give consideration to budget requests, and will review allocations for appropriateness and for their consistency with the District's educational priorities.

All budget documents for distribution to the public will be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents will be complete, and accurate, and contain sufficient detail to adequately inform the public regarding data such as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in this information from the prior year's submitted budget.

In accordance with Commissioner's regulations, the budget will be presented in three components which are to be voted upon as one proposition. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in the component.

a) A program component which will include, but need not be limited to, all program expenditures of the District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;

b) A capital component which will include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

claims; and all facilities costs of the District, including facilities lease expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget will include a rental, operations, and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

c) An administrative component which will include, but need not be limited to, office and central administrative expenses, traveling expenses and all compensation, including salaries and benefits of all school administration and supervisors, business administrators, superintendents of schools and deputy, assistant, associate or other superintendents under all existing employment contracts or collective bargaining, any and all expenditures associated with the operation of the Office of the Board, the Office of the Superintendent, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

Additionally, the Board will append to the proposed budget the following documents:

a) A detailed statement of the total compensation to be paid to the Superintendent, and any Assistant or Associate Superintendent in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;

b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified;

c) A School District Report Card, prepared pursuant to Commissioner's regulations, which includes measures of the academic performance of the District, on a school by school basis, and measures of the fiscal performance of the District (see subheading School District Report Card);

d) A Property Tax Report Card prepared in accordance with law and Commissioner's regulations (see subheading Property Tax Report Card); and

e) A Tax Exemption Report prepared in accordance with law (see subheading Tax Exemption Report).

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

The Board will ensure that unexpended surplus funds (i.e., operating funds in excess of the current school year budget, not including funds properly retained under other sections of law) have been applied in determining the amount of the school tax levy. Surplus funds means any operating funds in excess of four percent.

The proposed budget for the ensuing school year will be reviewed by the Board and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, these funds will not be utilized to promote either a favorable or negative opinion of the proposed budget.

School District Report Card

Each year the District will supply data as required by the State Education Department (SED) and will receive a School District Report Card, sometimes referred to as a New York State Report Card. These provide enrollment, demographic, attendance, suspension, dropout, teacher, assessment, accountability, graduation rate, post-graduation plan, career and technical education, and fiscal data for public and charter schools, districts, and the State. The School District Report Cards consist of three parts:

a) Accountability and Overview Report - shows District or school profile data, accountability statuses, data on accountability measures such as ELA, Math, and Science scores, and graduation rates.

b) Comprehensive Information Report - shows non-accountability data such as annual Regents examination results and post-graduate plans of students completing high school.

c) Fiscal Accountability Supplement - shows expenditures per pupil and some information about placement and classification of students with disabilities.

School District Report Cards are also available online at the SED website.

Property Tax Report Card

Each year, the Board will prepare a Property Tax Report Card, pursuant to Commissioner's regulations, and will make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting, and otherwise disseminating it as required by the Commissioner.

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

The Property Tax Report Card will include:

a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the District budget for the preceding school year; and

b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and

c) The percentage increase in the average of the Consumer Price Indexes from January first of the prior school year to January first of the current school year as defined in Education Law; and

d) The projected amount of the adjusted unrestricted fund balance that will be retained if the proposed budget is adopted; the projected amount of the adjusted restricted fund balance; the projected amount of the assigned appropriated fund balance; the percentage of the proposed budget that the adjusted unrestricted fund balance represents; the actual adjusted unrestricted fund balance retained in the District budget for the preceding school year; and the percentage of the District budget for the preceding school year that the actual adjusted unrestricted fund balance represents; and

e) The District's school tax levy limit calculation. The District will submit its school tax levy limit calculation to the Office of the State Comptroller, SED, and the Office of Taxation and Finance by March 1 annually. If a voter override of the tax levy limit is necessary, the budget vote must be approved by 60% of the District's qualified voters present and voting.

A copy of the Property Tax Report Card prepared for the Annual District Meeting will be submitted to the SED in the manner prescribed by the Department by the end of the business day next following approval of the Property Tax Report Card by the Board, but no later than 24 days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

The SED will compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and will make this compilation available electronically at least ten days prior to the statewide uniform voting day. Links to each school year's Property Tax Report Card can be found on the SED's official website.

Tax Exemption Report

A Tax Exemption Report will be annexed to any tentative or preliminary budget and will become part of the final budget. This report will be on the form as prescribed by the State Board of Real Property Services and will show the following:

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

a) How much of the total assessed value of the final assessment roll(s) used in the budgetary process is exempt from taxation;

b) Every type of exemption granted as identified by statutory authority;

c) The cumulative impact of each type of exemption expressed either as a dollar amount of assessed value or as a percentage of the total assessed value on the roll;

d) The cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services; however, individual recipients are not to be named; and

e) The cumulative impact of all exemptions granted.

Notice of this report will be included in any notice of the preparation of the budget required by law and will be posted on any bulletin board maintained by the District for public notices as well as on any website maintained by the District.

Education Law §§ 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3) and 2601-a(7)
General Municipal Law § 36
Real Property Tax Law §§ 495 and 1318(l)
8 NYCRR §§ 170.8, 170.9 and 170.11
State Education Department Handbook No. 3 on Budget

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board will hold an Annual Budget Hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The Budget Hearing will be held not less than seven nor more than 14 days prior to the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven days prior to the budget hearing at which it is to be presented.

Notice of the date, time, and place of the annual budget hearing and other required information will be included in the notice of the Annual Meeting and Election and/or Special District Meeting as required by law.

Dissemination of Budget Information

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident. Requests for copies of the proposed budget should be made at least seven days before the budget hearing. Copies will be prepared and made available at the school district office, public or associate libraries within the district, and on the district website, if one exists. Copies will be available to district residents during the 14-day period immediately preceding the Annual Meeting and Election or Special District Meeting at which the budget vote will occur. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

Budget Notice

The District Clerk will mail a School Budget Notice to all qualified voters of the District after the date of the Budget Hearing, but no later than six days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The Budget Notice will compare the percentage increase or decrease in total spending under the proposed budget over total spending under the District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

The District will also include in the notice:

a) The school tax levy limit;

b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);

(Continued)

SUBJECT: SCHOOL DISTRICT BUDGET HEARING (Cont'd.)

c) The total permissible exclusions; and

d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

The Notice will also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of $100,000 under the existing District budget as compared with savings under the proposed budget.

The Notice will also set forth the date, time, and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice will be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement:
Education Law §§ 1608(2), 1716(2), 2003(1), 2004(1), 2023-a and 2601-a(2)
Election and Budget Vote:
Education Law §§ 1804(4), 1906(1), 2002(1), 2018(5), 2018(6), 2022(1), 2023-a and 2601-a(2)
Budget Development and Attachments:
Education Law §§ 1608(3), 1608(4), 1608(5), 1608(6), 1608(7), 1716(3), 1716(4), 1716(5), 1716(6), 1716(7), 2022(2-a), 2023-a and 2601-a(3)
8 NYCRR §§ 100.2(bb), 170.8 and 170.9

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: BUDGET ADOPTION

The Board will review the recommended budget of the Superintendent and seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven nor more than 14 days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held on the third Tuesday of June. If the voters fail to approve the second budget submittal, or budget proposition(s), or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy that is no greater than the prior year's levy.

The District budget for any school year, or any part of such budget, or any proposition(s) involving the expenditure of money for that school year, will not be submitted for a vote of the qualified District voters more than twice.

The District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District.

Education Law §§ 1608, 1716, 1804(4), 1906(1), 2002(1), 2003(1), 2004(1), 2007(3)(b), 2022, 2023, 2023-a and 2601-a
8 NYCRR §§ 100.2(bb), 170.8 and 170.9

Adoption Date: March 29, 2018

SUBJECT: ADMINISTRATION OF THE BUDGET

The Superintendent, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget.

a) He or she will acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.

b) Under his or her direction the District will maintain those records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board, and other procedures as are deemed necessary and will keep the various operational units informed through periodic reports as to the status of their individual budgets.

c) Board approval is required prior to the expenditure of District funds.

Budget Transfers

The Board of Education is authorized to transfer funds within the budget. Budget transfers are authorized via Board of Education approval at Board of Education Meetings. The Board of Education may authorize the Superintendent to approve end of year Budget Transfers and those transfers will be added to the Board of Education Meeting Agenda as FYI.

Education Law § 1718
8 NYCRR § 170.2(l)

Adoption Date: March 29, 2018

SUBJECT: CONTINGENCY BUDGET

If the original proposed budget is not approved by District voters at the Annual District Meeting and Election, the Board has the option of either resubmitting the original or revised budget for voter approval at a special meeting held at a later date; or the Board may, at that point, adopt a contingency budget. If the Board decides to submit either the original or a revised budget to the voters for a second time, and the voters do not approve the second budget submittal, the Board must adopt a contingency budget and the tax levy cannot exceed the total tax levy of the prior year (0% levy growth).

The administrative component of the contingency budget will not comprise a greater percentage of the contingency budget exclusive of the capital component than the lesser of:

a) The percentage the administrative component had comprised in the prior year budget exclusive of the capital component; or

b) The percentage the administrative component had comprised in the last proposed defeated budget exclusive of the capital component.

Education Law §§ 2002, 2023, 2023-a, 2024 and 2601-a

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: REVENUES

The District Treasurer will have custody of all District funds in accordance with the provisions of state law. The Treasurer will be authorized and directed by the Board to invest the balances available in various District funds in accordance with regulations set forth in state law.

Education Law §§ 1604(a) and 1723(a)

Adoption Date: March 29, 2018

SUBJECT: DISTRICT INVESTMENTS

Whenever the District has funds (including operating funds, reserve funds and proceeds of obligations) that exceed those necessary to meet current expenses, the Board will authorize the Treasurer to invest such funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

Objectives

The objectives of this investment policy are four-fold:

a) Investments will be made in a manner so as to safeguard the funds of the District.

b) Bank deposits will be made in a manner so as to safeguard the funds of the District.

c) Investments will be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the District.

d) Funds will be invested in such a way as to earn the maximum yield possible given the first three investment objectives.

Authorization

The authority to deposit and invest funds is delegated to the Treasurer. These functions will be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The Treasurer may invest funds in the following eligible investments:

a) Obligations of the State of New York.

b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.

c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. (Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.)

d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.

1. Deposits in excess of the amount insured by the Federal Deposit Insurance Corporation will be secured in accordance with subdivision 3 of the General Municipal Law Section 10.

2. The District may, in its discretion, authorize the bank designated for the deposit of District funds to arrange for the redeposit of such funds in one or more banking institutions, for the account of the District, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).

f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

Implementation

Using the policy as a framework, regulations and procedures shall be developed which reflect:

a) A list of authorized investments;

b) Procedures including a signed agreement to ensure the District's financial interest in investments;

c) Standards for written agreements consistent with legal requirements;

d) Procedures for the monitoring, control, deposit and retention of investments and collateral which will be done at least once a month;

e) Standards for security agreements and custodial agreements consistent with legal requirements;

f) Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the District transacts business; and

g) Standards for qualification of investment agents which transact business with the District including, at minimum, the Annual Report of the Trading Partner.

This policy will be reviewed and re-adopted at least annually or whenever new investment legislation becomes law, as staff capabilities change, or whenever external or internal issues warrant modification.

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

Education Law §§ 1604-a, 1723(a), 2503(1) and 3652
General Municipal Law §§ 10 and 39
Local Finance Law § 165

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE DISTRICT

The Board may accept gifts, donations, grants and/or bequests of money, real or personal property, as well as other merchandise which, in view of the Board, add to the overall welfare of the District, provided that such acceptance is in accordance with existing laws and regulations. Donations to the school are fully tax deductible so long as the gift is used exclusively for public purposes in accordance with USC Section 170(c). However, the Board is not required to accept any gift, grant, or bequest and does so at its discretion, basing its judgment on the best interests of the District. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety. At the same time, the Board will safeguard the District, the staff, and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District. The Board may, if it deems it necessary, request that gifts of equipment, facilities, or any item that requires upkeep and maintenance include funds to carry out such maintenance for the foreseeable life of the donation.

The Board will not formally consider the acceptance of gifts or grants until and unless it receives the offer in writing from the donor or grantor or their attorney or financial advisor. Any such gifts or grants donated to the Board and accepted on behalf of the District must be by official action and resolution passed by Board majority. The Board would prefer the gift or grant to be a general offer rather than a specific one. Consequently, the Board would suggest that the donor or grantor work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance by the Board. However, the Board, in its discretion, may direct the Superintendent to apply such gift or grant for the benefit of a specific school or school program.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts or charitable contributions with District funds.

Gifts and/or grants of money to the District will be annually accounted for under the general fund account or designated account in an approved bank designated by the Board.

All gifts, grants and/or bequests will become District property. A letter of appreciation, signed by the President of the Board and the Superintendent, will be sent to a donor or grantor in recognition of his or her contribution to the District. Letters will be sent in a timely manner and will acknowledge the possible tax deduction available to donors whose gifts qualify under IRS regulations.

New York State Constitution Article 8, § 1
Education Law §§ 1709(12), 1709(12-a) and 1718(2)
General Municipal Law § 805-a(1)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX EXEMPTIONS

A tax collection plan giving dates of warrant and other pertinent data will be prepared annually and submitted for review and consideration by the Assistant Superintendent for Business to the Board. Tax collection will occur by mail or by direct payment to the place designated by the Board.

Senior Citizens

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by siblings, one of whom is 65 years of age or over, will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board.

The real property tax exemption of real property owned by husband and wife, when one of them is 65 years of age or over, once granted, will not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least 62 years of age.

The District may permit a property tax exemption to an otherwise eligible senior citizen even if a child who attends a public school resides at that address, provided that any such resolution will condition the exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part for the purpose of attending a particular school within the District. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

Disabled Citizens

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons with disabilities; or owned by a husband, wife or both, or siblings, at least one of whom has a disability; and whose income, as defined pursuant to law, is limited by reason of such disability will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

No exemption will be granted unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an in-patient of a residential health care facility as defined in Public Health Law.

The District may permit a property tax exemption to an otherwise eligible disabled citizen even if a child who attends a public school resides at that address, provided that any such resolution will condition this exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part for the purpose of attending a particular school within the District. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

(Continued)

SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX EXEMPTIONS (Cont'd.)

For purposes of this policy, and in accordance with law, a person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; and who is certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the federal Social Security Act or is certified to receive Railroad Retirement Disability benefits under the federal Railroad Retirement Act, or has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind.

Volunteer Firefighters and Ambulance Workers

In accordance with law, the District, after a public hearing, may adopt a resolution allowing the full benefits of the real property tax law exemptions for enrolled members of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service.

Enrolled members will be exempt from real property and school taxation to the extent of ten percent not to exceed $3000 multiplied by the latest state equalization rate for the assessing unit in which the property is located.

These tax exemptions will not be granted to enrolled members unless:

a) They reside in the city, town, or village which is served by the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and

b) The property is their primary residence, used exclusively for residential purposes; however, if any portion of the property is used otherwise, that portion is subject to regular taxation.

Members must be certified by the jurisdiction as having been an enrolled member of the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service for at least five years. An enrolled member who is certified as having accrued more than 20 years of active service will be granted the exemption for the remainder of his or her life provided his or her residence is located within a county providing such exemption.

Any volunteer firefighter or volunteer ambulance worker already receiving benefits under the existing real property tax law will not have their benefits diminished.

(Continued)

SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX EXEMPTIONS (Cont'd.)

Alternative Veterans' Exemption

The Board, having held a public hearing and passed a resolution, in accordance with the Real Property Tax Law, provides a property tax exemption available to any veteran of the U.S. Armed Forces who served on active duty during a period of war, or received an expeditionary medal. The District will grant such exemption in a manner consistent with the Real Property Tax Law and at levels set forth by the Board. Should the District wish to reduce or increase the ceilings on the exemptions, it must hold a separate hearing and pass a separate resolution.

Education Law § 2130
Public Health Law § 2801
Real Property Tax Law §§ 458-a, 459-c, 466-c, 466-f, 466-g, 466-I, 467, 1300-1342

Adoption Date: March 29, 2018

SUBJECT: SALE AND DISPOSAL OF DISTRICT PROPERTY

Sale of School Property

No school property will be sold without prior approval of the Board. However, the responsibility for these sales may be delegated. The net proceeds from the sale of school property will be deposited in the General Fund.

Disposal of District Personal Property

Equipment

District equipment that is obsolete, surplus, or unusable by the District will be disposed of in such a manner that is advantageous to the District.

The Assistant Superintendent for Business will be responsible for selling the equipment in such a way so as to maximize the net proceeds of sale which may include a bona fide public sale preceded by adequate public notice. If it is determined that reasonable attempts to dispose of the equipment have been made and those attempts have not produced an adequate return, the Assistant Superintendent for Superintendent or designee may dispose of the equipment in any manner which he or she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or because they contain outdated material and/or are in poor condition. If textbooks are no longer useful or usable, the procedures for disposal will adhere to the following order of preference:

a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the District; then

b) Donation to charitable organizations; or

c) Recycle through appropriate means.

Education Law §§ 1604(4), 1604(30), 1604(36), 1709(9), 1709(11), 2503, 2511, and 2512
General Municipal Law §§ 51 and 800, et seq.

Adoption Date: March 29, 2018

SUBJECT: BONDING OF EMPLOYEES AND BOARD MEMBERS

In accordance with New York State Education Law and the Commissioner's regulations, the Board directs that the Treasurer of the Board, the Tax Collector, and the Claims Auditor be bonded prior to assuming their duties. These bonds will be in the amounts as determined and approved by the Board.

Other school personnel and members of the Board authorized or required to handle District revenues may be covered by a blanket undertaking provided by the District in those amounts as approved by the Board based upon the recommendations of the Superintendent or designee.

Education Law §§ 1709(20-a), 1720, 2130(5), 2526 and 2527
Public Officers Law § 11(2)
8 NYCRR § 170.2(d)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: EXPENDITURES OF DISTRICT FUNDS

The Board authorizes the Purchasing Agent to expend school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He or she will make expenditures in accordance with applicable law and in a manner that will achieve the maximum benefit from each dollar expended.

All claims will be properly audited before payment by the Claims Auditor who must attest to the existence of evidence of indebtedness to support the claim.

Complete records of all expenditures will be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.

Arts and Cultural Affairs Law § 57.19
Education Law §§ 1720 and 2523
8 NYCRR § 185

NOTE: Refer also to Policies #5321 -- Use of the District Credit Card
#5322 -- Use of the District Cell Phone
#5323 -- Reimbursement for Meals/Refreshments
#6161 -- Conference/Travel Expense Reimbursement

Adoption Date: March 29, 2018

SUBJECT: USE OF THE DISTRICT CREDIT CARD

It will be the policy of the Board to encourage the safety of the District credit card(s) and to enforce proper and prudent rules in connection with their use, per Education Law and all applicable regulations of the State of New York. The School District has adopted the following procedures:

It will be the duty of the Claims Auditor to have custody of all credit cards and maintain them in a secure location with limited access.

Each officer or employee will sign a receipt for all cards placed in his or her custody and he or she will take the necessary precautions to ensure the safety of these cards.

Upon return from travel, each officer or employee must promptly return District credit cards to the Claims Auditor, signing a receipt indicating return. Theft or loss of any card(s) must be reported by the officer or employee to the Credit Card Company and District Office immediately.

District employees, directors, administrators, and Board members may receive authorization from the Superintendent of Schools or Assistant Superintendent for Business.

District credit cards are to be used for pre-approved reimbursable travel expenses, such as hotel accommodations, car rental, transportation, and meals (exclusive of alcoholic beverages).

Using District credit cards for purchases such as: books, computer equipment, material and supplies, requires a purchase offer signed by the Purchasing Agent. This gives proper authorization for credit card use.

Credit card expenditures will be charged to appropriate budget codes and original receipts must be forwarded to the Business Office for all charges. Failure to submit original receipts for charges made will result in the officer or employee being held personally liable for the undocumented charges.

District credit cards will also be used for the purchase of items in an emergency or crisis situation or as otherwise deemed appropriate by the Superintendent of Schools or Assistant Superintendent for Business or designee.

Use of the District Credit Card

The School District may issue a credit card in its name to the Purchasing Agent for the use of its officers and designated employees for authorized expenses. The maximum credit limit on the school credit card will be forty thousand dollars ($40,000). However, authorized personnel must submit purchase orders for those related expenses, prior to the use of the credit card.

(Continued)

SUBJECT: USE OF THE DISTRICT CREDIT CARD (Cont'd.)

This credit card will only be for those purchases of goods and services that require a credit card and do not accept other payment methods. Any other reason for credit card use must be approved by the Assistant Superintendent for Business, prior to use.

Any individual who makes an unauthorized purchase with a School District credit card will be required to reimburse the School District for the purchase.

Adoption Date: March 29, 2018

SUBJECT: USE OF THE DISTRICT CELL PHONE

Option A: District-Owned Cell Phones

A District-owned cell phone will be issued to a District employee when required by that employee's job duties and as determined by the Superintendent or designee.

Additionally, the following rules will apply regarding the use of a District-owned cell phone:

a) The cell phone may not be used by anyone other than the School District employee.

Option B: Employee-Owned Cell Phones

The Superintendent may, in lieu of providing a District-owned cell phone to the employee, require the employee to acquire their own personal cell phone and in return pay a monthly reimbursement in the amount of sixty dollars ($60) to each individual whose job description requires them to have a cellular phone for business use.

a) In providing this reimbursement, the employee agrees to:

1. Provide the cell phone number to all staff or others deemed necessary individuals as determined by the Superintendent; and
2. Provide an monthly invoice with the cell phone number listed; and
3. Have the phone available for incoming calls during business hours and other hours as deemed necessary as part of their job description.

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: REIMBURSEMENT FOR MEALS/REFRESHMENTS

Travel Outside of District/Emergency Meetings

District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, meals of public officers and employees generally should not be reimbursed or paid by the District unless the officer or employee is traveling outside his or her regular work area on official business for an extended period of time, or where events prevent them from taking off during mealtime for food consumption because of a pressing need to complete business. All requests for reimbursement must document who attended the meetings and how the meetings fit these conditions.

Staff or Board Meetings and District Events

The Board recognizes that at certain times it may be appropriate to provide meals and/or refreshments at District meetings and/or events which are being held for an educational purpose. Prior approval of the Superintendent or designee must be obtained for food and beverages provided at meetings or activities which will be charged to the District.

Any such expenditures must be appropriately documented with an itemized receipt and information showing the date and purpose of the meeting, food served, who attended the meetings and why the attendees needed food and/or refreshments to conduct District business. These requirements must be met for meals/refreshments provided by the school lunch fund or local vendors, charged to District credit cards, and/or reimbursed to a District official.

In no case will the costs for meals exceed the current federal per diem meal rates for the geographic area.

NOTE: Refer also to Policy #6161 -- Conference/Travel Expense Reimbursement

Adoption Date: March 29, 2018

SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING

Except as otherwise provided by law, all contracts for public work involving an expenditure of more than $35,000 and all purchase contracts involving an expenditure of more than $20,000 will be awarded by the District to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. However, the District may, in its discretion, award purchase contracts on the basis of "best value" to a responsive and responsible bidder or offerer, provided the Board has authorized this action by rule, regulation, or resolution adopted at a public meeting.

No bid or offer will be accepted that does not conform to specifications furnished unless those specifications are waived by Board action. The District may, in its discretion, reject all bids or offers and readvertise for new bids or offers in a manner consistent with New York State law.

All contracts requiring public advertising and competitive bidding or offering will be awarded by resolution of the Board.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

Standardization

Upon the adoption of a standardization resolution by a vote of at least 3/5 of all Board members, purchase contracts for a particular type or kind of equipment, materials, or supplies of more than $20,000 may be awarded by the Board to the lowest responsible bidder or offerer furnishing the required security after advertisement for sealed bids in the manner provided in law. This resolution must state that, for reasons of efficiency or economy, there is a need for standardization and must contain a full explanation of those reasons. Upon the adoption of a valid standardization resolution, the District may provide in its specifications for a particular make or brand to the exclusion of others.

"Piggybacking" Exception to Competitive Bidding

The District may, in its discretion, purchase certain goods and services (apparatus, materials, equipment, and supplies) at costs beyond the above-referenced thresholds through the use of contracts let by the United States or any agency thereof, any state, and any county, political subdivision, or district of any state.

This method of procurement is permitted on contracts issued by other governmental entities, provided that the original contract:

a) Has been let by the United States or any agency thereof, any state (including New York State) or any other political subdivision or district;

(Continued)

SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING (Cont'd.)

b) Was made available for use by other governmental entities and agreeable with the contract holder; and

c) Was let in a manner that constitutes competitive bidding consistent with New York State law, or was awarded on the basis of best value, and is not in conflict with other New York State laws.

Annual Review

Comments concerning the District's bidding and purchasing policies and procedures will be solicited from those District employees involved in the procurement process from time to time.

The Board will annually review its bidding and purchasing policies and procedures. The School Business Official will be responsible for conducting an annual review of such policies and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

General Municipal Law Articles 5-A and 18
State Finance Law §§ 162, 163, and 163-b

NOTE: Refer also to Policies #5411 -- Procurement of Goods and Services
#5412 -- Alternative Formats for Instructional Materials

Adoption Date: March 29, 2018

SUBJECT: PROCUREMENT OF GOODS AND SERVICES

Purchasing Authority

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board. The Purchasing Agent is authorized to enter into cooperative bidding and cooperative purchasing arrangements to meet the various needs of the District. No contracts for goods and services will be made by individuals or organizations in the school that involve expenditures without first securing approval for the contract from the Purchasing Agent.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

Purchasing Process

The Board recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements. These goods and services will be procured in a manner so as to:

a) Assure the prudent and economical use of public moneys in the best interests of the taxpayer;

b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and

c) Guard against favoritism, improvidence, extravagance, fraud, and corruption.

These procedures will contain, at a minimum, provisions which:

a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;

b) With certain exceptions, provide that alternative proposals or quotations for goods and services will be secured by use of written request for proposals, written quotations, verbal quotations, or any other method of procurement which furthers the purposes of General Municipal Law Section 104-b;

c) Set forth when each method of procurement will be utilized;

d) Require adequate documentation of actions taken with each method of procurement;

e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;

(Continued)

SUBJECT: PROCUREMENT OF GOODS AND SERVICES (Cont'd.)

f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and

g) Identify the individual or individuals responsible for purchasing and their respective titles. This information will be updated biennially.

Any unintentional failure to fully comply with these provisions will not be grounds to void action taken or give rise to a cause of action against the District or any District employee.

Professional Services

Professional services are generally those services that require specialized skills, training, professional judgement, expertise, and creativity. Examples include, attorneys, architects and engineers. The procurement of professional services falls within an exception to competitive bidding. In order to procure these services, the District will use the request for proposals (RFP) process as set forth in General Municipal Law to protect the District's interests and to avoid the appearance of impropriety. Although not necessarily bound to select the lowest bidder in response to its RFP, the District will adequately document its selection process to demonstrate its economical and practical use of public monies and to ensure fair competition.

The District will develop administrative regulations to establish procedures for the procurement of goods and services.

Education Law §§ 1604, 1709, 1950, 2503, 2554, and 3602
General Municipal Law Articles 5-A and 18
General Municipal Law § 119-o

Purchasing Guideline (see next page)

(Continued)

Purchasing Guideline

	VERBAL QUOTES		WRITTEN QUOTES	FORMAL BID	RFP	OTHER
	1	3	3			
PURCHASE CONTRACTS						
$500.00 AND BELOW	X					
$500.01 TO $19,999.99			X			
$20,000.00 AND ABOVE				X		
CONTRACTS FOR PUBLIC WORK						
$500.00 AND BELOW	X					
$500.01 TO $3,000.00		X				
$3,000.01 TO $34,999.99			X		X	
$35,000.00 AND ABOVE				X		
EMERGENCIES						*
SECOND HAND EQUIPMENT FROM OTHER GOV'TS						*
SOLE SOURCE (PATENTED OR MONOPOLY ITEM)						*

* THESE PROCUREMENTS MUST BE EXAMINED ON A CASE BY CASE BASIS TO DETERMINE THE BEST METHOD TO BE USED IN THE SOLICITATION OF QUOTES.

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering
#5412 -- Alternative Formats for Instructional Materials

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: ALTERNATIVE FORMATS FOR INSTRUCTIONAL MATERIALS

Preference in the purchase of instructional materials will be given to vendors who agree to provide materials in a usable alternative format (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for each student with a disability, including students requiring Section 504 Accommodation Plans, enrolled in the District). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio, or an electronic file in an approved format as defined in Commissioner's regulations.

The District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. The District will ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards.

The District will establish a plan to ensure that instructional materials in a usable alternative format for each student with a disability (including students requiring Section 504 Accommodation Plans) are based upon the student's educational needs and course selections, and will be available at the same time as those instructional materials are available to non-disabled students.

The Plan will:

a) Specify that the District gives a preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;

b) Specify when an electronic file is provided, how the format will be accessed by students and/or how the District will convert to an accessible format;

c) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the District for alternative format materials;

d) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and

e) Include procedures so that when students with disabilities move into the District during the school year, the process to obtain needed materials in alternative formats for those students is initiated without delay.

20 USC § 1474(e)(3)(B)
8 NYCRR §§ 200.2(b)(10), 200.2(c)(2) and 200.2(i)

Adoption Date: March 29, 2018

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

The District will follow all applicable requirements in the Uniform Grant Guidance (2 CFR Part 200) whenever it procures goods or services using federal grant funds awarded through formula and/or discretionary grants, including funds awarded by the United States Department of Education as grants or funds awarded to a pass-through entity, such as the New York State Education Department, for subgrants.

Uniform Grant Guidance Requirements

Under the Uniform Grant Guidance, the District will, among other things:

a) Use its own documented procurement procedures which reflect applicable state, local and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Grant Guidance.

b) Establish and maintain effective internal controls that provide reasonable assurance that the District is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Internal controls means a process, implemented by the District, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

   a. Effectiveness and efficiency of operations; and

   b. Reliability of reporting for internal and external use; and

   c. Compliance with applicable laws and regulations.

c) Comply with federal statues, regulations, and the terms and conditions of the federal awards.

d) Evaluate and monitor the District's compliance with statues, regulations, and the terms and conditions of federal awards

e) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

f) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

g) Maintain oversight to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

h) Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.

(Continued)

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd)

i) Have procurement procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.

j) Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, records of past performance, and financial and technical resources.

k) Maintain records that sufficiently detail the history of the procurement including, but not limited to:

    a. Rationale for the method of procurement;

    b. Selection of contract type;

    c. Contractor selection or rejection; and

    d. The basis for the contract price.

l) Use time and material contracts, only after a determination that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.

m) Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance.

n) Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.

o) Have written procedures for procurement to ensure that all solicitations:

    a. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and

    b. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.

p) Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.

(Continued)

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd)

q) Use one of the following methods of procurement, which include:

   a. Micro-Purchases;

   b. Small purchase procedures;

   c. Sealed bids;

   d. Competitive proposals; and

   e. Noncompetitive proposals.

r) Have a written method for conducting technical evaluations of the proposals received and for selecting recipients.

s) Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

t) Include in all contracts made by the District the applicable provisions contained in Appendix II of the Uniform Grant Guidance – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

u) Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications.

v) Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.

w) Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

(Continued)

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd)

2 CFR §§ 200.61, 200.303, 200.318, 200.319, 200.320, 200.321, 200.323, and 200.326
2 CFR Part 200, App. II

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering
#5411 -- Procurement of Goods and Services
#5570 -- Financial Accountability
#5670 -- Records Management
#6110 -- Code of Ethics for Board Members and All District Personnel
#6161 -- Conference/Travel Expense Reimbursement

Adoption Date: November 8, 2018

SUBJECT: ACCOUNTING OF FUNDS

Accounting and reporting procedures will be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts. Books and records of the District will be maintained in accordance with statutory requirements. Provision will be made for the adequate storage, security, and disposition of all financial and inventory records.

Online Banking

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. Online transactions must be authorized by the District's Business Official. The District Treasurer, with a separate established user name and password, will have the authority to process online banking transactions. The Deputy Treasurer, with a separate established user name and password, will be responsible for online banking transactions in the event the District Treasurer is not available, or as a job responsibility delegated to him or her by the District Treasurer. A monthly report of all online banking activity will be reviewed by staff independent of the online banking process and reconciled with the bank statement. Online banking will only take place on secure District computers located inside the Treasurer's or Business Office.

Electronic Transactions and Wire Transfers

Procedures will be implemented specifying who is authorized to initiate, approve, transmit, record, review, and reconcile electronic transactions. At least two individuals will be involved in each transaction. Authorization and transmitting functions will be segregated and, whenever possible, the recording function will be delegated to a third individual.

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders. All wire transfers must be authorized by the District Treasurer or his or her designee. Dual approval controls will be established for non-routine wire transfer orders.

Education Law § 2116-a
General Municipal Law Article 2 § 5, 5-a, 5-b, 99-b
N.Y. UCC § 4-A-201

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: MAINTENANCE OF FUND BALANCE

General Provisions

The Board recognizes that the maintenance of a fund balance is essential to the financial integrity of the District insofar as it helps mitigate current and future risks and assists in ensuring stable tax rates. Consistent with this understanding, the Board adopts the following standards and practices.

Classification of Funds

The District will ensure that funds are classified consistent with Governmental Accounting Standards Board (GASB) Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions.* Consequently, fund balance amounts will be categorized as non-spendable, restricted, committed, assigned, or unassigned.

Unassigned Fund Balance

Minimum Unassigned Fund Balance

In order to maintain financial stability and protect against cash flow shortfalls, the Board will strive to maintain an unassigned fund balance of at least *3% of the current year's budgeted expenses. In the event such balance falls below the *3% floor, the District will seek to replenish deficiencies through reducing expenses and/or increasing revenue.

Maximum Unassigned Fund Balance

In order to support normal operating costs and provide fiscal stability for the District, the Board will also strive to ensure that the unassigned fund balance does not exceed 4% of the current year's budgeted expenditures. If it is anticipated that such balance will exceed the 4% ceiling, the Board will evaluate current commitments and assignments in order to determine the final distribution of fund balance in any fiscal year. The District will ensure unexpended surplus funds are used to reduce taxpayer liability in conformance with Real Property Tax Law Section 1318.

Fund Balance and Budget Development

The District's ability to maintain its unassigned fund balance within the limits articulated above is contingent upon the development of a reasonable budget. Consequently, the District will develop and adopt budgets that, to the extent possible, reflect the anticipated revenues and expenditures.

Likewise, the District will ensure that appropriate reserve funds are established and utilized, consistent with applicable law and District policy, to ensure the fund balance is sufficient to meet District needs.

(Continued)

SUBJECT: MAINTENANCE OF FUND BALANCE (Cont'd.)

Compliance

The District will adhere to the reporting requirements of Article 3 of the General Municipal Law of the State of New York, and the practices set forth in GASB Statement Number 54.

NOTE: Refer also to Policies #5110 -- Budget Planning and Development
#5512 -- Reserve Funds

Adoption Date: March 29, 2018

SUBJECT: RESERVE FUNDS

Reserve funds (essentially a legally authorized savings account designated for a specific purpose) are an important component in the District's financial planning for future projects, acquisitions, and other lawful purposes. To this end, the District may establish and maintain reserve funds in accordance with New York State Laws, Commissioner's regulations, and the rules and/or opinions issued by the Office of the New York State Comptroller, as applicable. The District will comply with the reporting requirements of Article 3 of the General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions.*

Any and all District reserve funds will be properly established and maintained to promote the goals of creating an open, transparent, and accountable use of public funds. The District may engage independent experts and professionals, including, but not limited to, auditors, accountants, and other financial and legal counsel, as necessary, to monitor all reserve fund activity and prepare any and all reports that the Board may require.

Periodic Review and Annual Report

The Board will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board. The annual report will include the following information for each reserve fund:

a) The type and description of the reserve fund;

b) The date the reserve fund was established and the amount of each sum paid into the fund;

c) The interest earned by the reserve fund;

d) Capital gains or losses resulting from the sale of investments of the reserve fund;

e) The total amount and date of each withdrawal from the reserve fund;

f) The total assets of the reserve fund showing cash balance and a schedule of investments; and

g) An analysis of the projected needs for the reserve fund in the upcoming fiscal year and a recommendation regarding funding those projected needs.

The Board will utilize the information in the annual report to make necessary decisions to adequately maintain and manage the District's reserve fund balances while mindful of its role and responsibility as a fiduciary of public funds.

Adoption Date: March 29, 2018

SUBJECT: EXTRACLASSROOM ACTIVITY FUND

An extraclassroom activity fund will be established for activities conducted by students whose financial support is raised other than by taxation or through charges of the Board.

All extraclassroom activities will be approved by the Board. The building principal will maintain an up to date register of all extraclassroom activities that are approved or discontinued. Each extraclassroom activity will have a faculty advisor appointed by the building principal. A Central Treasurer and a Faculty Auditor will oversee all financial aspects of extraclassroom activities. The annual District audit will include all extraclassroom activity funds.

All extraclassroom activity funds will be handled in accordance with the financial procedures set forth in Safeguarding, Accounting and Auditing of Extraclassroom Activity Funds, Revised 2015, published by the New York State Education Department. All commitments and contracts will be the sole responsibility of the extraclassroom activity club giving rise to the transaction, regardless of a change in advisors, membership, or officers.

Proper books will be kept and all moneys deposited in appropriate accounts as set up by the Board. These accounts will be subject to audit. All transactions involving extraclassroom funds will be on a cash basis and no accounts will remain unpaid at the end of the school year. Funds will be invested in accordance with the Board's Fiscal Management Policy on the "Investment of District Funds."

The extraclassroom activities of the District are not included in the exemption granted to the District from New York State sales tax. Without exception, clubs and activities are prohibited from using the school's tax exemption. The Central Treasurer will be responsible for filing the periodic sales tax returns for the extraclassroom activity funds.

Funds of discontinued extraclassroom activities, those inactive for one year and of graduating classes will revert to the account of the general student organization or student council and will be expended in accordance with the organization's constitution.

The building principals, with approval of the Superintendent, will set up procedures for receipt and payment from the extraclassroom activity fund in their respective schools.

8 NYCRR Part 172

NOTE: Refer also to Policy #5620 -- Fixed Asset Inventories, Accounting, and Tracking

Adoption Date: March 29, 2018

SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS

Petty Cash Funds

A petty cash fund of not more than $100 will be maintained in the District Office and in each school building in a secure location. Payments from petty cash funds may be made for materials, supplies, or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, must be submitted. These accounts will be authorized by Board resolution at its annual meeting.

Cash in School Buildings

Not more than $250, whether District or extraclassroom funds, will be held in the vault in the Main Office of each District school building. Under no circumstances will cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extraclassroom funds, will be deposited prior to close of school each week. Only authorized personnel designated by the building administrator will be allowed in the Main Office vault.

Education Law §§ 1604(26), 1709(29) and 2503(1)
8 NYCRR § 170.4

Adoption Date: March 29, 2018

SUBJECT: PUBLICATION OF DISTRICT'S ANNUAL FINANCIAL STATEMENT

In compliance with Education Law, the Board is required to publish a financial statement, including a full, detailed account of moneys received and moneys expended, at least once a year, during either July or August. This annual financial report will be in the form prescribed in Commissioner's regulations.

The law requires that the information be published in one public newspaper which is published in the District. If no public newspaper is published in the District, then the District must use a newspaper having general circulation in the District. If no public newspaper is published in the District, and there is no newspaper having general circulation in the District, then the District must provide the information to the taxpayers by posting copies in five public places in the District.

Education Law §§ 1610, 1721, 2117, 2528 and 2577
8 NYCRR § 170

Adoption Date: March 29, 2018

SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)

A Local Educational Agency (LEA) may receive its full allocation of Title I funds if the combined fiscal effort per student or the aggregate expenditures of state and local funds with respect to the provision of free public education in the LEA for the preceding fiscal year was not less than 90% of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

In determining an LEA's compliance with the maintenance of effort requirement, the State Educational Agency (SEA) will consider the LEA's expenditures from state and local funds for free public education. These include expenditures for administration, instruction, attendance, health services, student transportation services, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food services and student body activities.

The SEA will not consider the following expenditures in determining an LEA's compliance with the maintenance of effort requirements:

a) Any expenditures for community services, capital outlay, and debt service;

b) Any expenditures made from funds provided by the federal government for which the LEA is required to account to the federal government directly or through the SEA.

The Board assigns the Assistant Superintendent for Business the responsibility of reviewing, as part of the budgeting process, this combined fiscal effort to ensure compliance.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001
34 CFR Part 200

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES

The Board prohibits the use of any federal funds for partisan political purposes or expenditures of any kind by any person or organization involved in the administration of federally-assisted programs.

This policy refers generally, but is not limited to, lobbying activities, publications, or other materials intended for influencing legislation or other partisan political activities.

The Board assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that these funds are not used for partisan political purposes.

OMB Circular A-87 Cost Principles for State, Local and Indian Tribal Governments (revised May 10, 2004)
Compliance Supplement for Single Audit of State and Local Governments (revised June 27, 2003)
supplementing OMB Circular A133

NOTE: Refer also to Policy #6430 -- Employee Political Activities

Adoption Date: March 29, 2018

SUBJECT: FINANCIAL ACCOUNTABILITY

The District has internal controls in place to ensure that:

a) The goals and objectives of the District are accomplished;

b) Laws, regulations, policies, and good business practices are complied with;

c) Audit recommendations are considered and implemented;

d) Operations are efficient and effective;

e) Assets are safeguarded; and

f) Accurate, timely, and reliable data are maintained.

The District's governance and control environment will include the following:

a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.

b) The Board requires corrective action for issues reported in the Certified Public Accountant's (CPA's) management letter, audit reports, the Single Audit, and consultant reports.

c) The Board has established the required policies and procedures concerning District operations.

d) The Board routinely receives and discusses the necessary fiscal reports including the:

1. Treasurer's cash reports,

2. Budget status reports,

3. Revenue status reports,

4. Monthly extra-classroom activity fund reports, and

5. Fund balance projections (usually starting in January).

(Continued)

SUBJECT: FINANCIAL ACCOUNTABILITY (Cont'd.)

e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.

f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.

g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.

h) The District's information systems are economical, efficient, current, and up-to-date.

i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site or in a secure fireproof location.

j) The District periodically verifies that its controls are working efficiently.

k) The District requires all staff to take leave time during which time another staff member performs the duties of the staff on leave. Staff may also schedule transactions and other responsibilities to occur electronically before taking a leave.

Audit Response

Periodically, the District receives audit reports from the External (Independent) Auditor and/or the Office of the New York State Comptroller. The Board will review all audit recommendations in consultation with the Audit Committee and respond appropriately. Independent and Comptroller audit reports and the accompanying management letters will be made available for public inspection. Notice of the availability of independent and Comptroller audit reports will be published in the District's official newspaper or one having general circulation in the District. If there is no newspaper, notice must be placed in ten public places within the District. Additionally, final audit reports from the Office of the New York State Comptroller should be posted on the District website, if one is available, for a period of five years.

8 NYCRR § 170.12
General Municipal Law § 33(2)(e) and 35(1)(2)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: ALLEGATIONS OF FRAUD

Reporting and Investigations of Allegations of Fraud

All Board members and officers, District employees, and third party consultants are required to abide by the District's policies, administrative regulations, and procedures in the course of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the School System should disclose this information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as described in the District's Organizational Chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report shall be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the External (Independent) Auditor, or the School Attorney, or the Board. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate the conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated confidentially and privately. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. The application of disciplinary measures by the District does not preclude the filing of civil and/or criminal charges. When school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

(Continued)

SUBJECT: ALLEGATIONS OF FRAUD (Cont'd.)

Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices

Any employee of the District who has reasonable cause to believe that the fiscal practices or actions of an employee or officer of the District violates any local, state, federal law or rule and regulation relating to the financial practices of the District, and who in good faith reports such information to an official of the District, or to the Office of the State Comptroller, the Commissioner of Education, or to law enforcement authorities, will have immunity from any civil liability that may arise from the making of the report. Further, neither the District, nor any employee or officer of the District will take, request, or cause a retaliatory action against any employee who makes such a report.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board also prohibits any retaliatory behavior against any witnesses and/or any other individuals who participate in the investigation of an allegation of illegal or inappropriate fiscal practices or actions. Follow-up inquiries will be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation will be subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Any individual who knowingly makes false accusations against another individual as to allegations of financial improprieties or fraud may also face appropriate disciplinary action.

Civil Service Law § 75-B
Education Law § 3028-d

Adoption Date: March 29, 2018

SUBJECT: AUDIT COMMITTEE

An Audit Committee has been established by Board resolution. The Audit Committee may consist of:

a) The Board as a whole;

b) A subcommittee of the Board; or

c) An Advisory Committee that may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, membership is advisable to provide accounting and auditing expertise.

Persons other than Board members who serve on the advisory committee will be independent and will not be:

1. Employed by the District;

2. An individual who within the last two years provided, or currently provides, services or goods to the District;

3. The owner of or have a direct and material interest in a company providing goods or services to the District; or

4. A close or immediate family member of an employee, officer, or contractor providing services to the District.

The Audit Committee will consist of at least three members who should collectively possess knowledge in accounting, auditing, financial reporting, and District finances. They will serve without compensation, but will be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee will be deemed District Officers, but will not be required to be residents of the District.

The role of the Audit Committee will be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board will not substitute for any required review and acceptance by the Board.

The Audit Committee will develop and submit to the Board for approval a formal, written charter which includes, but is not limited to, provisions regarding the committee's purpose, mission, duties, responsibilities, and membership requirements.

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

The Audit Committee will hold regularly scheduled meetings and report to the Board on the activities of the Committee on an as needed basis, but not less than annually. The report will address or include at a minimum:

a) The activities of the Audit Committee;

b) A summary of the minutes of the meeting;

c) Significant findings brought to the attention of the Audit Committee;

d) Any indications of suspected fraud, waste, or abuse;

e) Significant internal control findings; and

f) Activities of the internal audit function.

The responsibilities of the Audit Committee include the following:

a) Providing recommendations regarding the appointment of the External (Independent) Auditor for the District;

b) Meeting with the External (Independent) Auditor prior to commencement of the audit;

c) Reviewing and discussing with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;

d) Receiving and reviewing the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents;

e) Making a recommendation to the Board on accepting the annual audit report; and

f) Discussing and analyzing every corrective action plan developed by the District in response to any audit and assist the Board in its implementation.

Corrective Action Plan

Within 90 days of receipt of the report or management letter, the Superintendent will prepare a corrective action plan approved by the Board in response to any findings contained in:

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

a) The annual external audit report or management letter;

b) A final audit report issued by the District's internal auditor;

c) A final report issued by the State Comptroller;

d) A final audit report issued by the State Education Department (SED); or

e) A final audit report issued by the United States or an office, agency or department thereof.

The Audit Committee will review and approve the corrective action plans developed by the Superintendent and Business Official. The corrective action plan must be filed with the SED, and if appropriate, must include the expected date(s) of implementation. To the extent practicable, implementation of the corrective action plan should begin no later than the end of the next fiscal year.

Additional responsibilities of the Audit Committee include: assisting in the oversight of the Internal Audit Function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor; monitoring the District's implementation of these recommendations; and participating in the evaluation of the performance of the Internal Audit Function.

The Audit Committee may conduct an Executive Session pertaining to the following matters:

a) To meet with the External (Independent) Auditor prior to commencement of the audit;

b) To review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable; and

c) To receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents.

Any Board member who is not a member of the Audit Committee may be allowed to attend an Audit Committee Meeting, including an executive session of the Audit Committee, if authorized by a Board resolution. However, if the Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

Education Law §§ 2116-c, and 3811-3813
Public Officers Law §§ 105(b), 105(c) and 105(d)
8 NYCRR § 170.12(d)

NOTE: Refer also to policies #1330 -- Appointments and Designations by the Board
#1335 -- Appointment and Duties of the Claims Auditor
#2210 -- Committees of the Board

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: INSURANCE

The objective of the Board is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus, and student accident insurance.

The Board will carry insurance to protect the District's real and personal property against loss or damage. This property includes school buildings, the contents of such buildings, school grounds, and vehicles.

The Board may also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent will review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Education Law §§ 1709(8), 1709(26), 1709(34-b), 2503(10), 2503(10-a), 2503(10-b), 3023, 3028 and 3811
General Municipal Law §§ 6-n and 52
Public Officers Law § 18

Adoption Date: March 29, 2018

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING

The Superintendent or designee will maintain a continuous and accurate inventory of fixed assets owned by the District in accordance with applicable rules, standards, procedures, and best practices. Fixed assets are, generally, long-term, tangible resources intended to be continuously held or used, and may include land, buildings, improvements, machinery, and equipment.

All fixed assets purchased and received by the District will be checked, logged, and stored through an established procedure.

The Assistant Superintendent for Business will account for assets on an annual basis according to applicable rules, standards, procedures, and best practices. These accounts will serve to:

a) Maintain an inventory of assets;

b) Establish accountability;

c) Determine replacement costs; and

d) Determine and provide appropriate insurance coverage.

The Board will establish a dollar threshold of five thousand dollars ($5,000) as a basis for considering which fixed assets are to be depreciated. This threshold will ensure that at least 80% of the value of these assets is reported. Standard methods and averaging conventions will be used in assessing, capitalizing, and depreciating fixed assets.

All assets that meet the following criteria shall be coded to an appropriate account, tagged and added to the district inventory by LaFayette Central School District.

a) The asset has a useful life of more than one year, and
b) The asset has a historical cost or, if donated, a fair market value of greater than one thousand dollars ($1,000), or
c) The asset is considered an *Exception*

An *Exception* item is one that may have a historical cost or value below one thousand dollars ($1,000), but, due to the type and nature of the item, asset accountability is required. *Exception* assets include, but are not limited to, the following:

Cameras & Camera Equipment (greater than $250)
Two-Way Radio Equipment and Cell Phones
Televisions (greater than $250)
Lawn Maintenance Equipment
Computer & Computer Equipment (greater than $200)

Fixed assets will be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets will be recorded at estimated fair value at the time of the gift. A property record will be maintained for each fixed asset and will contain, where possible, the following information:

(Continued)

a) Date of acquisition;

b) Description;

c) Serial or other identification number;

d) Any funding source and percentage contributed by the source;

e) Vendor;

f) Cost or value;

g) Location and use;

h) Asset type;

i) Condition and estimated useful life;

j) Replacement cost;

k) Current value;

l) Salvage value;

m) Sale price and date and method of disposition; and

n) Responsible official.

There should be a Centralized Inventory list that is maintained by the Asset Manager and is created from purchases. The District will conduct an unannounced inventory of one building per year. This is the list that should be used to conduct the unannounced annual building inventory and appraisal. The Asset manager should not be the Purchasing Agent and should not be relying on lists that are maintained by Department Heads for inventory inspections. All fixed assets will be labeled. Any discrepancies between an inventory and the District's property records should be traced, explained, and documented.

Management of Assets Acquired Under a Federal Government Grant or Subgrant

Inventories will be maintained for assets acquired with funds obtained through federal grant programs. A separate inventory will be maintained for each program. Each inventory will record assets in the same manner as the District's fixed asset inventory. Assets will be labeled to specify the source of funds used to purchase the item. All Title I assets will include "Title I" on the label. These inventories will track assets for at least five (5) years from the date of receipt.

When original or replacement assets acquired under a federal grant or subgrant are no longer needed for the original project or for other activities currently or previously supported by a federal agency, the District will dispose of the assets as follows:

(Continued)

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING (Cont'd.)

a. Assets with a current per-unit fair market value of less than five thousand dollars ($5,000) may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.

b. Assets with a current per-unit fair market value of greater than five thousand dollars ($5,000) may be retained or sold and the awarding agency will have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the assets.

c. No federal approval is necessary to dispose of an asset costing under five thousand dollars ($5,000) but approval from the New York State Education Department (SED) is necessary. Once SED has determined that it has no other need for the use of the asset, the District may proceed with selling it.

The District will comply with the U.S. Department of Education regulations governing the use, management, and disposition of all equipment acquired through a federal government grant.

Equipment Purchased with Extraclassroom Funds

Title to all equipment acquired with extraclassroom activity funds will reside with the District and be carried as an insurable asset on its list of insurable values. This equipment will be tagged as District property but is available for exclusive use by the extraclassroom activity club acquiring it.

34 CFR Parts 74-99, 200
SED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, 2015
Uniform System of Accounts for School Districts (Fiscal Section)

Adoption Date: March 29, 2018

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE

Operation and Maintenance

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District's facilities through a systematic maintenance program. The program will include periodic preventive maintenance activities, long-range maintenance schedules, and emergency repair procedures. The District will make reasonable attempts to ensure that all maintenance work will be carried out in the least intrusive manner.

Construction and Remodeling of School Facilities

The District will ensure all capital projects and maintenance comply with the requirements of the New York State Uniform Fire Prevention and Building Code, the Manual of Planning Standards, and the Commissioner's regulations. Relevant documentation regarding all new buildings must be formally submitted to the State Education Department no matter the size or cost. The New York State Education Department Office of Facilities Planning has provided an Instruction Guide on their official website.

Plans and specifications for the erection, enlargement, repair, or remodeling of facilities of the District will be submitted to the Commissioner consistent with applicable law.

Plans and specifications submitted to the Commissioner will bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications must also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

For remodeling or construction projects, the District will ensure compliance with the requirements of the State Uniform Fire Prevention and Building Code and Commissioner's regulations. The District will also retain the services of an architect or engineer licensed to practice in New York State as required by law or regulation, or as necessary given the scope and cost of the project.

Carbon Monoxide Detection Requirements

All new and existing District buildings that have appliances, devices, or systems that may emit carbon monoxide, and all attached garages, must have a means to detect carbon monoxide. Buildings include school buildings, administrative buildings, bus maintenance facilities, concession stands, and field houses. Carbon monoxide may be produced by fuel-fired heating systems (boilers, HVAC units, and makeup air units), emergency or standby electric generation within a building, fuel-fired kitchen equipment (ranges, ovens, steamers, dishwashers, and makeup air units serving hoods), fuel-fired domestic hot water heaters, laboratory/shop equipment (gas outlets, torches, gas-fired kilns, and stationary or portable engines), maintenance and storage areas with fuel-fired equipment, and in garages.

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

The District may use a self-contained carbon monoxide alarm, a carbon monoxide detection system, or both. The District will comply with all laws and regulations regarding alarms/detectors, including where they must be located, their power sources, and labeling requirements. The District should develop written standard operating procedures to follow when a carbon monoxide detector is activated.

Inspections

The District is mindful of the health and safety of its students, staff, and visitors and, as such, the District administration will cooperate with appropriate officials conducting health, fire, asbestos, bus, and boiler inspections. In addition, the administration will keep the Board informed of the results of these inspections in a timely fashion.

In accordance with the Asbestos Hazard Emergency Response Act (AHERA), the District will inform all employees and building occupants (or their legal guardians) at least once each school year about all asbestos inspections, response actions, post-response action activities, as well as triennial re-inspection activities and surveillance activities that are either planned or in progress. The District will provide yearly notification to parent, teacher, and employee organizations on the availability of the District's asbestos management plan and any asbestos-related actions taken or planned in the school.

The District will test potable water for lead contamination from all outlets as required by law. If an outlet exceeds the action level for lead content, the District will prohibit use of the outlet for drinking and cooking purposes, and it will remediate as allowed by state and county health departments. The District will make all required notifications and issue all mandated reports to the public, local health departments, or the SED. For ten years following creation, the District will retain all records of test results, lead remediation plans, lead-free building determinations, and waiver requests. The District may seek a waiver from testing requirements from the local health department by demonstrating prior substantial compliance with testing requirements.

To help protect staff, students, and visitors from contracting Legionnaires' disease from Legionella bacteria, the District will register any cooling towers it owns with the New York State Department of Health (DOH), providing the information in any form that the DOH requires. The District will also adhere to the inspection, annual certification, and maintenance program and planning requirements mandated by the DOH. Further, the District will maintain records regarding all inspection results, corrective action, cleaning and disinfection, tests, and certifications for at least three years. The District will keep a copy of its required maintenance program and plan on the premises where the cooling tower is located.

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)

Comprehensive Public School Building Safety Program (RESCUE)

To ensure that all District facilities are properly maintained and preserved and provide suitable educational settings, the Board requires that all occupied school facilities which are owned, operated or leased by the District comply with the provisions of the Comprehensive Public School Building Safety Program, the Uniform Code of Public School Building Inspections, and the Safety Rating and Monitoring as prescribed in Commissioner's regulations. For this reason, the District shall develop a Comprehensive Public School Building Safety Program in accordance with Commissioner's regulations.

The program will be reevaluated and made current at least annually, and shall include, at a minimum, the following:

a) A five year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated student capacity of existing facilities; the allocation of instructional space to meet the current and future education program and service needs, and to serve students with disabilities in settings with nondisabled peers; priority of need of maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and the provision of additional facilities.

b) A District-wide building inventory, which will include information pertaining to each building including, but not limited to:

   1. Type of building, age of building, size of building;

   2. Rated capacity, current enrollment;

   3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and

   4. Summary of triennial Asbestos Inspection reports.

c) A building condition survey will be conducted for all occupied school buildings once every five years by a team that includes at least one licensed architect or engineer.

d) A District-wide monitoring system which includes:

   1. Establishing a Health and Safety Committee;

   2. Development of detailed plans and a review process of all inspections;

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE (Cont'd.)

3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.

e) Procedures to ensure the safety of the building occupants while a construction or renovation project is taking place. These procedures will include:

1. Notification to parents, staff and the community at least two months in advance of a construction project of $10,000 or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, notice will be provided as far in advance of the start of construction as is practicable;

2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo identification badges;

3. An opportunity for the District's Health and Safety Committee to conduct a walk-through inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and

4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

Asbestos Inspection: 40 CFR Part 763, Subpart E
15 USC §§ 2641-2656
Carbon Monoxide Detection: 19 NYCRR § 1228.4
Fire Inspection: Education Law § 807-a
8 NYCRR § 155.4
Health and Safety Committee: 8 NYCRR § 155. 4(d)(1)
Lead Testing: 10 NYCRR § 67-4.1, *et seq.*
Legionella Protection: 10 NYCRR § 4.1, *et seq.*
Plans and Specifications: Education Law §§ 408, 408-a and 409
8 NYCRR §§ 155.1 and 155.2
19 NYCRR §§ 1221-1240
Structural Safety Inspections: Education Law §§ 409-d, 409-e, 3602 and 3641(4)
8 NYCRR §§ 155.1, 155.3, and 155.4(b)(1)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES

The Board directs the Superintendent to establish rules to ensure District implementation of applicable federal and state laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

Hazard Communication Standard

All personnel will be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard. Both the "Right to Know" poster and the "Labor Law Information Relating to Public Employees" poster must be posted in common areas informing workers of relevant work hazards and associated rights.

The Superintendent or designee will maintain a current record of the contact information of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.

Environmental Protection Agency, 40 CFR Parts 261 and 262
Occupational Safety and Health Administration (OSHA), 29 CFR § 1910.1200
Labor Law §§ 875-883
Public Health Law §§ 4800-4808
6 NYCRR Part 371
9 NYCRR Part 1174

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE

The Board is committed to maintaining the integrity of school buildings and grounds while protecting the health and safety of students and staff and maintaining a productive learning environment.

Structural and landscape pests can pose significant problems for people and property. Weeds and infestations can destroy playing fields and playgrounds and more importantly, cause severe allergic reactions. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of the District to incorporate Integrated Pest Management (IPM) procedures for control of weeds, structural, and landscape pests. The objective of this program is to provide necessary pest control while using the least toxic approach to all pests, weeds, and infestations.

Pest/Pesticide Management Plan

The District will manage weeds and pests to:

a) Reduce any potential human health hazard or threat to public safety;

b) Prevent loss or damage to school structures or property;

c) Prevent pests from spreading into the community, or to plant and animal populations beyond the site; and

d) Enhance the quality of life for students, staff, and others.

Integrated Pest Management (IPM) Coordinator

An IPM Coordinator will be appointed by the Superintendent. The Coordinator will be responsible for implementing the IPM policy and plan. The coordinator's responsibilities will include, but are not limited to, the following:

a) Recording all pest sightings by school staff and students;

b) Recording all pesticide use and utilizing the least toxic approach;

c) Meeting with a local pest control expert, such as a pesticide contractor to share information on what pest problems are present in the school;

d) Ensuring that all of the expert's recommendations on maintenance and sanitation are carried out where feasible;

(Continued)

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)

e) Ensuring that pesticide use is done when school is not in session or when the area can be completely secured against access by school staff and students for a standard 72 hours, or as required by the pesticide being used;

f) Evaluating the school's progress in the IPM plan; and

g) Notifying parents, staff and neighbors of any applications of pesticides 48 hours before they occur. The IPM Coordinator will serve as the District's Pesticide Representative.

Pesticide Use on Common Areas

Pesticides will not be used on playgrounds, turf, athletic or playing fields, in effect, all lawn areas of the school. In these common areas where children gather and play, pesticide alternatives will be used whenever possible and effective. The prohibition does not apply to indoor use or the application to building structures.

An exception may be made for emergency applications of pesticide only when approved in advance by the Board. The Board may consult with the local Health Department on public health related emergency determinations. They may also consult with the Department of Environmental Conservation (DEC) for environmental emergency determinations. Emergency determinations should only be sought for one-time pesticide application in a specific situation, which presents a true emergency. The guidance document from DEC provides clarification on emergency determinations and can be found on the official website of the DEC.

Some types of pesticides and alternatives, those deemed safe in federal regulation, may be allowable on playing fields and playgrounds in certain circumstances. The District will develop regulations governing the use of pesticides and their alternatives on school grounds.

Fertilizer Use

Phosphorous fertilizers will only be used on school grounds in compliance with the following requirements:

a) Fertilizer use is prohibited between December 1 and April 1 annually.

b) The use of fertilizers is prohibited within 20 feet of any surface water except:

1. Where a continuous natural vegetation buffer, at least ten feet wide, separates lawn and water.

2. Where a spreader guard, deflector shield or drop spreader is used, then the application may not occur within three feet of any surface water.

(Continued)

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)

c) The use of phosphorus fertilizers is prohibited on lawns or other non-agricultural turf with the following exceptions:

1. The use of phosphorus fertilizers is needed to establish a new lawn; or

2. A soil test shows that phosphorus fertilizers are needed for growth.

d) Fertilizer cannot be used on any impervious surfaces and if such an application occurs, it must be cleaned immediately and legally applied or placed in an appropriate container.

Notification

The District's IPM Coordinator or designated Pesticide Representative will give prior written notice of all pesticide applications to anyone who has asked to receive this notice. The District will also notify parents, students, and staff of periodic pesticide applications. The District will maintain a list of those people who wish to receive 48 hour notice before pesticide applications and will ensure that a system is developed to deliver such notice in a timely fashion to all affected. The notification system may be by mail or email, and will ensure that a back-up method is available to notify those for whom the regular system is unworkable. The name and contact information for the District Pesticide Representative will be made available to all requesting it.

The District must also provide additional written notification to all parents and staff three times per year to inform them of any pesticide applications that have occurred: within ten days of the end of the school year, within two school days of the end of winter recess and within two days of the end of spring recess.

Recordkeeping

Records of pesticide use will be maintained on site for three years and will be completed on the day of pesticide use. In addition, pest surveillance records will be maintained to help verify the need for pesticide treatments. Annual reports of any applications must be sent to DEC.

Education Law §§ 409-k, 409-h
Environmental Conservation Law §§ 17-2103, 33-0303
40 CFR Part 152.25
7 USC § 136(mm), 136q(h)(2) (FIFRA)
8 NYCRR Part 155.4(d)(2)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: SMOKING/TOBACCO USE

School Grounds

Tobacco use will not be permitted and no person will use tobacco on school grounds or within 100 feet of the entrances, exits, or outdoor areas of any public or private elementary or secondary schools. However, this does not apply to smoking in a residence, or within the real property boundary lines of residential real property. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as all District vehicles, including vehicles used to transport children or school personnel.

Similarly, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, spit/spitless tobacco and any other smoking or tobacco product, (smokeless, dip, chew, snus and/or snuff) in any form.

It is the policy of the District that the use of e-cigarettes, vaporizers, and any other products containing nicotine, except for current FDA-approved smoking cessation products, are also prohibited.

Off-School Grounds

Tobacco use is prohibited by students at any school sponsored event or activity off school grounds.

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of the New York State Public Health Law, Education Law, the federal Pro-Children Act of 1994, and District policy.

The District will also ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

a) On school grounds;

(Continued)

SUBJECT: SMOKING/TOBACCO USE (Cont'd.)

b) In school vehicles;

c) At school sponsored events, including those that take place off school premises and in another state;

d) In school publications;

e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

In addition, tobacco advertising is also prohibited in all school sponsored publications and at all school sponsored events. The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

Safe and Drug-Free Schools and Communities Act, 20 USC § 7101 et seq.
Pro-Children Act of 2001, as amended by the No Child Left Behind Act of 2001, 20 USC §§ 7181-7184
Education Law §§ 409, 2801(1) and 3020-a
Public Health Law Article 13-E

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment
#3410 -- Code of Conduct on School Property
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances
#8210 -- Safety Conditions and Prevention Instruction
District *Code of Conduct*

Adoption Date: March 29, 2018

SUBJECT: ENERGY CONSERVATION AND RECYCLING IN THE SCHOOLS

The Board recognizes the importance of energy conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption, particularly in these times of declining levels of natural energy resources and increasing cost of these resources. The Board maintains an aggressive and responsible program to reduce consumption of energy by its facilities and to provide education to both staff and students on the conservation of energy.

The District is committed to an energy conservation program that addresses not only capital-related energy projects but ongoing, day-to-day energy related issues as well. All staff are urged to participate actively in a program of energy conservation by assisting in the efforts to eliminate the wasteful use of energy in the operation of the District's buildings. Cooperation will be required of each employee and each student to achieve a meaningful energy conservation program that results in a more efficient use of energy resources. Involvement of staff and students is essential to a successful program of energy conservation.

Energy Manager

The Director of Facilities and Operations is designated as the Energy Manager of the District and he or she will report directly to the Board and the Superintendent, or their designee, on matters pertaining to energy conservation.

Energy Conservation Task Force

The Board further directs the Superintendent to establish an energy conservation task force consisting of at least two Board members, the Superintendent, the School Business Official, the Director of Facilities and Operations, and such other individual(s) as may be necessary. The duties of this task force will include, but are not limited to, the following:

a) Analyzing the District's energy consumption patterns and cost data;

b) Selecting and recommending to the Board an energy audit or technical assistance study to determine where the District can save;

c) Consider financing energy improvements with an energy performance contract. A technical assistance study can evaluate a proposed performance contract before the District enters into an agreement;

d) Consider cost savings from cooperative purchasing arrangements with other municipalities and school districts.

(Continued)

SUBJECT: ENERGY CONSERVATION AND RECYCLING IN THE SCHOOLS (Cont'd.)

e) Work with outside consultants and/or staff members to recommend and evaluate energy saving ideas including, but not limited to, technology power management, lighting changes, HVAC changes; and

f) Evaluate and make recommendations about the energy efficiency of District buildings through periodic building inspections and surveys.

Progress reports on the implementation of energy conservation measures will be made to the Board at least annually.

Minimum Indoor Air Temperature

The District will comply with the Property Maintenance Code of New York State, part of the New York State Uniform Fire Prevention and Building Code, which requires that indoor occupiable work spaces be maintained at a minimum temperature of 65 degrees from September 14 to May 31 during the period the spaces are occupied. There are exceptions for areas of vigorous physical activities such as gymnasiums as well as processing spaces such as coolers or freezers. However, by law, code, or regulation there is no maximum temperature specified. Ventilation requirements only require fresh air, not cool air-conditioning.

Long-Range Considerations

The energy conservation program is an important factor to be considered in planning effective use of school facilities, new construction, remodeling or rehabilitation programs, and modernization projects.

Recycling

The Board is committed to protecting and improving the environment by recycling commonly used materials, waste prevention strategies, and purchasing recycled products when feasible. The Superintendent will create a task force charged with developing a program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan will include:

a) A conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials;

b) A concerted effort to purchase recycled and biodegradable items;

c) Separation of waste into appropriate categories for the purposes of recycling; and

d) A cooperative effort with community recycling programs.

(Continued)

SUBJECT: ENERGY CONSERVATION AND RECYCLING IN THE SCHOOLS (Cont'd.)

Environmental Conservation Law §§ 27-2101- 27-2117
General Municipal Law § 120-aa
19 NYCRR §§ 1221-1228 and 1240
Energy Conservation Code of New York State 2007

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

School Food Service Program (Lunch and Breakfast)

The Board has entered into an agreement with the New York State Education Department (SED) to participate in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the District.

The Superintendent or designee will have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Reviewing Official and Verification Official or the Office of Temporary and Disability Assistance of the Department of Social Services. Appeals regarding eligibility should be submitted to the Hearing Official of the District.

Free or reduced price meals may be allowed for qualifying students attending District schools upon receipt of a written application from the student's parent or guardian or a "Direct Certification" letter from the New York State Office of Temporary and Disability Assistance (OTDA). Applications will be provided by the District to all families.

School officials must also determine eligibility for free/reduced meals by using the Direct Certification Matching Process, a dataset supplied by the Office of Temporary and Disability Assistance, and made available by the SED. Any student receiving federal assistance through Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance to Needy Families (TANF) is automatically eligible for free meals and milk. There is no need for families to complete further applications. The District will notify parents or guardians of eligibility, giving them the opportunity to decline free meals if they so choose.

Procedures for the administration of the free and reduced price meal program of this District will be the same as those prescribed in current state and federal laws and regulations.

Meal Charging and Prohibition Against Meal Shaming

It is the District's goal to provide students with access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid meal charges is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal charges.

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

Unpaid meal charges place a financial burden on the District. The purpose of this policy is to ensure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed, or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast, lunch and snack meals only. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

Access to Meals

a) Free meal benefit eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. A la carte items or other similar items must be paid/prepaid.

b) Reduced meal benefit eligible students will be allowed to receive a breakfast of their choice for $0.25 and lunch of their choice for $0.25 each day. A student will be allowed to charge meals to their account after the balance reaches zero. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.

c) Full pay students will pay for meals at the District's published paid meal rate each day. A student will be allowed to charge meals to their account after the balance reaches zero. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Ongoing Staff Training

a) Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the State Education Department (SED) Webinar or the District's training program.

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

b) Staff training will include ongoing eligibility certification for free or reduced price meals.

Parent Notification

a) Parents/guardians will be notified that a student's meal card or account balance is exhausted within five (5) days and then every week thereafter.

b) Parents/guardians will be notified that a student has accrued unpaid meal charges within five (5) days of the charge and then every week thereafter.

Parent Outreach

a) Staff will communicate with parents/guardians with five or more unpaid meal charges to determine eligibility for free or reduced price meals.

b) Staff will make two documented attempts to reach out to parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment packet.

c) Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the student to have insufficient funds, offering any other assistance that is appropriate.

Minimizing Student Distress

a) Staff will not publicly identify or stigmatize any student in line for a meal or discuss any outstanding meal debt in the presence of any other students.

b) Students with unpaid meal charges will not be required to wear a wristband or handstamp, or to do chores or other work to pay for meals.

c) Staff will not throw away a meal after it has been served because of the student's inability to pay for the meal or because of previous unpaid meal charges.

d) Staff will not take any action directed at a student to collect unpaid meal charges.

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

e) Staff will deal directly with parents/guardians regarding unpaid meal charges.

Ongoing Eligibility Certification

a) Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload at least monthly to maximize free eligibility.

b) Staff will provide parents/guardians with free and reduced price application and instructions at the beginning of each school year in the school enrollment packet.

c) If the District uses an electronic meal application, it will provide an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.

d) The District will provide at least two additional free and reduced price applications throughout the school year to families identified as owing meal charges.

e) The District will use its administrative prerogative to complete an application on a student's behalf judiciously, and only after using exhaustive efforts to obtain a completed application from the student's parent/guardian. The District will complete the application using only available information on family size and income that falls within approvable guidelines.

f) The District will coordinate with the foster, homeless, migrant, and runaway coordinators at least monthly to certify eligible students.

Prepaid Accounts

Students/Parents/Guardians may pay for meals in advance via www.myschoolsbucks.com or with a check payable to LaFayette Schools Food Service. Further details are available on the District's webpage at www.lafayetteschools.org. Funds should be maintained in accounts to minimize the possibility that a student may be without meal money on any given day. Any remaining funds for a particular student will be carried over to the next school year.

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

Students graduating from the district will have a letter mailed to their last known address stating that they have the option of transferring an account balance to another account within the District or be refunded the amount. The District will endeavor to transfer or refund the balance to the student.

Students who withdraw enrollment from the district with a minimum $1.00 balance will have a refund issued to their last known address, otherwise, to obtain a refund, a written or e-mailed request for a refund of any money remaining in the student's account must be submitted.

If a balance is remaining and unclaimed after one school year, it will then become the property of the District Food Service program.

Restriction of Sweetened Foods in School

Per school nutrition guidelines, the sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices.

Restrictions on Sale of Milk Prohibited

Schools that participate in the National School Lunch Program may not directly or indirectly restrict the sale or marketing of fluid milk products at any time or in any place on school premises or at school sponsored events.

Food Substitutions for Children with Disabilities

Federal regulations governing the operation of Child Nutrition Programs, Part B of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including the school nutrition programs. The District will make reasonable accommodations to those children with disabilities whose disabilities restrict their diets, such as providing substitutions and/or modifications in the regular meal patterns. These meal substitutions for students with disabilities will be offered at no extra charge. A student with a disability must be

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

provided substitutions in food when that need is supported by a statement signed by a physician attesting to the need for the substitutions and recommending alternate foods.

However, the school food service is not required to provide meal services (for example, School Breakfast Program) to students with disabilities when the meal service is not normally available to the general student body, unless a meal service is required under the student's individualized education program (IEP) or Section 504 Accommodation Plan as mandated by a physician's written instructions.

Food Substitutions for Nondisabled Children

Though not required, the District will also allow substitutions for non-disabled children who are unable to consume the regular meal because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority.

The District may also allow substitutions for fluid milk with a non-dairy beverage that is nutritionally equivalent (as established by the Secretary of Agriculture) to fluid milk and meets nutritional standards for students who are unable to consume fluid milk because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority or by the student's parent/legal guardian.

Prohibition Against Adults Charging Meals

Adults should pay for their meals at the time of service or set up pre-paid accounts.

HACCP-Based Food Safety Program

Schools participating in the National School Lunch and/or School Breakfast programs are required to implement a food safety program based on Hazard Analysis and Critical Control Point (HACCP) principles. The District must develop a written food safety program for each of its food preparation and service facilities that is based on *either* traditional HACCP principles *or* the "Process Approach" to HACCP. (The "Process Approach" simplifies traditional HACCP by grouping foods according to preparation process and applying the same control measures to all menu items within the group, rather than developing an HACCP plan for each item.) Regardless of the implementation option that is selected, the District's written food safety program must also include:

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

a) Critical control points and critical limits;

b) Monitoring procedures;

c) Corrective actions;

d) Verification procedures;

e) Recordkeeping requirements; and

f) Periodic review and food safety program revision.

School District Nutrition Advisory (Health and Safety) Committee

In accordance with Education Law, the District has established a Child Nutrition Advisory Committee. The Committee includes, but is not limited to, a representative of the School Board; the food preparation staff; the physical education departments; the school registered professional nurse or health staff; a registered dietitian, if available; the faculty of the District; the parent-teacher associations in the District; the students enrolled in the District; and the parents/guardians of students enrolled in the District.

If, due to special circumstances, it is impossible or impracticable for all recommended groups to have members on the Committee for representation, the District may approve a Committee that, to the greatest extent possible, represents the interests of the aforementioned groups.

Prior to the start of school in the fall, the District will send in a newsletter written notice to all parents or guardians of enrolled students of the existence of the School District Nutrition (Health and Safety) Advisory Committee and supply information as to how interested parents or guardians may participate on the Committee. The District will also, to the extent practicable, give notice to all parents or guardians and students through its regular newsletters or other regular forms of written communication as to the scheduled dates of all meetings of the Advisory Committee.

(Continued)

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST PROGRAM)
MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING (Cont'd.)

The Committee will study all facets of the current nutritional policies of the District including, but not limited to:

a) The goals of the District to promote health and proper nutrition;

b) Vending machine sales;

c) Menu criteria;

d) Educational curriculum teaching healthy nutrition;

e) Educational information provided to parents or guardians regarding healthy nutrition and the health risks associated with obesity;

f) Opportunities offered to parents or guardians to encourage healthier eating habits to students; and

g) The education provided to teachers and other staff as to the importance of healthy nutrition.

In addition, the Committee will consider recommendations and practices of other districts and nutrition studies.

Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265
Child Nutrition Act 1966, 42 USC § 1771 et seq.
Richard B. Russell National School Lunch Act 1946, 42 USC § 1751 et seq.
§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Individuals with Disabilities Education Act (IDEA), 20 USC §§ 1400-1485
7 CFR Parts 15B, 210 and 220
Education Law §§ 902(b), 915, 918, 1604(28), 1709(22), 1709(23) and 2503(9)(a)
8 NYCRR §§ 200.2(b)(1) and 200.2(b)(2)
Social Services Law § 95

Adoption Date: June 14, 2018

SUBJECT: WELLNESS

Introduction

a) Approximately 13% of school-aged children are obese, and 15% are overweight. (2001 Surgeon General's Report)

a) Between 56 – 85% of school age children consume soda everyday. (J Am Diet Assoc. 2003)

b) 51% of school-aged children consume less than one serving of fruits and vegetables a day. (J Am Diet Assoc. 2003)

c) 84% of school-age children consume too much fat. (J Am Diet Assoc. 2003)

It is our hope that we can help our children reach their full academic potential, to grow and to thrive, by providing access to healthful foods and opportunities to be physically active. Good health fosters students' attendance and better concentration. The normal school day is, for most children, nearly one-half of their non-sleep time. For some children it is even more. When we provide healthy food and physical activities for our students, we are reinforcing that we want healthy children so they can do well in school now and throughout their lives.

In order to provide the best opportunities for the LaFayette Central School District students, our wellness efforts include the coordination of the following:

a) School Food Service
b) Other food provided and available in the school
c) Physical activity
d) Nutrition education
e) Health education
f) School nurse
g) Community involvement

Goal

It is our goal that the LaFayette School District will model healthful eating and provide opportunities for physical activity so that all students will have nutritious food in school, develop the habit of making nutritious food choices, and engage in regular physical activity now and for a lifetime. With this goal in mind we have set forth the following wellness policy.

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

Nutrition Education

a) Classroom teaching

1. Elementary Science Standards

"Describe the factors that help promote good health and growth in humans."

Major understandings: "Humans need a variety of healthy foods, exercise, and rest in order to grow and maintain good health."

This standard is addressed in grades K through 6 in the Health Education.

Topics include Kindergarten through Grade Four: Healthy choices related to exercise, sleep and nutrition.

2. Intermediate (Grade Five through Grade Eight) Home and Career Skills:

Nutrition Education will be consistent with the *New York State Standards for Health, Physical Education and Family and Consumer Sciences*, and taught at the Elementary, Intermediate and High School level as outlined in the Learning Standards.

Standard #1, related to nutrition education, states "Students will have the necessary knowledge and skills to establish and maintain physical fitness, participate in physical activity and maintain personal health".

The key idea is that "students will use an understanding of the elements of good nutrition to plan appropriate diets for themselves and others. They will know and use the appropriate tools and technologies for safe and healthy food preparation."

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

Nutrition Education, which is a major focus of Intermediate Home and Careers, will help the students develop healthful eating habits by providing instruction in nutrition and modeling healthy eating. The students will have opportunities to prepare healthy food, and, as they eat the food they have cooked themselves, they will develop enthusiasm for eating healthy now, and in their future adult years. The three components of teaching this standard include:

(a) Nutrition knowledge

1) The food groups as described in the food guide pyramid.

2) Essential nutrients and the function of each.

3) Planning for meals and snacks that include a variety of food, and meet nutritional needs.

4) Safe food preparation, safe food handling and food storage.

5) Healthy weight management, body image topics, and diabetes will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities.

(b) Assessing one's personal eating habits, include using the website, mypyramid.gov, to help meet individual needs for nutrition and physical activity, and setting goals for improvement and achieving the goals.

(c) Nutrition-related skills, include understanding and using food labels, critically evaluating nutrition information and food advertising, and basic food preparation skills.

3. Regents Biology

The students learn about the Human Body Systems which includes the functions of the digestive system and a discussion of current research about nutrition issues.

b) Education, marketing, and promotion links outside the classroom

1. School Integration

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

(a) Other subjects such as math, science, language arts, social studies and foreign languages, if applicable to their curriculum, will be encouraged to include content, writing, critical thinking or problem solving nutrition activities.

(b) Home Communication, Families will be encouraged as partners in providing healthy food for their children. Communication will include, sharing nutrition and physical activity tips on the school website and in the LaFayette green sheet. Also information will be sent home with the school lunch menu, with the free-reduced meal application, as enclosures with back to school mailings and report cards and as handouts at school information meetings. Guest speakers, who are nutrition professionals, could provide informational programs and orientation to the school wellness policy.

(c) Cultural food tasting can be offered though the school Cultural Heritage week, Harvest/Spring Planting dinners and guest speakers.

(d) Signage, posted on the school lunch lines and school vending machines, will promote healthy choices.

(e) School Wellness Club could be created to help students develop healthy eating and exercise habits. They could also advocate and publicize healthy eating and exercise practices within the school.

(f) School Staff members are encouraged to model healthy eating for the students.

(g) Food and Beverages Sold Individually, food sold outside of reimbursable school meals, such as through school vending machines that are available to students, and fundraisers, during the school day, or through programs for students after the school day (excludes the LaFayette Apple Festival and food brought from home in student's school lunch).

Will meet the following nutrition and portion size standard:

1) Beverages accessible to students

Allowed

- Water or seltzer water without added caloric sweeteners
- Fruit and vegetable juices and fruit-based drinks that contain at least fifty percent (50%) fruit juice and that do not contain additional caloric sweeteners

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

- Unflavored or flavored low-fat or fat-free fluid milk
- Sports drinks, up to twenty (20) ounces, could be sold after the school lunch periods

Not allowed

- Soft drinks containing caloric sweeteners
- Iced teas
- Fruit based-drinks that contain less than fifty percent (50%) real fruit juice
- Beverages containing caffeine, (excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine)

2) Foods

A food item sold individually will meet the following requirements:

- "Will have no more than thirty five percent (35%) of its calories from fat (excluding nuts, seeds, peanut butter, and other nut butters) and ten percent (10%) of its calories from saturated and trans fat combined;
- Will not have high fructose corn syrup as the first listed ingredient and another form of sugar as the second listed ingredient;
- Will contain no more than 300 mg of sodium for chips, cereals, crackers, baked goods and other snack items.

A choice of at least two (2) fruits and/or non-fried vegetables will be offered for sale at any location on the school site where foods are sold. Such items could include, but are not limited to, fresh fruits and vegetables; one hundred percent (100%) fruit juices; cooked, dried or canned fruits (canned in fruit juice of light syrup); and cooked, dried or canned vegetables (that meet the above fat and sodium guidelines)".

3) Portion Sizes

Limit portion sizes of foods and beverages sold individually to those listed below or as updated per state and federal mandated requirements:

- "One and one-quarter (1 1/4) ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit, or jerky
- One (1) ounce for cookies
- Two (2) ounces for cereal bars, granola bars, pastries, muffins, bagels, and other bakery items
- Four (4) fluid ounces for frozen desserts, including, but not limited to, low-fat or fat-free ice cream

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

- Eight ounces for non-frozen yogurt
- Twelve (12) fluid ounces for beverages, excluding water
- The portion size of a la carte entrée and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of school meals. Fruit and non-fried vegetables are exempt from portion-size limits."

c) Fundraising Activities

To support children's health and school nutrition-education efforts, school fundraising activities will encourage food or will use only foods that meet the above nutrition and portion size standards for foods and beverages sold individually. Healthy food fund raisers such as fruit and citrus fruit sales are encouraged. Schools will encourage fundraising activities that Promote physical activity.

d) Teacher Training

1. All staff members will receive orientation to the schools nutrition policy and training in basic knowledge of nutrition. This could be presented on the first Superintendent's Conference Day as staff returns to school. Guest speakers, who are nutrition professionals, could provide the program.

2. Staff responsible for teaching the nutrition education program for the LaFayette Central School District will be professionally certified to teach Family and Consumer Science or Health. They will attend professional development conferences to become updated on new nutrition information and teaching strategies.

Physical Education

The District will provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain physical fitness, to regularly participate in physical activity, and to understand the short-term and long-term benefits of a physically active and healthy lifestyle.

The health education teacher and family consumer sciences teacher will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce the time spent on sedentary activities.

The wellness committee has determined that the following standards are necessary to achieve this goal:

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

a) Physical education graduation requirements

Graduation Requirements: 16 quarters of successful completion/2 credits completed during grades 9 through 12.

1 quarter = 1/8 of a credit
1 year = 1/2 of a credit
2 years = 1 credit
4 years = 2 credits

b) Physical education class requirements

Students in grades K-12 will receive 120 minutes per week of physical education for the entire school year. All students will include those with disabilities, special health-care needs and students in an alternative setting. There will be no substituting the physical education requirement with an activity that includes physical activity such as interscholastic or intramural sports. Students will be engaged in moderate to vigorous activity fifty percent of their physical education class.

c) Staff training/certification for physical education

1. Physical education will be taught by a certified physical education teacher.

2. Members of the physical education staff will attend at least one physical education or sport specific conference per year to increase the knowledge of the latest trends in physical activities.

3. The physical education, coaching, and wellness center staff must update their CPR/AED training every year and their First Aid training every three (3) years.

d) Physical activity outside physical education classes

1. Classroom based physical activity

(a) Encourage elementary classroom teachers to create lessons which include physical activity to total at least one (1) thirty minute session per month.

(b) Encourage junior/senior high school classroom teachers to create lessons to include physical activity. Teachers are encouraged to create up to four (4) thirty minute sessions.

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

(c) Opportunities will be available for teachers to receive trainings on classroom physical education activities.

2. Daily Recess/ Open Gym

(a) Elementary: 15 to 30 minutes every day of supervised recess, weather and scheduling permitting.

(b) Junior High: 15 minutes every other day of supervised open gym.

(c) Teachers and school staff will not use physical activity or withhold opportunities for physical activity as punishment.

3. Additional opportunities for physical activity

All elementary schools could offer extracurricular physical activity programs such as intramurals and/or fitness clubs. All junior and senior high schools will offer interscholastic athletics in accordance with Title IX. All students will be encouraged to join an athletic team that interests them and participate for the physical and social benefits of being a member of that team.

Other School-Based Activities

The district wishes to establish a school environment that presents consistent wellness message and is conducive to healthy eating and physical activity for all. In order to present a coordinated school approach where District decision-making related to nutrition and physical activity encompasses all aspects of the school, the Wellness Committee has determined that the following standards are necessary to achieve this goal.

a) Federal School Meal Programs

The District will participate to the maximum extent practicable in available federal school meal programs [School Breakfast Program, National School Lunch Program (including after-school snacks), Summer Food Service Program, Fruit and Vegetable Snack Program, and the Child and Adult Care Food Program (including suppers)].

b) Access to school nutrition programs

1. Schools will encourage all students to participate in school meal programs and will protect the identity of students who eat free and reduced-priced meals.

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

2. Free-Reduced Breakfast/Lunch Application Letter will be sent home to families and made available on the district website.

3. Meal options are offered that are culturally sensitive and address special dietary needs.

4. Schools in which more than 50% of students are eligible for free or reduced meals will sponsor the Summer Food Service for at least 4-6 weeks between the last day of the school year and the first day of the following school year.

c) Meal Environment

1. Meal timing and scheduling encourage participation in the school nutrition programs.

2. The physical environment is conducive to proper eating habits. The environment is pleasant and social and is enhanced and supervised by staff.

3. Staff is encouraged to eat with students.

4. Should schedule meal periods at appropriate times.

d) After-school programs for students

The after-school programs, such as the LaFayette After School Program (LASP) are made aware of nutrition related components and/or physical activity in line with our school-based philosophy.

e) Community Access to District facilities for physical activities

1. The staff will be encouraged to engage in three days of physical activity per week.

2. A school district wellness center is available for all students, age 14 and over with liability and medical release forms, staff and community members. It is located in the basement of the Junior/Senior High School. The wellness room consists of cardio and weight training equipment. The hours of operation shall be posted. There is a nominal fee for all staff and community members.

3. A facilities request form can be obtained from the main offices at the Onondaga Nation School, Grimshaw School, and the Junior/Senior High School. Any members of the community are able to request school facilities for physical activity including community council teams.

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

f) Community involvement

1. The Wellness Center (located at the Junior/Senior High School) is open to the public.

2. The gymnasium (located at the Onondaga Nation School) is used by community organization during evening hours.

3. The cafeteria and gymnasium (located at the Grimshaw Elementary School) is used for various Community Council activities such as Aerobics.

4. Staff/Students athletic match-ups are planned at all buildings.

5. The Wellness Policy will be publicized on the District website. Community activities will be publicized by signage at the schools and newsletters.

g) Sustainable food practices

1. Standards for environmentally-friendly practices relating to food service will be sustained such as recycling, using fresh foods and environmentally-friendly soaps.

2. School practices will be encouraged such as sustaining a school garden, using locally grown and seasonal foods. The Onondaga Nation Community makes maple syrup annually.

Nutrition Guidelines

The Federal School Nutrition Standards will be implemented for all foods available on school campus during the school day based upon the unique needs of the student body and the community. The goal is to encourage healthy lifelong eating habits by providing foods that are high in nutrients, low in fat and added sugars, and of moderate portion size.

a) Nutritional Values of Foods and Beverages

1. Reimbursable school meals served at school will minimally meet the program requirements and nutrition stands of the National School Lunch Program. http://www.access.gpo.gov/nara/cfr/waisidx_05/7cfr210_05.html

2. Food of minimal nutritional value on the school campus will be replaced with more nutritional options by adhering to the following standards for nutritional value of foods and beverages:

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

(a) Calories from total fat - Will have no more than thirty five percent (35%) of its calories from fat (excluding nuts, seeds and peanut butter)

(b) Calories from saturated fat - Will have no more than ten percent (10%) of its calories from saturated and trans fat combined

(c) Total sugar - Will have no more than thirty five percent (35%) of its weight from added sugars

(d) Whole grain - at least fifty percent (50%) of breads and cereals will be whole grain

(e) Portion size (current federal and state mandates or as updated)

1) *1.25 ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit or jerky

2) *One ounce for cookies

3) *Two ounces for cereal bars, granola bars, pastries, muffins, doughnuts, bagels and other bakery items

4) *Four fluid ounces for frozen desserts, including, but not limited to, low-fat or fat free ice cream

5) *Four to Eight ounces for non-frozen yogurt

6) *Twelve fluid ounces for beverages, excluding water

7) *The portion size of a la cart entrees and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of school meals. Fruits and non-fried vegetables are exempt from portion-size limits.

f) Fruits and vegetables - a choice of at least two fruits and/or non-fried vegetables will be offered. Such items could include, but are not limited to, fresh fruits and vegetables; one hundred percent (100%) fruit or vegetable juice; cooked, dried or canned fruits (in light syrup); and cooked, dried or canned vegetables (that meet the above fat and sodium guidelines)

(g) Beverages - only low-fat (1%) and fat-free milk will be served

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

3. Nutrition information for products offered during lunch and after school will be readily available near the point of purchase.

b) **A la carte, vending machines, student stores, snack bars, concession stands, parties, celebrations, food-related fundraising, and food rewards/punishments**

1. Celebrations - Schools should limit celebrations that involve food during the school day (including but not limited to birthdays and holidays) to no more than two parties per class per month. The people providing the food are encouraged to include food and beverages that meet the nutrition standards for foods and beverages sold individually. Healthy party foods may include, fruit salads, vegetable trays, vegetarian pizza on whole grain English muffins, fruit spritzer with real fruit juice and soda water, reduced fat chocolate milk and fruit smoothies.

2. Snacks - Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations.

3. Rewards - Schools will use foods and beverages that meet the nutrition standards for foods and beverages sold individually, as rewards for academic performance or good behavior. Schools will not withhold food or beverages (including food served through school meals) as punishment.

4. School-Sponsored Events - Foods and beverages offered or sold at school-sponsored events outside the school day will be encouraged to meet the nutrition standards for meals or for foods and beverages sold individually.

c) **Food or beverage contracts**

1. Food or vending company contracts must promote healthy alternatives.

2. Eliminate soda; promote 100% fruit juices, milk and water.

3. Venders will be directed to the District Website for the Wellness Policy.

(Continued)

SUBJECT: WELLNESS POLICY (Cont'd.)

d) **Vending machines, snack shack, school stores, concession stands, and other food outlets**

1. Access to vending machines, snack bars, school stores, concession stands, and other food outlets on school property will be limited to after the school lunch is served.

2. Encourage all school sponsored events to offer healthy food and beverages that meet the nutrition recommendations.

Implementation and Evaluation of the Wellness Policy

In accordance with law, the District's wellness policy must be established by July 1, 2006; and the District will ensure school and community awareness of this policy through various means such as publication in District newsletters and/or the District calendar. Further, professional development activities for staff and student awareness training will be provided, as appropriate, on the goals of the Districts wellness program, including activities/programs for the development of healthy eating habits and the incorporation of physical activity as part of a comprehensive healthy lifestyle.

The District shall establish an implementation and evaluation plan for the wellness policy in order to monitor the effectiveness of the policy and the possible need for further modification over time. Accordingly, the Superintendent shall designate one or more staff members within the District or at each school as appropriate to have operational responsibility for ensuring that the District meets the goals and mandates of its local wellness policy. Designated staff members may include, but are not limited to, the following personnel:

a) Administrators;

b) School health personnel including the school nurse, physical education teacher, family consumer sciences teacher and/or health education teacher;

c) School Food Service Director.

These designated staff members shall periodically report to the Superintendent on the District's compliance with the wellness policy (or, if done at the building level, to the School Principal) and the Superintendent shall inform the Board of such findings. The Superintendent/designee shall prepare a summary report on the District-wide compliance with the District's wellness policy based on input from schools within the District. That report will be provided to the School Board and also distributed to the wellness committee, parent-teacher organizations, Building Principals, and school health services personnel within the District. The report shall also be available to community residents upon request.

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: RECORDS MANAGEMENT

A Records Management Officer will be designated by the Superintendent, subject to the approval of the Board. Such Records Management Officer will develop and coordinate an orderly and efficient records management program. This program includes the legal disposition or destruction of obsolete records and the storage and management of inactive records. The Records Management Officer will further be given the authority and responsibility to work with other local officials at all levels in the development and maintenance of the records management program.

In addition, a Records Advisory Board may be created to assist in establishing and supporting the records management program. The District's legal counsel, the fiscal officer, and the Superintendent or designee may comprise the Advisory Board.

Retention and Disposition of Records

The Superintendent will retain records for such a period and dispose of them in the manner described in Records Retention and Disposition Schedule ED-1.

Special Approvals for Disposition of Records

Records not listed on a records retention and disposition schedule will not be disposed of without the approval of the Commissioner of Education. Similarly, records that have been damaged by natural or manmade disasters, such that the information contained in those records is substantially destroyed, or the records constitute a human health or safety risk also require the Commissioner's approval before disposition.

Replacing Original Records with Microforms or Electronic Images

Digital images of public records may be stored on electronic media, and such electronic records may replace paper originals or micrographic copies of these records. To ensure accessibility and intelligibility for the life of these records, the District will follow the procedures prescribed by the Commissioner of Education.

Retention and Preservation of Electronic Records

The District will ensure that records retention requirements are incorporated into any plan and process for design, redesign, or substantial enhancement of an information system that stores electronic records. The District will also ensure that electronic records are not rendered unusable because of changing technology before their retention and preservation requirements are met.

Arts and Cultural Affairs Law § 57.19
8 NYCRR Part 185

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS

In accordance with the Federal Trade Commission's (FTC) "Disposal Rule," and in an effort to protect the privacy of consumer information, reduce the risk of fraud and identity theft, and guard against unauthorized access to or use of the information, the District will take appropriate measures to properly dispose of sensitive information (i.e., personal identifiers) contained in or derived from consumer reports and records. The District may determine what measures are reasonable based on the sensitivity of the information, the costs and benefits of different disposal methods, and changes in technology.

The term "consumer report" includes information obtained from a consumer reporting company that is used - or expected to be used - in establishing a consumer's eligibility for employment or insurance, among other purposes. The term "employment purposes" when used in connection with a consumer report means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment, or retention as an employee.

The FTC Disposal Rule defines "consumer information" as "any record about an individual, whether in paper, electronic, or other form, that is a consumer report or is derived from a consumer report. Consumer information also means a compilation of such records. Consumer information does not include information that does not identify individuals, such as aggregate information or blind data."

Information Covered by the Disposal Rule

There are a variety of personal identifiers beyond simply a person's name that would bring information within the scope of the Disposal Rule, including, but not limited to, a social security number, driver's license number, phone number, physical address, and email address. Depending upon the circumstances, data elements that are not inherently identifying can, in combination, identify particular individuals.

"Proper" Disposal

The District will utilize disposal practices that are reasonable and appropriate to prevent the unauthorized access to—or use of—information contained in or derived from consumer reports and records. Reasonable measures to protect against unauthorized access to or use of consumer information in connection with District disposal include the following examples.

a) Burning, pulverizing, or shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed;

b) Destroying or erasing electronic media containing consumer information so that the information cannot practicably be read or reconstructed;

(Continued)

SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS (Cont'd.)

c) After due diligence, entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material, specifically identified as consumer information, in a manner consistent with the Disposal Rule.

d) For persons (as defined in accordance with the Fair Credit Reporting Act) or entities who maintain or otherwise possess consumer information through their provision of services directly to a person subject to the Disposal Rule, monitoring compliance with policies and procedures that protect against unauthorized or unintentional disposal of consumer information, and disposing of this information in accordance with examples a) and b) above.

Implementation of Practices and Procedures

The Board delegates to the Superintendent or designee the authority and responsibility to review current practices regarding the disposal of consumer information; and to implement such further reasonable and appropriate procedures, including staff training as necessary, to ensure compliance with the FTC's Disposal Rule.

The Fair Credit Reporting Act, 15 USC § 1681 et seq.
The Fair and Accurate Credit Transactions Act of 2003, Public Law §§ 108-159
Federal Trade Commission Disposal of Consumer Report Information and Records, 16 CFR Part 682
General Business Law Article 39-G
19 NYCRR § 199

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The District values the protection of private information of individuals in accordance with applicable law and regulations. The District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and Board policy.

a) "Private information" means **personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. Social security number;

2. Driver's license number or non-driver identification card number; or

3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

**"Personal information" means any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

b) "Breach of the security of the system" means unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

Determining if a Breach Has Occurred

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

a) Indications that the information is in the physical possession or control of an unauthorized person, such as a lost or stolen computer or other device containing information; or

b) Indications that the information has been downloaded or copied; or

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported;

d) System failures.

Notification Requirements

a) For any computerized data owned or licensed by the District that includes private information, the District will disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The District will consult with the State Office of Information Technology Services to determine the scope of the breach and restoration measures.

b) For any computerized data maintained by the District that includes private information which the District does not own, the District will notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The required notification will be made after the law enforcement agency determines that the notification does not compromise the investigation.

Methods of Notification

The required notice will be directly provided to the affected persons by one of the following methods:

a) Written notice;

b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and a log of each such notification is kept by the District when notifying affected persons in electronic form. However, in no case will the District require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

d) Substitute notice, if the District demonstrates to the State Attorney General that the cost of providing notice would exceed $250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice will consist of all of the following:

1. Email notice when the District has an email address for the subject persons;

2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and

3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice will include contact information for the notifying District and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the District will notify the New York State Attorney General (AG), the New York State Department of State, and the New York State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons.

In the event that more than 5,000 New York State residents are to be notified at one time, the District will also notify consumer reporting agencies, as defined in State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. This notice will be made without delaying notice to affected New York State residents. A list of consumer reporting agencies will be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with State Technology Law Section 208(2), regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law §§ 202 and 208

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION

The District will restrict the use and access to employee personal identifying information. As defined in law, "personal identifying information" includes social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District will not unless otherwise required by law:

a) Publicly post or display an employee's social security number;

b) Visibly print a social security number on any identification badge or card, including any time card;

c) Place a social security number in files with unrestricted access; or

d) Communicate an employee's personal identifying information to the general public.

A social security number will not be used as an identification number for purposes of any occupational licensing.

District staff will have access to this policy, informing them of their rights and responsibilities in accordance with Labor Law Section 203-d. District procedures for safeguarding employee "personal identifying information" will be evaluated; and employees who have access to this information as part of their job responsibilities will be advised as to the restrictions on release of this information in accordance with law.

Labor Law § 203-d

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: DATA NETWORKS AND SECURITY ACCESS

The District values the protection of private information of individuals in accordance with applicable law, regulations, and best practice. Accordingly, District officials and Information Technology (IT) staff will, with collaboration of the Central New York Regional Information Center (CNYRIC), plan, implement, and monitor IT security mechanisms, procedures, and technologies necessary to prevent improper or illegal disclosure, modification, or denial of sensitive information in the District Computer System (DCS). Similarly, such IT mechanisms and procedures will also be implemented in order to safeguard District technology resources, including computer hardware and software. District network administrators may review District computers to maintain system integrity and to ensure that individuals are using the system responsibly. Users should not expect that anything stored on school computers or networks will be private.

In order to achieve the objectives of this policy, the Board entrusts the Superintendent, or his or her designee, to:

a) Inventory and classify personal, private, and sensitive information on the DCS to protect the confidentiality, integrity, and availability of information;

b) Develop password standards for all users including, but not limited to, how to create passwords and how often such passwords should be changed by users to ensure security of the DCS;

c) Ensure that the "audit trail" function is enabled within the District's network operating system, which will allow the District to determine on a constant basis who is accessing the DCS, and establish procedures for periodically reviewing such audit trails;

d) Develop procedures to control physical access to computer facilities, data rooms, systems, networks, and data to only authorized individuals; such procedures may include ensuring that server rooms remain locked at all times;

e) Establish procedures for tagging new purchases as they occur, relocating assets, updating the inventory list, performing periodic physical inventories, and investigating any differences in an effort to prevent unauthorized and/or malicious access to these assets;

f) Periodically grant, change, and terminate user access rights to the overall networked computer system and to specific software applications and ensure that users are given access based on, and necessary for, their job duties;

g) Limit user access to the vendor master file, which contains a list of vendors from which District employees are permitted to purchase goods and services, to only the individual who is responsible for making changes to such list, and ensure that all former employees' access rights to the vendor master list are promptly removed;

(Continued)

SUBJECT: DATA NETWORKS AND SECURITY ACCESS (Cont'd.)

h) Determine how, and to whom, remote access should be granted, ensure computer use agreements are signed with those whom have remote access to establish the District's needs and expectations, as appropriate, and monitor and control such remote access;

i) Deploy software to servers and workstations to identify and eradicate malicious software attacks such as viruses and malware;

j) Develop a disaster recovery plan appropriate for the size and complexity of District IT operations to ensure continuous critical IT services in the event of any sudden, catastrophic event, including, but not limited to fire, computer virus or deliberate or inadvertent employee action.

SUBJECT: STUDENT GRADING INFORMATION SYSTEMS

Student performance is assessed in many ways, but primarily through assigned grades. The District will help ensure the integrity of student grades by controlling access to its grading information system and by approving modifications to grades where warranted.

The System

The District utilizes an electronic software system that contains a record of student performance, credit accumulation, report cards, and a transcript. More specifically, the system includes class rosters where teachers enter student grades and track their students' academic progress. The system is used to generate student report cards and transcripts, and to maintain all student grading records.

To protect student data in the system, the District will first establish who has the authority to grant, change, or terminate user access. The personnel with this authority will be very limited. Further, if the grading system has a feature that allows one user or account to assume the identity of another user or account, the District will restrict or disable that feature. These types of features could allow a user greater access than intended, including inheriting permissions of another user that are greater than the user's.

System Access

The District will create categories of system users and assign appropriate system permissions to each. Users' permissions will be compatible with and restricted by their roles and job duties; their access will be as restrictive as possible. Typically, teachers will have the ability to enter, update, and modify grades each marking period before a pre-determined lockout date. The lockout function will be consistently used throughout the school year to help prevent grade modifications without authorization after a marking period closes. Through increased system permissions, other individuals—such as non-classroom teachers, guidance counselors, information technology (IT) staff, clerical staff, and support staff—will be able to view or modify grades.

The District will work with its IT, human resources, and other appropriate departments to determine how best to timely establish access rights, add users, deactivate or modify user accounts, and monitor user accounts. The District will develop further IT controls to protect against improper access, if needed.

Grade Changes

Once the lockout period begins, only authorized users identified by the District may change grades, and only under certain circumstances. The system will recognize when grades change, and a log of modified grades may then be viewed and printed. Any grade mismatches will be reconciled before the next marking period closes or before the end of the school year, whichever is earlier.

(Continued)

SUBJECT: STUDENT GRADING INFORMATION SYSTEMS (Cont'd.)

The staff member seeking to change a grade will submit a written or email request to his/her building principal. All documents supporting a grade modification will be electronically filed in the grading system or filed in a non-electronic system—if electronic filing is impossible or impractical—and maintained for six years. The personnel seeking the modification should specify one or more reasonable grounds for the grade change in the request for change. There must be reasonable grounds to alter a grade. The reasons may include:

a) Data entry error;

b) Computational error;

c) A modification based on work submitted or considered after the lockout date;

d) Changing an incomplete grade to a regular grade because a student completed course requirements;

e) Credit recovery coursework;

f) Administrative change; or

g) Other acceptable justifications.

Audit Log and Monitoring

The District's grading system will have an audit log or grade-change report function that records certain system activities, including modifications to grades. The District will periodically monitor audit logs or grade-change reports to confirm the integrity of the system, to ensure proper access by personnel, and to confirm that modifications within the system are appropriate and completed in a timely manner. The District will also periodically monitor user accounts and rights so that the permissions granted are proper and the minimum necessary for each user or user group. To the extent feasible, the District will make sure that user accounts are current and updated regularly. The District will be able to print user information, logs, reports, and other documents from the student grading information system, as needed.

Student Transcripts

Student transcripts may show all credit-bearing classes; final grades; test scores; grade-point average; class rank; diploma type; SAT, ACT, and other standardized test scores; and graduation date. The same controls, protections, and monitoring applicable to student grading information apply equally to student transcripts.

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: SCHOOL SAFETY PLANS

The District considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies.

These plans will be reviewed by the appropriate team on at least an annual basis and updated as needed by September 1. Specifically, the Board will make each District-wide school safety plan available for public comment at least 30 days prior to its adoption. The District-wide school safety plans may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Additionally, the District-wide school safety plan will designate the Superintendent or designee as the chief emergency officer responsible for coordinating communication between school staff and law enforcement and first responders, and for ensuring staff understanding of this plan. Similarly, the Superintendent will be responsible for ensuring the completion and yearly updating of building-level emergency response plans.

District-Wide School Safety Plan

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the District, addresses crisis intervention, emergency response and management at the District level, and has the contents as prescribed in Education Law and Commissioner's regulations.

The District-wide school safety plan will be developed by the District-wide school safety team appointed by the Board. The District-wide team will include, but not be limited to, representatives of the Board, , teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The plan will further address, among other items as set forth in Education Law and Commissioner's regulations, how the District will respond to implied or direct threats of violence by students, teachers, other school personnel as well as visitors to the school, including threats by students against themselves (e.g. suicide).

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

Building-Level Emergency Response Plan

Building-level emergency response plan means a plan that addresses crisis intervention, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

The building-level emergency response plan will be developed by the building-level emergency response team. The building-level emergency response team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel, community members, law enforcement officials, fire officials, or other emergency response agencies, and any other representatives the Board deems appropriate.

Training Requirement

The District will submit certification to the New York State Education Department that all District and school staff have received annual training on the emergency response plan, and that this training included components on violence prevention and mental health. New employees hired after the start of the school year will receive training within 30 days of hire, or as part of the District's existing new hire training program, whichever is sooner.

Filing/Disclosure Requirements

The District will file a copy of its District-wide school safety plan and any amendments with the Commissioner of Education no later than 30 days after its adoption. A copy of each building-level emergency response plan and any amendments will be filed with the appropriate local law enforcement agency and with the state police within 30 days of its adoption. Building-level emergency response plans will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

Homeland Security Presidential Directives - HSPD-5, HSPD-8
Homeland Security Act of 2002, 6 USC § 101
Education Law §§ 807, 2801-a
Public Officers Law Article 6
8 NYCRR § 155.17

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES

The District will provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator (AED) equipment as defined in Public Health Law Section 3000-b for use during emergencies. Each facility will have sufficient AED equipment available to ensure ready and appropriate access for use during emergencies in quantities and types as deemed by the Commissioner of Education, in consultation with the Commissioner of Health. Determination of the quantity and placement of AEDs must be made with consideration of at least the factors described in Commissioner's regulations. An instructional school facility means a building or other facility maintained by the District where instruction is provided to students in accordance with its curriculum.

Whenever an instructional District facility is used for a school sponsored or school-approved curricular or extracurricular event or activity and whenever a school sponsored athletic contest is held at any location, the public school officials and administrators responsible for the school facility or athletic contest will ensure that AED equipment is provided on-site and that there is present during such event, activity, or contest at least one staff person who is trained in accordance with Public Health Law in the operation and use of an AED. School sponsored or school-approved curricular or extracurricular events or activities mean events or activities of the District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school sponsored athletic contest means an extraclass intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner's regulations Section 135.4.

Where a school sponsored competitive athletic event is held at a site other than a District facility, District officials will ensure that AED equipment is provided on-site by the sponsoring or host district and that at least one staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during the athletic event. A school sponsored competitive athletic event means an extraclass interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner's regulations Section 135.4.

It is the policy of our District to provide proper training requirements for District AED users, to ensure the immediate calling of 911 and/or the community equivalent ambulance dispatch entity whenever the AED is used, to ensure ready identification of the location of the AED units as set forth in the District's Public Access Defibrillation Collaborative Agreement.

The District will provide for regular maintenance and checkout procedures of the AED unit(s) which meet or exceed manufacturer's recommendations. Appropriate documentation will be maintained in accordance with law and/or regulation. Further, the District will participate in the required Quality Improvement Program as determined by the Regional Emergency Medical Services Council.

The District will post a sign or notice at the main entrance to the facility or building in which the AED unit(s) is stored, indicating the exact location where the unit(s) is stored or maintained on a regular basis.

(Continued)

SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES (Cont'd.)

The District or any employee or other agent of the District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation, renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill, or injured, will not be liable for damages for injury or death unless caused by gross negligence.

Education Law § 917
Public Health Law §§ 3000-a and 3000-b
8 NYCRR §§ 135.4 and 136.4

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS EMERGENCY DRILLS

Fire and Emergency Drills

The administration of each school building will instruct and train students on appropriate emergency responses, through fire and emergency drills, in the event of a sudden emergency.

Fire and emergency drills will be held at least twelve (12) times in each school year; eight (8) of these will be evacuation drills and four (4) must be lockdown drills. There must be at least eight drills completed by December 31 of each school year. Drills will be conducted at different times of the school day. Students will also be instructed in the procedures to be followed in the event that a fire occurs during the regular school lunch period or assembly, however, this additional instruction may be waived if a drill is held during the regular lunch period or assembly.

Summer School

At least two additional drills will be held during summer school in buildings where summer school is held, and one of these drills will be held during the first week of summer school.

After-School Programs, Events, or Performances

The building principal or designee will require those in charge of after-school programs, events, or performances attended by any individuals unfamiliar with that school building, to announce at the beginning of these programs the procedures to be followed in the event of an emergency.

Bomb Threats

School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal act. No bomb threat should be treated as a hoax when it is first received. Upon receiving any bomb threat, the school has an obligation and responsibility to ensure the safety and protection of the students and other occupants of the school. This obligation takes precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat-location, if any; time of detonation; etc. Specific procedures as to appropriate responses as a result of a bomb threat can be located in the building-level emergency response plan, as required by relevant law and regulation.

(Continued)

SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS EMERGENCY DRILLS (Cont'd.)

Police Notification and Investigation

Appropriate law enforcement agencies must be notified by the building administrator or designee of any bomb threat as soon as possible after receiving the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Implementation

The Superintendent or designee will develop written procedures to implement the terms of this policy. Additionally, these procedures will be incorporated in the District-wide school safety plan and the building-level emergency response plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building-level emergency response plans; and the annual review of the District-wide and building-level emergency response plans, along with updates as necessary, by September 1, as mandated by law or regulation.

Bus Emergency Drills

The administration will conduct a minimum of three emergency drills to be held on each school bus during the school year. The first drill will be conducted during the first seven days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30. No drills will be conducted when buses are on routes.

Students who ordinarily walk to school will also be included in the drills. Students attending public and nonpublic schools who do not participate in regularly scheduled drills will also be provided drills on school buses, or as an alternative, will be provided classroom instruction covering the content of these drills.

Each drill will include practice and instruction in the location, use, and operation of the emergency door, fire extinguishers, first-aid equipment, and windows as a means of escape in the event of fire or accident. Similarly, students will be instructed on all topics mandated by relevant sections of the Education Law and Commissioner's regulations, including, but not limited to, the following:

a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;

b) Advancing at least ten feet in front of the bus before crossing the highway after disembarking; and

c) Orderly conduct as bus passengers.

(Continued)

SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS EMERGENCY DRILLS (Cont'd.)

Instruction on Use of Seat Belts

When students are transported on school buses equipped with seat safety belts, the District will ensure that all students who are transported on any school bus owned, leased, or contracted for by the District will receive instruction on the use of seat safety belts. This instruction will be provided at least three times each year to both public and nonpublic school students who are so transported and will include, but not be limited to:

a) Proper fastening and release of seat safety belts;

b) Acceptable placement of seat safety belts on students;

c) Times at which the seat safety belts should be fastened and released; and

d) Acceptable placement of the seat safety belts when not in use.

Education Law §§ 807, 2801-a and 3623
Penal Law §§ 240.55, 240.60 and 240.62
8 NYCRR §§ 155.17, 156.3(f), 156.3(g), and 156.3(h)(2)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE DISTRICT AND ON SCHOOL BUSES

It is the Board's responsibility to ensure the safety of the District's students, staff, facilities, and property. While the Board recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

Disciplinary Proceedings

Video recordings or footage from District surveillance cameras may be used in student or employee disciplinary proceedings, as appropriate.

Signage/Notification

The District will place signage at entrances to the school campus or at major entrances into school buildings notifying students, staff, as well as any visitors of the District's use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent, regarding the use of its surveillance cameras through means such as publication in the District calendar, employee handbook, and/or the student handbook.

Maintenance of Video Recordings

Any video surveillance recording in the schools, on school buses, or on school property, on tape, CD, or digitally, will be the sole property of the District and stored in its original form and in a secure location to avoid tampering and also to ensure its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the District will comply with all applicable state and federal laws related to record retention, record maintenance, and record disclosure, including the Family Educational Rights and Privacy Act ("FERPA").

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: EXPOSURE CONTROL PROGRAM

The District will establish an exposure control program designed to prevent and control exposure to bloodborne pathogens. According to the New York State Department of Labor's Division of Safety and Health and Occupational Safety and Health Administration (OSHA) standards, the program will consist of:

a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike;

b) Written standard operating procedures for blood or body fluid clean-up;

c) Appropriate staff education and training;

d) Evaluation of training objectives;

e) Documentation of training and any incident of exposure to blood or body fluids;

f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and Human Immunodeficiency Virus (HIV);

g) Written procedures for the disposal of medical waste; and

h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids, or tissues.

29 CFR § 1910.1030

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: COMMUNICABLE DISEASES

Whenever, upon investigation and evaluation by the Director of School Health Services or other health professionals acting upon direction or referral of the director, a student in the public schools shows symptoms of any communicable or infectious disease reportable under the public health law that imposes a significant risk of infection of others in the school, he or she will be excluded from the school and sent home immediately. The Director of School Health Services will immediately notify a local public health agency of the disease.

Following absence on account of illness or from unknown cause, the Director of School Health Services may examine each student returning to a school without a certificate from a local public Health Officer, a duly licensed physician, physician assistant, or nurse practitioner.

The Director of School Health Services, or other health professionals acting upon direction or referral of the director, may make evaluations of teachers and any other school employees, school buildings and premises as, in their discretion, they may deem necessary to protect the health of the students and staff.

Education Law § 906
8 NYCRR §§ 136.3(h) and 136.3(i)

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES

A student will not be denied the right to attend school or continue his or her education because he or she has been diagnosed with AIDS or any other human immunodeficiency virus (HIV)-related illness. In addition, an employee who has been similarly diagnosed will not be denied the right to continue his or her employment with the District based solely upon their AIDS/HIV status. The disclosure of confidential HIV-related information will be strictly limited.

Administrative procedures will be developed and implemented by the administration based on recommendations from the New York State Education Department and from consultation with appropriate professional and medical staff in the District.

The Superintendent will also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

Public Health Law Article 27-F

Adoption Date: March 29, 2018

SUBJECT: TRANSPORTATION PROGRAM

The Board recognizes and assumes the responsibility for all aspects of the transportation of children where the health and safety of students are involved, in light of its legal obligation to safeguard the welfare of bus-riding children. The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

Scheduling and Routing

Bus routes are authorized by the Transportation Supervisor and any requests for a change must be submitted to the Transportation Supervisor.

Transportation services will be provided to meet the needs of the students of the District within specified limits and areas established by the Board.

School Bus Schedules

The District may either mail schedules directly to parents or request that parents pick up schedules at the school. Should the District decide to post school bus schedules online, access to the schedules will be password protected.

Use of Buses by Community Groups

Upon formal application to and approval by the Board, buses may be rented or leased to a municipal corporation; to any senior citizen center recognized and funded by the Office for the Aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Rentals or leases will be made only for times when vehicles are not needed for student transport and for a consideration acceptable to the Board which will not be less than the full amount of the costs and expenses resulting from the lease or rental.

Education Law §§ 1501-b, 3602(7), 3620-3628, 3635 and 3636

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: USE OF SCHOOL-OWNED VEHICLES

School-owned vehicles may not be rented or loaned to community groups or other groups. Agreements with municipalities for use of school vehicles may only be made with the approval of the Board of Education, within the limitations specified by law. The use of buses for any activity not approved by budget allocation must have prior approval of the Board, based on a written request.

School vehicles may not be used for the transportation of school staff to and from home, unless such staff member is specifically assigned to the vehicle by the Board or District administration.

Use of any school vehicle by staff members for trips within or out of the District, other than normal job-related assignments, must have the prior approval of the Superintendent of Schools, or, if on a regular basis, the Board.

Education Law Section 3635
General Construction Law Section 1502

Adoption Date: March 29, 2018

SUBJECT: TRANSPORTATION OF STUDENTS

Requests for Transportation to and from Nonpublic Schools

The parent or person in parental relation of a parochial or private school child residing in the District who desires his or her child to be transported to a parochial, private, or charter school outside of the District during the next school year, must submit a written request to the Board no later than April 1 of the preceding year, or within 30 days of moving into the District. The District will publish the April 1 date in its school calendar and/or local newspaper as a reminder to parents of this deadline. Late requests will not be denied where a reasonable explanation is provided for the delay.

Transportation to Nonpublic Schools on Holidays

The District will share its calendar and start and dismissal times with nonpublic schools before the start of the school year. The District is not required to provide transportation to nonpublic schools on days on which the District's schools are not in session.

Transportation for Nonpublic School Students with Disabilities who are Parentally Placed

For students with disabilities, ages 5 through 21, who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the nonpublic school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services.

The district of residence remains responsible to provide transportation to parentally placed nonpublic school students from the student's home to the nonpublic school.

Transportation of Students with Disabilities

Transportation of students with disabilities in the District may not exceed 50 miles one way from the student's home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within 50 miles. In that event the Commissioner may then establish transportation arrangements.

Student Information

Upon written consent of the parent or person in parental relation, every school bus which is used to regularly transport students with disabilities will maintain the following information about each student with a disability being transported:

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

a) Student's name;

b) Nature of the student's disability;

c) Name of the student's parent, guardian, or person in parental relation and one or more telephone numbers where that person can be reached in an emergency; and/or

d) Name and telephone number of any other person designated by such parent, guardian, or person in parental relation who can be contacted in an emergency.

This information will be used solely for the purpose of contacting the student's parent, guardian, person in parental relation, or designee in the event of an emergency involving the student, will be kept in a manner which retains the privacy of the student, and will not be accessible to any person other than the driver or a teacher acting in a supervisory capacity. In the event that the driver or teacher is incapacitated, this information may be accessed by any emergency service provider.

This information will be updated as needed, but at least once each school year and will be destroyed if parental consent is revoked, the student no longer attends the school, or the disability no longer exists.

Fire Extinguishers

School buses will also be equipped with at least one hand fire extinguisher in the event of an emergency.

Transportation of Non-Resident Students

Non-resident families must provide their own transportation.

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

Transportation to School Sponsored Events

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, extracurricular activity, or any other similar event, it will also provide transportation back to either the point of departure or to the appropriate school in the District unless a student's parent or legal guardian has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for the student. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, and the parent has not authorized alternative return transportation, a representative of the District will remain with the student until the student's parent or legal guardian has been contacted and informed of the intervening circumstances and the student has been delivered to his or her parent.

Transportation in Personal Vehicles

Personal cars of teachers and staff will not be used to transport students except in the event of extenuating circumstances and authorized by the administration.

Education Law §§ 1604, 1709, 1804, 1903, 1950, 2503, 2554, 2590-e, 3242, 3602-c, 3621(15), 3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6
Vehicle and Traffic Law § 375(20)(1) and 375(21-i)

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date: March 29, 2018

SUBJECT: SCHOOL BUS SAFETY PROGRAM

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses will be observed by drivers, students, and school personnel.

Use of Portable Electronic Devices Prohibited

For purposes of this policy, and in accordance with applicable law, the terms below will be defined as follows:

a) "Portable electronic device" means any mobile telephone (hand held or "hands free"), personal digital assistant (PDA), portable device with mobile data access, laptop computer, pager, two-way messaging device, electronic game, or portable computing device.

b) "Using" means holding a portable electronic device while viewing, taking or transmitting images, playing games, or composing, sending, reading, viewing, accessing, browsing, transmitting, saving, or retrieving email, text messages, or other electronic data.

c) "In operation" means that the bus engine is running, whether in motion or not.

The use of portable electronic devices by a school bus driver at times the vehicle is in operation on the roadway poses a potential safety risk. All school bus drivers are prohibited from using portable electronic devices while the bus is in operation.

All school bus drivers' personal portable electronic devices are to be placed in the "off" position when in the possession of the school bus driver while the bus is in operation. Portable electronic devices, including cell phones, may be used in case of emergency.

The Transportation Supervisor, in cooperation with the principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort. There is no substitute for training to develop safe habits in pedestrian and vehicular traffic.

All buses and other vehicles owned and operated by the District will have frequent safety inspections, and will be serviced regularly. The Transportation Supervisor will maintain a comprehensive record of all maintenance performed on each vehicle.

Every bus driver is required to report promptly to the Transportation Supervisor any school bus accident, regardless of the severity, involving death, injury, or property damage.

(Continued)

SUBJECT: SCHOOL BUS SAFETY PROGRAM (Cont'd.)

Education Law § 3623
Vehicle and Traffic Law §§ 509-a(7), 509-1(1-b), 1174(a), 1174(b) and 1225-c
8 NYCRR § 156.3

NOTE: Refer also to Policies #5683 -- Fire and Emergency Drills, Bomb Threats and Bus Emergency Drills
#5741 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees

Adoption Date: March 29, 2018

Non-Instructional/Business Operations

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The Board recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. The District will ensure that each driver of a school bus or other vehicle owned, leased, or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while the vehicle is parked or standing on school grounds or in front of or adjacent to any school.

Exceptions

Unless otherwise required by state or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

a) For mechanical work; or

b) To maintain an appropriate temperature for passenger comfort; or

c) In emergency evacuations where necessary to operate wheelchair lifts.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the District and a private vendor will include a provision requiring the vendor's compliance with the provisions of reducing idling in accordance with Commissioner's regulations Section 156.3(h).

Education Law § 3637
Vehicle and Traffic Law § 142
8 NYCRR § 156.3(h)

Adoption Date: March 29, 2018

SUBJECT: QUALIFICATIONS OF BUS DRIVERS

A person will be qualified to operate a bus only if such person:

a) Is at least 21 years of age;

b) Has been issued a currently valid operator's or commercial driver's license which is valid for the operation of a bus in New York State;

c) Has passed the annual bus driver physical examination administered in accordance with Regulations of the Commissioner of Education and the Commissioner of Motor Vehicles. In no case will the interval between physical examinations exceed a 13-month period;

d) Is not disqualified to drive a motor vehicle under Vehicle and Traffic Law Sections 509-c and 509-cc and any other provisions of Article 19-A;

e) Has on file at least three statements from three different persons who are not related to the driver or applicant pertaining to the moral character and to the reliability of such driver or applicant;

f) Has completed, or is scheduled to complete, State Education Department safety programs as required by law;

g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and controlled substance testing of bus drivers if and when applicable;

h) Has taken and passed a physical performance test at least once every two years and/or following an absence from service of 60 or more consecutive days from his or her scheduled work duties; and

i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

Special Requirements for New Bus Drivers

Before employing a new bus driver, the Superintendent or designee will:

a) Require the person to pass a physical examination within four weeks prior to the beginning of service;

b) Obtain a driving record from the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;

(Continued)

SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont'd.)

c) Investigate the person's employment record during the preceding three years;

d) Require such person to submit to the mandated fingerprinting procedures/criminal history background check;

e) Request the Department of Motor Vehicles to initiate a driving record abstract check; and

f) Require that newly hired bus drivers take and pass the physical performance test, as mandated by Commissioner's regulations, before they transport students.

Occasional Drivers

Under Commissioner's regulations, an occasional driver is defined as a certified teacher employed by a school district or Board of Cooperative Educational Services (BOCES) who is not primarily employed as a school bus driver or substitute bus driver on either a full-time or part-time basis. Occasional drivers used for other than regular routes are not required to fulfill the training required for regular school bus drivers.

Omnibus Transportation Employee Testing Act of 1991, (Public Law 102-143)
49 USC § 521(b)
49 CFR Parts 40, 382, 391, 392 and 395
Education Law § 3624
Vehicle and Traffic Law §§ 509-c, 509-cc and Article 19-A
8 NYCRR § 156.3
15 NYCRR Part 6

NOTE: Refer also to Policy #5741 -- Drug and Alcohol Testing For School Bus Drivers and Other Safety-Sensitive Employees

Adoption Date: March 29, 2018

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

In accordance with federal regulations, employees in safety-sensitive positions who are required to have and use a commercial driver's license (CDL), are subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District will adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for those employees in safety-sensitive positions.

The District will either establish and manage its own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSEs), including school bus drivers and other employees, who drive a vehicle which is designed to transport 16 or more passengers (including the driver), will be subject to this requirement.

Federal regulations require that school bus drivers and other SSEs be tested for alcohol and drugs at the following times:

a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. This pre-employment testing will also be required when employees transfer to a safety-sensitive position.

b) SSEs are also subject to a random drug and/or alcohol test on an unannounced basis just before, during, or just after performance of safety-sensitive functions.

c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.

d) There will also be post-accident testing conducted after accidents on employees whose performance could have contributed to the accidents.

e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and will only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer, and any other individual designated by law.

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles (CMV) and other SSEs:

a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If testing shows an alcohol concentration of 0.02 or greater but less than 0.04, the employee must be removed from performing safety-sensitive activities for 24 hours, but no punitive action will be taken by the employer.

b) Being on duty or operating a CMV while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.

c) Using alcohol while performing safety-sensitive functions.

d) New York State law prohibits using alcohol six hours or less before duty.

e) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements.

g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.

h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties in accordance with District policy and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in prohibited behavior will not be allowed to perform safety-sensitive functions until they are:

a) Evaluated by a substance abuse professional (SAP).

b) Complete any requirements for rehabilitation as set by the District and the SAP.

(Continued)

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)

c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.

d) The SSE will also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing will be as directed by the SAP, and consist of at least six tests in the first 12 months.

The Superintendent will ensure that each SSE receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or designee will ensure that a copy of these materials is distributed to each SSE, who will sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any SSEs. Representatives of applicable collective bargaining units will be notified of the availability of this information.

The Superintendent or designee will arrange for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use or abuse.

Any violation of this policy and/or District procedures, and applicable federal and state laws by a covered employee will be grounds for disciplinary action including, but not limited to, fines, suspension, and/or discharge in a manner consistent with District policy, collective bargaining agreements, and applicable law.

Omnibus Transportation Employee Testing Act of 1991 (Public Law 102-143) 49 USC §§ 31136 and 31306
49 CFR Parts 40, 172, 382, 383, 391, 392 and 395
Vehicle and Traffic Law § 509-L

Adoption Date: March 29, 2018

Lafayette Central School District **NUMBER**

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SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL

General Provisions

Officers and employees of the District hold their positions to serve and benefit the public, and not to obtain unwarranted personal or private gain in the exercise of their official powers and duties. The Board recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This policy establishes those standards.

The provisions of this policy are intended to supplement Article 18 of General Municipal Law Sections and any other law relating to ethical conduct of District officers and employees, and should not be construed to conflict with those authorities.

Standards of Conduct

The following rules and standards of conduct apply to all officers, including Board members, and employees of the District.

Gifts

No person may directly or indirectly solicit, accept, or receive any gift having a value of $75 or more under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence the individual in the performance of his or her official duties or was intended as a reward for any official action on the part of the individual. This prohibition applies to any gift, including money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form.

Confidential Information

No person may disclose confidential information acquired by him or her in the course of his/her official duties or use this information to further his or her personal interests.

Conflicts of Interest

Except as permitted by law, no person may have an interest in any contract with the District when he or she, individually, or as a member of the Board, has the power or duty to: negotiate, prepare, authorize, or approve the contract or authorize or approve payment under the contract; audit bills or claims under the contract; or appoint an officer or employee who has any of these powers or duties.

Likewise, unless permitted by law, no chief fiscal officer, treasurer, or his or her deputy or employee, may have an interest in a bank or trust company designated as a depository, paying agent, registration agent, or for investment of funds of the District.

(Continued)

SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Cont'd.)

No employee, officer, or agent will participate in selecting, awarding, or administering a contract supported by a federal award if he or she has a real or apparent conflict of interest. These conflicts could arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in or a tangible personal interest benefit from a firm considered for a contract. The employees, officers, and agents must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. The District may, however, set standards for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value.

"Interest," as used in this policy, means a direct or indirect pecuniary or material benefit accruing to a District officer or employee as the result of a contract with the District. A District officer or employee will be considered to have an interest in the contract of: his or her spouse, minor children and dependents, except a contract of employment with the District; a firm, partnership or association of which he or she is a member or employee; a corporation of which he or she is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by him or her.

The provisions of the preceding four paragraphs should not be construed to preclude the payment of lawful compensation and necessary expenses of any District officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

Representing Others in Matters Before the District

No person may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District. Likewise, no one may receive, or enter into any agreement, express or implied, for compensation for services rendered in relation to any matter before the District, where the individual's compensation is contingent upon any action by the District with respect to the matter.

Disclosure of Interest in Contracts and Resolutions

Any District officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement, or other agreement, including oral agreements, with the District must publicly disclose the nature and extent of that interest in writing. The disclosure must be made when the officer or employee first acquires knowledge of the actual or prospective interest, and must be filed with the person's immediate supervisor and the Board. Any written disclosure will be made part of and included in the official minutes of the relevant Board meeting.

(Continued)

SUBJECT: CODE OF ETHICS FOR BOARD MEMBERS AND ALL DISTRICT PERSONNEL (Cont'd.)

Investments in Conflict with Official Duties

No person may invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his or her official duties, or that would otherwise impair his or her independence of judgment in the exercise or performance of his or her official powers or duties.

Private Employment

No person may engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

Future Employment

No person may, after the termination of service or employment with the District, appear before the District on behalf of his or her employer in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment with the District or which was under his or her active consideration while he or she was with the District.

Notice of Code of Ethics and General Municipal Law Sections 800-809

The Superintendent will ensure that a copy of this code of ethics is distributed to every District officer and employee, and that a copy of General Municipal Law Sections 800-809 is posted conspicuously in each District building. The failure to distribute this code of ethics or to post General Municipal Law Sections 800-809 will have no effect on either the duty of District officers and employees to comply with their provisions, or the ability of the District or other relevant authorities to enforce them.

Penalties

Any person who knowingly or intentionally violates any of the provisions of this policy may be fined, suspended, removed from office or employment, or subject to additional or other penalties as provided by law.

Education Law § 410
General Municipal Law Article 18 and §§ 800-809
2 CFR § 200.318(c)(1)

Adoption Date: May 3, 2018

SUBJECT: TESTING MISCONDUCT AND MANDATORY REPORTING REQUIREMENTS

District employees are expressly prohibited from: engaging in testing misconduct, as that term is described in the Commissioner's regulations; assisting in the engagement of, or soliciting another to engage in testing misconduct; and/or the knowing failure to report testing misconduct. When committed by an employee of the District in a position for which a teaching or school leader certificate is required, these actions or inactions will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's regulations. A District employee in a position for which a teaching or school leader certificate is not required, who commits an unlawful act in respect to examination and records, will be subject to disciplinary action by the Board in a manner consistent with New York State law and regulation.

District employees will report to the State Education Department (SED) any known incident of testing misconduct by a certified educator or any known conduct by a non-certified individual involved in the handling, administration, or scoring of state assessments in violation of New York State law. This report will be made in accordance with directions and procedures established by the Commissioner for the purpose of maintaining the security and confidential integrity of State assessments.

The District will not dismiss or take other disciplinary or adverse action against an employee because he or she submitted a report regarding testing misconduct to the SED. Any adverse action by an individual holding a teaching or school leader certificate will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's regulations and may be referred to the Office of School Personnel Review and Accountability at the SED.

8 NYCRR § 102.4

Adoption Date: May 3, 2018

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

The District is an equal opportunity employer and does not discriminate against any employee or applicant for employment in its programs and activities on the basis of race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of religion or creed, sexual orientation, military status, genetic status, marital status, domestic violence victim status, criminal arrest or conviction record, or any other basis prohibited by state or federal non-discrimination laws.

Investigation of Complaints and Grievances

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination, and will promptly take appropriate action to protect individuals from further discrimination. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3420 -- Non-Discrimination and Anti-Harassment in the District; Policy #6121 -- Sexual Harassment of District Personnel; and Policy #6122 -- Employee Grievances.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer (CRCO), knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in such a capacity.

When appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.

Age Discrimination in Employment Act, 29 USC § 621
Americans with Disabilities Act, 42 USC § 12101 et seq.
Genetic Information Non-Discrimination Act of 2008 (GINA) Public Law 110-233
§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
Civil Rights Law § 40-c

(Continued)

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

Civil Service Law § 75-B
Executive Law § 290 et seq.
Military Law §§ 242 and 243

Adoption Date: May 3, 2018

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

The Board affirms its commitment to provide an environment free from sex-based discrimination and sexual harassment, including sexual violence and intimidation. The Board, therefore, prohibits all forms of sexual harassment against District personnel by employees, school volunteers, students, and non-employees, such as contractors and vendors, which occurs on school grounds or at school-sponsored events, programs, or activities, including those that take place at locations off school premises.

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute harassment on the basis of sex when:

a) Submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

b) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or

c) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment includes, but is not limited to, sexual violence. For the purpose of this policy, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, supervisors, co-workers, or third parties such as visitors and school volunteers.

Prohibited Conduct

Sexual harassment can be verbal, non-verbal, or physical. Examples of this conduct may include, but are not limited to, the following:

a) Verbal abuse or ridicule, including innuendoes, stories, and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

b) Direct or indirect threats or bribes for unwanted sexual activity.

c) Asking or commenting about a person's sexual activities.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

d) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.

e) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.

f) The use of profanity or other obscenities that are sexually suggestive or degrading in nature.

g) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

h) Unwelcome and/or offensive public displays of sexual or physical affection.

i) Clothing that reflects sexually obscene or sexually explicit messages, slogans, or pictures.

j) Engaging in sexual conduct with an individual who is unable to consent due to his/her age, use of drugs or alcohol, intellectual disability, or other disability.

k) Any other unwelcome and unwanted sexually oriented or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Investigation of Complaints and Grievances

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he or she has been a victim of sexual harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment to the District's designated Civil Rights Compliance Officer (CRCO). In the event that the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated an additional individual to serve in such capacity.

The District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of sexual harassment, and will promptly take appropriate action to protect individuals from further harassment. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

(Continued)

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including, but not limited to, the designation of the CRCO, knowingly making false accusations, and possible corrective actions, can be found in Policy #3420 -- Non-Discrimination and Anti-Harassment in the District.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the CRCO. In the event the CRCO is the alleged offender, the report will be directed to another CRCO, if the District has designated another individual to serve in such a capacity.

Where appropriate, follow-up inquiries will be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of sexual harassment have not suffered retaliation.

Civil Rights Act of 1991, 42 USC § 1981(a)
29 CFR § 1604.11(a)
Civil Service Law § 75-B
Executive Law §§ 296 and 297
Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
34 CFR § 100 et seq.

Adoption Date: November 8, 2018

SUBJECT: EMPLOYEE GRIEVANCES

In accordance with Article 15-C of the General Municipal Law, all District employees will have the opportunity to present grievances free from interference, coercion, restraint, discrimination, or reprisal. The District will provide at least two procedural stages and an appellate stage for the settlement of any such grievance.

General Municipal Law §§ 681-685

Adoption Date: May 3, 2018

SUBJECT: AFFIRMATIVE ACTION

It is the policy of the LaFayette Central School District to provide equal employment opportunity to all qualified persons, regardless of their race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, marital status, military status, familial status, or domestic violence victim status, or any other legally protected category under federal, state or local law.

The District enjoys a unique relationship with a significant minority population and recognizes its responsibility to develop an Affirmative Action Plan for minority group members and women.

To this end, the Superintendent of Schools is hereby authorized to prepare an Affirmative Action Plan, and to publicize the Plan to the school community and to other person and entities affected by the Plan.

The District will make conscientious and active efforts to employ and utilize minority group members and women in its work force. The District will undertake or continue existing programs of Affirmative Action to ensure that minority group members and women are afforded equal employment opportunities without discrimination.

The Affirmative Action Plan will encourage human resources procedures (including those concerning recruitment, hiring, training, and promotion) that lead to increased employment opportunities for minority group members and women.

Specifically, the Affirmative Action Plan will be designed to achieve the following:

1. Equal opportunity in all human resource policies, practices, and collective bargaining agreements through the identification and elimination of potentially discriminatory practices or policies.

2. Increase the utilization of qualified minority group members who are best suited for available positions based on qualifications and experience.

3. Development of employee training programs designed to assist employees in complying with the provisions of the Plan.

4. Establishment of procedures within the grievance process for prompt processing of individual or group discrimination charges.

5. Publication and dissemination, internally and externally, of the Affirmative Action Plan, and ensuring its availability to interested persons and groups.

(Continued)

SUBJECT: AFFIRMATIVE ACTION (Cont'd)

Further, the Affirmative Action Plan will be designed to satisfy the requirements of any agreement between the School District and the State of New York governing the provisions of education to qualified Native American students.

The Superintendent will be responsible for the implementation of the Affirmative Action Plan. The Superintendent will evaluate the Plan periodically, report on it to the Board, and update it as appropriate. The Superintendent or the Superintendent's designee will make any reports regarding the Plan that are required by the New York State Education Department and/or other government agencies.

NOTE: Refer also to Policy #6120 -- Equal Employment Opportunity

Adoption Date: March 15, 2018

SUBJECT: EVALUATION OF PERSONNEL

All Staff Members

The administration will undertake a continuous program of supervision and evaluation of all personnel, including support staff, in the District. The primary purposes of the evaluations will be to encourage and promote improved performance and to make decisions about the occupancy of positions.

Teachers and Administrators

The District is committed to supporting the development of effective teachers and administrators. To this end, the District will provide procedures for the evaluation of all professional staff. District plans for Annual Professional Performance Review (APPR) of teachers and principals will be developed in accordance with applicable laws, Commissioner's regulations, and Rules of the Board of Regents.

The primary purposes of these evaluations are:

a) To encourage and promote improved performance;

b) To guide professional development efforts; and

c) To provide a basis for evaluative judgments by applicable school officials.

Disclosure of APPR

The Commissioner is required to disclose professional performance review data for teachers and building principals on the New York State Education website and in any other manner to make this data widely available to the public. The District will provide notice to parents or legal guardians of their right to obtain this information and the methods by which the data can be obtained.

Education Law § 3012-c
Public Officers Law §§ 87 and 89
8 NYCRR §§ 80-1.1 and 100.2(o)

Adoption Date: May 3, 2018

SUBJECT: EMPLOYEE MEDICAL EXAMINATIONS

Pre-employment Medical Examinations

In accordance with the Americans with Disabilities Act, as amended, the District will not require applicants for positions to undergo a medical examination prior to an offer of employment. Further, the District will not make inquiries of a job applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability. However, the District may make pre-employment inquiries into the ability of an applicant to perform job-related functions.

Employment Entrance Examinations

The Board reserves the right to request a medical examination at any time during employment, at District expense, in order to determine whether any employee can perform the essential functions of the position with or without reasonable accommodation.

Annual or more frequent examinations of any employee may be required, when, in the judgment of the school physician or nurse practitioner and the Superintendent, the procedure is deemed necessary.

All bus drivers and substitute bus drivers must have yearly physical examinations. Each bus driver initially employed by the District *(vendor or contract bus company)* will have a physical examination within the four weeks prior to the beginning of service. In no case will the interval between physical examinations exceed a 13-month period.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the Board. The decision of the physician designated by the Board as the determining physician will take precedence over all other medical advice.

All medical and health related information will be kept in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Examinations and Inquiries

Acceptable

The District will conduct voluntary medical examinations, including voluntary medical histories, which are part of an employee health program available to employees at that work site. The District may make inquiries into the ability of an employee to perform job-related functions.

Prohibited

The District will not require a medical examination and will not make inquiries as to whether the employee is an individual with a disability or as to the nature or severity of the disability, unless the examination or inquiry is shown to be job related and consistent with business necessity.

(Continued)

SUBJECT: EMPLOYEE MEDICAL EXAMINATIONS (Cont'd.)

Americans with Disabilities Act Amendments Act (ADAAA) of 2008, Public Law 110-325)
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 CFR Parts 160 and 164
Education Law §§ 913 and 3624
8 NYCRR § 156.3(2)
10 NYCRR Part 14
15 NYCRR Part 6

Adoption Date: May 3, 2018

SUBJECT: ALCOHOL, DRUGS, AND OTHER SUBSTANCES

The Board, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, will set a positive example for students.

The Board, therefore, prohibits the consumption, sharing and/or selling, use and/or possession of illegal drugs, counterfeit and designer drugs, or alcoholic beverages in the on school property and school sponsored trips, or when the effects of such drugs and/or alcohol use may impair an employee's job performance.

Information about any drug and alcohol counseling and/or rehabilitation programs will be made available to employees. Employees will also be made aware of the range of penalties or consequences up to and including termination of employment that may be imposed on employees who have violated this policy.

Additionally, confidentiality will be ensured as required by state and federal law.

The Superintendent or designee will periodically review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Safe and Drug-Free Schools and Communities Act, as reauthorized by the No Child Left Behind Act of 2001
20 USC § 7101 et seq.
Civil Service Law § 75
Education Law §§ 913, 1711(2)(e), 2508(5) and 3020-a

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#6530 -- Employee Assistance Program (EAP)
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances
District *Code of Conduct*

Adoption Date: May 3, 2018

SUBJECT: DRUG-FREE WORKPLACE

The Board affirms that all programs in the District that receive Federal funds will guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of the Controlled Substances Act. An acknowledgment form will be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act. This policy guarantees that not only federally funded programs, but the entire District is free of controlled substances.

"Workplace" is defined as a school building or other school premises, any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities, off school property during any school sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the District.

The Board directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as required to maintain a drug-free workplace.

Drug-Free Workplace Act, 20 USC § 7101 et seq.
21 USC § 812
21 CFR §§ 1308.11-1308.15
34 CFR Part 85

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#6150 -- Alcohol, Drugs, and Other Substances
#6530 -- Employee Assistance Program (EAP)
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances
District *Code of Conduct*

Adoption Date: May 3, 2018

SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT

The Superintendent, in consultation with the appropriate administrative staff and/or teacher committees, is directed to arrange in-service programs and other staff development opportunities which will provide for the selection of subjects pertinent to the curriculum in the schools, to build from these subjects those topics or courses for in-service or staff development which will help employees acquire new methods of performing their job responsibilities or help staff improve on those techniques which are already being used in the schools, with the objective of improving professional competencies.

It is recommended that administration develop meaningful in-service and/or staff development programs which will achieve the following:

a) Contribute to the instructional program of the schools;

b) Contribute to improved education for students;

c) Achieve state mandates; and

d) Enhance the professional competencies and/or instructional abilities of staff members.

The Board, therefore, encourages all employees to improve their competencies beyond that which they may obtain through the regular performance of their assigned duties. Opportunities should be provided for:

a) Planned in-service programs, courses, seminars, and workshops offered both within the School System and outside the District.

b) Visits to other classrooms and schools, as well as attendance at professional meetings, for the purpose of improving instruction and/or educational services.

c) Orientation or re-orientation of staff members to program and/or organizational changes as well as District expectations.

Attendance at professional development programs must be directly linked to the duties and responsibilities comprising the job description of the employee. Consequently, employees are encouraged to participate in the planning of staff development programs designed to meet their specific needs.

Members of the staff are also encouraged to continue their formal education as well as to attend their respective work-related workshops, conferences and meetings.

(Continued)

SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT (Cont'd.)

Funds for participating at conferences, conventions, and other similar professional development programs will be budgeted for by the Board on an annual basis. Reimbursement to District staff for all actual and necessary registration fees, expenses of travel, meals and lodging, and all necessary tuition fees incurred in connection with attendance at conferences and the like will be in accordance with established regulations for conference attendance and expense reimbursement.

The Superintendent or designee has authority to approve release time and expenses for staff members' attendance at professional training conferences, study councils, in-service courses, workshops, summer study grants, school visitations, professional organizations and the like within budgetary constraints.

A conference request form or course approval form must be submitted by the employee and approved by the designated administrator prior to the employee's attendance at the conference or other professional development program.

Mentoring Programs for First Year Teachers

First year teachers must participate in a mentoring program as a component of the District's Professional Development Plan. The purpose of the mentoring program is to increase the retention of new teachers and improve their ability to assist students in attaining state learning standards. The mentor's role is to provide guidance and support to a new teacher. However, additional mentor responsibilities may be negotiated and reflected in a collective bargaining agreement.

Education Law §§ 1604(27), 3004 and 3006
General Municipal Law §§ 77-b and 77-c
8 NYCRR §§ 52.21(b)(3)(xvi), 52.21(b)(3)(xvii), 80-3.4(b)(2), 80-5.13, 80-5.14 and 100.2(dd)

NOTE: Refer also to Policy #6213 -- Registration and Professional Development

Adoption Date: May 3, 2018

SUBJECT: CONFERENCE/TRAVEL EXPENSE REIMBURSEMENT

Conference travel will be for official business and will be made utilizing a cost-effective and reasonable method of travel.

All conference travel must have a completed Travel Conference Request Form on file which has been approved by the appropriate supervisor. Following the review and approval of the employee's immediate supervisor, the Superintendent or designee approves Travel Conference Requests. Travel Conference Request Forms are only to be used by District employees.

All conference reimbursement requests must be submitted using a Travel Conference Reimbursement Form.

Expenses for overnight-approved travel will be reimbursed when accompanied by original itemized receipts for lodging and other reimbursable expenses. Meal expenses for overnight travel will only be reimbursed based on the Board approved per diem rates which are modeled after the United States General Services Administration per diem rates.

New York State sales tax cannot generally be reimbursed. Sales tax may, however, be reimbursed when it is an actual and necessary expense. A Sales Tax-Exempt Form can be obtained prior to travel for hotel accommodations.

Original receipts are required when submitting for parking and tolls, however "EZ Pass" statements may be substituted with the appropriate charges highlighted.

General Municipal Law § 77-b(2)

NOTE: Refer also to Policy #5323 -- Reimbursement For Meals/Refreshments

Adoption Date: May 3, 2018

SUBJECT: FINGERPRINTING CLEARANCE OF NEW HIRES

Unless otherwise authorized, the District will not employ or utilize a prospective school employee unless the prospective school employee has been granted "full" clearance for employment by the State Education Department (SED). The District will require a prospective school employee who is not in the SED criminal history file database to undergo a fingerprint supported criminal history record background check. "Criminal history record" means a record of all criminal convictions and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI). The District will obtain the applicant's consent to the criminal history records search.

The SED joined the Statewide Vendor Management System (SVMS) operated by MorphoTrust in conjunction with DCJS for the capture and transmission of the fingerprint application, fee, and digital fingerprint images. The District will use the SVMS as directed by SED. The District will still request clearance for employment, view information regarding an applicant's status, and enter hire or termination dates through SED's Web-based application known as TEACH.

Safety of Students

The District will develop internal building and/or program procedures to help ensure the safety of students who have contact with an employee holding conditional appointment or emergency conditional appointment. These procedures will address the safety of students in the classroom, students attending off-campus activities under the supervision of the District, and students participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

Safety procedures to be addressed include, but are not limited to supervision of the employee holding conditional appointment or emergency conditional appointment as determined appropriate by the applicable building or program administrator and periodic visitations by the building or program administrator to the classroom, program, and/or activity assigned to the employee holding conditional appointment/emergency conditional appointment.

Correction Law Article 23-A
Education Law §§ 305(30), 305(33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b, 3004-c and 3035
Executive Law § 296(16)
Social Services Law Article 5, Title 9-B
8 NYCRR § 80-1.11 and Part 87

Adoption Date: May 3, 2018

SUBJECT: SAFE MENTORING ACT

In accordance with the Safe Mentoring Act, to ensure the safety of students involved in the District's mentoring program, the District will obtain a criminal history record check from the Division of Criminal Justice Services (DCJS) for each prospective employee as well as prospective volunteer mentors who are involved in any District mentoring program and who may engage in unsupervised activities with youth or in activities with youth in a setting without constant oversight.

Definitions

a) "Prospective employee" means a person being considered for employment by a mentoring program.

b) "Prospective mentor" means an individual who is currently applying to volunteer to help a child or a group of children in a mentoring program for a period of time. This help will include, but not be limited to, being a positive role model for youth, building relationships with youth, and providing youth with academic assistance and exposure to new experiences and examples of opportunity that enhance the ability of children to become responsible adults.

c) A "criminal history record" means a record of all convictions of crimes and any pending criminal charges maintained on an individual by the DCJS and the Federal Bureau of Investigation (FBI).

d) "Mentoring program" means a formalized program operated by an educational institution or school district that matches youth with adult volunteers with the purpose of providing youth with positive role models to enhance their development.

Prospective School Employees

All prospective school employees must already receive clearance from the State Education Department in accordance with existing procedures. However, all other requirements of the Safe Mentoring Act apply to prospective school employees who are being considered for employment by a mentoring program.

The District will require that a criminal history record check be conducted for any "prospective employee" not otherwise defined as a "prospective school employee" per Commissioner's regulations in accordance with Social Services Law Section 390-e and District procedures.

Prospective Volunteer Mentors

Volunteers, however, are not covered by these regulations, and "prospective mentors" (i.e., defined as applicants for volunteer work in a mentoring role or program) will be subject to the requirements of Social Services Law Section 390-e and District procedures.

(Continued)

SUBJECT: SAFE MENTORING ACT (Cont'd.)

Fees for Fingerprinting

Both the DCJS and the FBI impose a processing fee. The fees for the criminal history record search will be an amount equal to the fees established by DCJS and the FBI for processing the criminal history information request. In addition, the entity that actually takes the fingerprints may impose a fee. The fees will be payable to Office of Children and Family Services (OCFS) and paid by money order, check, or certified check, by the District.

Unless otherwise authorized by the Board, the prospective employee and/or prospective volunteer mentor will pay such fees.

Waiver by Custodial Parent or Guardian

A custodial parent or guardian may sign a waiver authorizing a mentor to work with his/her child regardless of a criminal charge or crime related to a mentor, unless the crime is a sex offense or a crime against a child. No waiver is permitted in the case of a sex offense or a crime against a child. This waiver process may only be initiated upon the consent of the prospective mentor, and be on a form developed by the OCFS. Where applicable, the District may notify a custodial parent or guardian of his or her waiver right, but a waiver will only be authorized by a custodial parent or guardian.

Confidentiality

The criminal history record will be confidential in accordance with applicable federal and state laws, rules, and regulations, and will not be published or in any way disclosed to persons other than authorized personnel, unless otherwise authorized by law.

Parental Disclosure

The District will provide each custodial parent or guardian of every child participating in its mentoring program a description of the kind of criminal background checks conducted on prospective employees and prospective volunteer mentors in accordance with law.

Correction Law §§ 752 and 755
Executive Law § 837(8-a)
Social Services Law § 390-e
8 NYCRR § 80-1.11 and Part 87

Adoption Date: May 3, 2018

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)

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

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

Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations. "Frequent personal communication with a student unrelated to course work or official school matters" means any form in which that personal communication may occur including, but not limited to, voice or text-based communication via phone, email, instant messaging, text messaging, or through social networking websites.

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

Any student who believes that he or she has been subjected to inappropriate staff behavior as described in this policy, as well as students, school employees, or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, will report the incident to any staff member or either the employee's supervisor, the student's principal, or the District's designated Compliance Officer. In all events, these reports will be forwarded to the designated Compliance Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students will also be investigated by the District. Investigations of allegations of inappropriate staff-student relations will follow the procedures utilized for complaints of harassment within the District. Allegations of inappropriate staff-student behavior will be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

(Continued)

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

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

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

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

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

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

District Responsibility/Training

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

The District's policy (or a summary thereof) will be disseminated as appropriate to staff, students, and parents.

Disciplinary Sanctions

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

(Continued)

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
Education Law Article 23-B
Social Services Law §§ 411-428
8 NYCRR Part 83

Adoption Date: May 3, 2018

SUBJECT: EMPLOYMENT OF RELATIVES OF BOARD MEMBERS

The District will not employ any teacher who is related by blood or marriage to any Board member unless two-thirds of the Board members consent at a Board meeting. The vote will be recorded in the Board's meeting minutes.

Education Law § 3016
General Municipal Law §§ 800-809

Adoption Date: June 14, 2018

SUBJECT: CERTIFICATION AND QUALIFICATIONS

The following provisions will govern certification and qualifications of District personnel:

a) In accordance with applicable statutes, Rules of the Board of Regents, and the Commissioner's regulations, each employee whose employment requires certification or other licensure must inform the Superintendent immediately of any change in the status of his or her certification or licensure. The changes include, but are not limited to, the granting, revocation, upgrading, expiration, conversion, and/or extension of these documents as to their periods of validity or their titles.

b) Commissioner's regulations extend the expiration dates for various certificate holders engaged in active military service for the period of active service and an additional 12 months from the end of such service. The regulations also reduce the professional development requirements for certification holders called to active duty for the time of such active service.

c) The original certificates and/or licenses must be presented for examination and copying in the Office of the Superintendent as soon as they are available to the employee. The copies will be maintained in the employee's personnel file in support of the legitimate employment of each affected employee. The failure of any employee to possess the required certification or other licensure may result in the discharge of that employee.

d) Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for his or her assignment.

Qualifications of Teachers

a) The District must ensure that all newly hired teachers in Title I programs who teach core academic subjects are highly qualified per the Commissioner's regulations. The term "core academic subjects" means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. A "highly qualified" teacher is one who has obtained full state certification as a teacher, or has passed the state teacher licensing examination, holds a license to teach in the state and has at least a bachelor's degree, and also must show subject matter competency in the subjects they teach.

b) The District is also required to provide to teachers who are not new to the profession the opportunity to meet the requirement to be highly qualified, in part, through passing a High Objective Uniform State Standard of Evaluation (HOUSSE). The HOUSSE will be an evaluation, prescribed by the New York State Education Department and conducted locally either during a pre-employment review or at the time of an Annual Professional Performance Review (APPR), that enables a teacher who is beyond the first year of teaching to demonstrate subject matter competency in all core academic subjects that the teacher teaches. The evaluation will be based upon objective, coherent information as prescribed by the department, and will include, but not be limited to, information on the teacher's education, credentials, professional experience, and professional development.

(Continued)

SUBJECT: CERTIFICATION AND QUALIFICATIONS (Cont'd.)

c) The District must ensure that a candidate for a teaching certificate or license as a special education teacher will, in addition to all other certification or licensing requirements, have completed enhanced course work or training in the area of children with autism.

d) Enhanced training in the needs of autistic children must also be completed by each certified school administrator or supervisor assigned to serve as a special education administrator. This training must be provided prior to, or as soon as practicable following, assignment as a special education administrator. The enhanced course work or training must be obtained from an institution or provider approved by the department except that a school district or a Board of Cooperative Educational Services (BOCES) may provide this training as part of its professional development program.

Parent Notification

The District is required to provide parents, upon request, with specific information about the professional qualifications of their children's classroom teachers. The following will be provided by the District upon these requests:

a) If the teacher has met New York State qualifications and licensing criteria for the grade levels and subject areas he or she teaches;

b) Whether the teacher is teaching under emergency or other provisional status through which the ~~s~~state qualification or licensing criteria have been waived;

c) The teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees; and

d) If the child is provided services by any instructional aides or similar paraprofessionals and, if so, their qualifications.

All requests will be honored in a timely manner.

20 USC § 7801(23)
34 CFR §§ 200.55 and 200.56
Education Law §§ 210, 305, 3001, 3001-a, 3004, 3006 and 3008
8 NYCRR Subparts 57-3, 80-1, 80-2, 80-3, 80.4, and 80.5
8 NYCRR §§ 100.2(dd) and 100.2(o)

Adoption Date: June 14, 2018

SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT

Registration

All employees holding a lifetime certificate in classroom teaching, teaching assistant, or educational leadership service (school building leader, school district leader, or school district business leader) must register with the State Education Department (SED) every five years through the TEACH system. Only registered employees may teach or supervise in the District.

Teachers and administrators with a permanent, professional, or a Level III teaching assistant certificate issued before July 1, 2016 must apply for initial registration during the 2017-2018 school year during their birth month. These certificate holders must thereafter renew their registration every five years during their birth month.

Teachers and administrators with a professional or a Level III teaching assistant certificate issued on or after July 1, 2016 will be automatically registered. These certificate holders must thereafter renew their registration every five years during their birth month.

Certificate holders who do not timely register may not be employed and may be subject to monthly late fees after the first, transitional five-year registration period. Employees who change their name or address must also update SED within 180 days through the TEACH system.

Continuing Teacher and Leader Education (CTLE) Credit Hours

All District teachers and educational leaders with a professional or Level III teaching assistant certificate must complete 100 hours of acceptable CTLE during each five-year registration period to maintain a valid certificate. This requirement may be completed at any time over the course of a five-year period. Credit hours cannot carry over, however, to subsequent registration periods.

SED sets high standards for courses, programs, and activities that qualify for CTLE credit, and it must approve all CTLE sponsors. Generally, acceptable CTLE will be in the content area of any certificate title held by an individual or in pedagogy. Further, the CTLE will be aligned with professional development standards created by the New York Professional Standards and Practices Board for Teaching.

The District will describe opportunities for teachers and administrators to engage in CTLE in its Professional Development Plan. The District will provide CTLE opportunities that improve student performance and the teacher's or administrator's pedagogical or leadership skills, and that promote professionalism. A peer-review teacher or principal acting as an independent trained evaluator who conducts a classroom observation as part of a teacher evaluation under relevant sections of the Education Law may apply the observation time to fulfilling CTLE requirements. Time spent mentoring may also be counted toward required CTLE credit hours.

(Continued)

SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT (Cont'd.)

Language Acquisition CTLE and Exemption

Employees holding an English to speakers of other languages certificate or bilingual extension annotations are required to complete 50 CTLE hours in language acquisition aligned with the core content area of instruction taught, including a focus on best practices for co-teaching strategies, and integrating language and content instruction for English Language Learner (ELL) students. All other certificate holders must complete at least 15 CTLE hours dedicated to language acquisition addressing the needs of ELLs, including a focus on best practices for co-teaching strategies and integrating language and content instruction for ELLs. Employees holding a Level III teaching assistant certificate must complete at least 15 CTLE hours in language acquisition addressing the needs of ELLs and integrating language and content instruction for ELLs.

Employees may be eligible for a waiver of language acquisition CTLE requirements. Each school year when there are fewer than 30 ELL students enrolled in the District or ELLs make up less than 5% of the total student population, the District may obtain an exemption. If the District obtains this exemption, employees would be exempt from the language acquisition CTLE requirement for each year that they are employed in the District.

CTLE Adjustments

The Commissioner may adjust an employee's number of CTLE hours or time to complete them due to poor health, as certified by a health-care provider; extended active duty in the Armed Forces; or other acceptable good cause.

Any employee who obtains certification from the National Board for Professional Teaching Standards will be considered CTLE-compliant for the registration period in which he or she obtains this certification. The employee must still meet any language acquisition requirements, however.

Recordkeeping and Reporting Requirements

Employees must maintain a record of completed CTLE for at least three years from the end of the applicable registration period. The District will maintain a record of any professional development it conducts or provides for at least seven years from the date of completion. The District will also submit all required reports to SED each year.

Education Law §§ 3006, 3006-a, 3012-d
8 NYCRR §§ 80-6, 100.2(dd)

NOTE: Refer also to Policy #6160 -- Professional Growth/Staff Development

Adoption Date: June 14, 2018

SUBJECT: INCIDENTAL TEACHING

The Superintendent may assign a teacher to teach a subject not covered by such teacher's certificate or license for a period not to exceed five classroom hours a week, when no certified or qualified teacher is available after extensive and documented recruitment efforts, and provided that approval of the Commissioner of Education is obtained.

Not later than 20 business days after such an assignment, the Superintendent must submit for approval an application, in a form satisfactory to the Commissioner, containing the following information:

a) Evidence of extensive recruitment of a teacher certified in the appropriate area;

b) The name and certification status of the teacher given such assignment;

c) The subject which the teacher is being assigned to teach on an incidental basis and the total number of classes in the subject being taught on an incidental basis;

d) The qualifications of the teacher to teach such subject on an incidental basis;

e) The specific reasons why an incidental assignment is necessary;

f) The anticipated duration of the incidental teaching assignment; and

g) The number of applications, approved or pending, for authorization to make incidental teaching assignments in the same certification area for which the current authorization is being sought.

To be approved, the application must demonstrate to the satisfaction of the Commissioner that an incidental teaching assignment is necessary, that the teacher assigned is the best qualified to teach the subject on an incidental basis, and that the requirements of Commissioner's regulations have been met.

The Commissioner will issue a determination within 20 business days of receipt of the District's application.

In the event that the application is disapproved, the Superintendent, within seven business days of receipt of the notice of disapproval, will terminate the incidental assignment. In the event that the application is approved, this approval will be deemed to have commenced on the date of the incidental teaching assignment and will terminate on the last day of the school year for which it is granted.

(Continued)

SUBJECT: INCIDENTAL TEACHING (Cont'd.)

The Superintendent may renew an incidental teaching assignment, in accordance with the requirements of Commissioner's regulations, for any subsequent school year. In addition to submitting to the Commissioner the information noted above for initial approval of an incidental teaching assignment, a renewal application must provide a number of assurances, including that the teacher assigned a course on an incidental basis has completed, or has agreed to complete, within the prescribed time period, at least three semester hours of credit or the equivalent leading to certification in the subject area of the incidental assignment.

8 NYCRR § 80-5.3

Adoption Date: June 14, 2018

SUBJECT: PROBATION AND TENURE

Probation

Certified staff members will be appointed to a probationary period by a majority vote of the Board upon recommendation of the Superintendent.

Teachers, all other members of the teaching staff, administrators, directors, supervisors, principals, and all other members of the supervisory staff, except associate, assistant, and other superintendents, will be appointed to a probationary period of four years. The probationary period will not exceed three years for teachers previously appointed to tenure in this or another school district or BOCES within the state, provided that the teacher was not dismissed from the prior district or BOCES and met the required annual professional performance review (APPR) rating in his or her final year of service there. Additionally, up to two years of service as a regular substitute teacher may be applied toward probationary service. (This is sometimes referred to as Jarema Credit.)

During the probationary period, a staff member will be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance will be assumed because the staff member attained the required certification or license.

A staff member's appointment may be discontinued at any time during his or her probationary period upon the recommendation of the Superintendent and by majority vote of the Board. Any person not recommended for tenure appointment will be notified in writing by the Superintendent no later than 60 days before his or her probationary period expires.

Tenure

The Board will follow all applicable laws and regulations regarding tenure.

At the expiration of the probationary period or within six months prior, the Superintendent will make a written report to the Board recommending for appointment to tenure 1) those non-teaching certified staff members who successfully completed their probationary period in the District, and 2) teachers and principals who have been found competent, efficient, and satisfactory, and who have received the APPR rating of effective or highly effective in at least three of the preceding four years. If a teacher or principal receive an APPR rating of ineffective in their final probationary year, the Board may not award tenure, but may extend that teacher's or principal's probationary time by an additional year. The teacher or principal may be eligible for immediate tenure if he or she successfully appeals the ineffective rating. The Board may then—by a majority vote—appoint to tenure any or all of the persons recommended by the Superintendent.

When the initial probationary period expires, a teacher or principal will remain on probationary status until the end of the school year in which he or she received APPR ratings of effective or highly effective. The Board may also grant tenure contingent upon a teacher's or principal's receipt of a minimum APPR rating in the final year of the probationary period.

(Continued)

SUBJECT: PROBATION AND TENURE (Cont'd.)

Resolutions Making Appointments

Each Board resolution making a probationary appointment or an appointment on tenure will specify:

a) The name of the appointee;

b) The tenure area or areas in which the professional will devote a substantial portion of his or her time;

c) The date probationary service or service on tenure commences in each area;

d) The expiration date of the appointment, if made on a probationary basis. For appointments of classroom teachers and principals, the resolution must state that:

1. To receive tenure, the individual must receive composite or overall APPR ratings of effective or highly effective in at least three of the four preceding years; and

2. If the teacher or principal receives an ineffective composite or overall APPR rating in his or her final year of probation, he or she will not be eligible for tenure at that time; and

e) The certification status of the appointee in reference to the position to which the individual is appointed.

Education Law §§ 2509, 2573, 3012, 3012-c, 3012-d, 3014, and 3031
8 NYCRR §§ 30-1.3, 80-3.6, 80-3.9, and 80-3.10

Adoption Date: June 14, 2018

SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL

The District may discipline tenured teachers and certain certified personnel in accordance with applicable law, regulations, or applicable contract provisions.

Ineffective Personnel

The District or Board may bring incompetence charges against a teacher or building principal who receives two or more consecutive ineffective ratings under the APPR; the District or Board must bring incompetence charges against anyone who receives three consecutive ineffective APPR ratings. A single hearing officer from the American Arbitration Association's labor arbitration panel will govern the competency hearing. The hearing may be public or private, at the employee's discretion. The employee will have a reasonable opportunity to defend himself or herself, but will not be required to testify. Each party has the right to be represented by counsel, to subpoena witnesses, to cross-examine witnesses, and to make motions or applications. There will be a full and fair disclosure of witnesses and evidence to be offered by both the District and the employee. A record of the proceeding will be kept.

Allegations of Abuse

The Board may suspend, without pay, an employee charged with physically or sexually abusing a student pending an expedited probable-cause hearing. A single hearing officer will conduct the probable-cause hearing.

Child Witnesses

A child under 14 may be allowed to testify through live, two-way, closed-circuit television if the hearing officer determines by clear and convincing evidence that the child would suffer serious mental or emotional harm that would substantially impair his or her ability to communicate if required to testify live, and that using closed-circuit television would diminish the likelihood or extent of the child suffering serious mental or emotional harm. In making this decision, the hearing officer will consider applicable factors, including: whether the offense was particularly heinous, the child's age and vulnerability, the child's susceptibility to psychological harm due to an underlying physical or mental condition, whether the accused occupied a position of authority over the child, if the offense charged was part of an ongoing course of conduct committed by the accused against the child over an extended period of time, use of a dangerous or deadly weapon, whether the child suffered serious physical injury, threats made against the child, the accused's access to the child, and expert testimony that the child would be particularly susceptible to psychological harm if required to testify in open court or to be in the physical presence of the accused.

(Continued)

SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL (Cont'd.)

Automatic Revocation of Teacher and Administrative Certificates by the Commissioner of Education

The Commissioner will revoke and annul the certificate of a teacher, teaching assistant, pupil personnel services professional, school administrator or supervisor, or superintendent convicted of:

a) A sex offense for which registration as a sex offender is required under the Sex Offender Registration Act; or

b) Any other violent felony offense committed against a child when the child was the intended victim of the offense.

These offenses include, but are not limited to, sexual misconduct, sexual abuse, rape, statutory rape, assault, various other criminal sexual acts, and certain kidnapping offenses.

In addition, the Commissioner will revoke and annul the certificate of a school district administrator, school administrator or supervisor, or school business administrator convicted of fraud.

Criminal Procedure Law §§ 65.00, 65.20, 65.30, and 380.95
Education Law §§ 305(7-a), 305(7-b), 2573(8), 2590-j(7), 3012, 3020-a, and 3020-b
Penal Law § 195.20
8 NYCRR Subpart 82-3
Correction Law Article 6-C

Adoption Date: June 14, 2018

SUBJECT: PROFESSIONAL STAFF: SEPARATION

A probationary professional staff member may be discontinued at any time during his or her probationary period on the recommendation of the Superintendent and by a majority vote of the Board.

If the Superintendent will be submitting to the Board a negative recommendation for tenure or a recommendation to discontinue the services of a probationary professional staff member, the Superintendent must give the probationary employee written notice 30 days prior to the Board meeting at which the recommendation will be considered. If a majority of the Board accepts the recommendation and votes to dismiss, the professional staff member must then be given a written notice at least 30 days prior to the effective date of termination of services. The District will adhere to all other statutory timeframes.

The Board expects any professional staff member desiring to terminate his or her services to provide the Board with a minimum of 30 days notice before the effective termination date.

When possible, a professional staff member will make every effort to terminate employment at the end of the school year. Resignations must be in writing and include the effective date.

Education Law §§ 2509, 3012, 3019-a and 3031

Adoption Date: June 14, 2018

SUBJECT: TEACHER ASSIGNMENT, TRANSFER AND REDUCTION OF STAFF

Teachers will not be assigned except temporarily and for good causes outside the scope of their teaching certificates or their major or minor field of study.

Any teacher who will be affected by change of grade level assignment in the elementary schools or change of subject area in the secondary grades will be notified and consulted by the Principal as soon as practicable under normal circumstances.

In the event that within the system it becomes necessary to transfer teachers from one building to another, or from one tenure area to another within the building, the following will occur:

a) The building principals and the Superintendent will meet to discuss and recommend such transfer to the Board of Education;

b) A recommendation will be made to the Board;

c) The Board will act on any change of tenure recommendation; and

d) Any transfer must comply with applicable state and federal laws and regulations.

Adoption Date: June 14, 2018

SUBJECT: TEMPORARY PERSONNEL

The District's needs sometimes require temporary appointments. The terms of these appointments will be defined by the Board on a case-by-case basis.

Student Teachers

The District will cooperate with teacher training institutions in the placement of student teachers to provide beginning teachers with the best possible student teaching experience.

Schools are required to allow student teachers to videotape themselves providing instruction in a classroom to meet part of their performance assessment requirements for teaching certification. The video must remain confidential, is a confidential record of the New York State Education Department (SED), and is not subject to viewing or disclosure to an individual or entity other than the student teacher applicant and relevant SED personnel.

Student teachers will be protected from liability for negligence or other acts resulting in accidental injury to any person by the District, as provided by law.

Substitute Teachers

A fully qualified substitute teacher will be employed, whenever possible, by the Superintendent in the absence of a regular teacher. It is recognized that fully certified persons will not always be available for employment as substitute teachers.

Eligibility for Service

There are three categories of substitutes:

a) Substitutes with valid teaching certificates or certificates of qualification may serve in any capacity for any number of days. If employed on more than an itinerant basis, these substitutes will be employed in their certification area.

b) Substitutes without a valid certificate, but who are completing collegiate study towards certification at the rate of not less than six semester hours per year may serve in any capacity for any number of days, in any number of school districts. If employed on more than an itinerant basis, these substitutes will be employed in their anticipated certification area.

c) Substitutes without a valid certificate and who are not working toward certification may serve for no more than 40 days per school year. In extreme circumstances—where there is an urgent need for a substitute teacher—however, the District may employ this substitute teacher beyond the 40-day limit, for up to an additional 50 days (90 days total in a school year), if the Superintendent certifies that the District conducted a good-faith recruitment search and there are no certified teachers available who can perform the duties of the position.

(Continued)

SUBJECT: TEMPORARY PERSONNEL (Cont'd.)

In even more rare circumstances, the District may hire this substitute teacher beyond the 90 days only if the Superintendent attests that the District conducted a good-faith recruitment search, but there are still no certified teachers available who can perform the duties of the position and that the District needs a particular substitute teacher to work with a specific class or group of students until the end of the school year.

The Board will annually establish the ordinary rate for per diem substitute teachers.

Reporting

The Superintendent will submit an annual report to the Commissioner concerning the employment of all uncertified teachers. The report will include:

a) The number of substitute teachers authorized to be employed beyond the 40-day limit.

b) The number of substitute teachers authorized to be employed beyond the 90-day limit.

c) The required good-faith recruitment certifications for all teachers employed beyond the 40-day and 90-day limits.

Pay Schedules

Substitute Teachers/Registered Nurses (RN's) employed by the LaFayette Central School District are to be paid according to the following schedule at the various rates specified at the Reorganization Meeting:

a) Per Diem subs with less than three years of satisfactory District experience;

b) Per Diem subs with three or more years of satisfactory District experience and are recommended as a Preferred Substitute by the Building Principal;

c) Per Diem subs who work in the same assignment in excess of ten days will be paid at the rate of 1/200 of the starting pay rate (retroactive to day one) for permanently assigned first-year teachers/RN's (Step B-1/Teachers and Step 1/RN's of the respective salary schedules);

d) The salary of a substitute employed for a minimum of one complete semester will be determined by the Administration.

Fringe benefits will not be extended to substitute teachers/RN's except for those individuals who are initially employed as in (d) above. In employing substitutes, school administrators will make every possible attempt to hire only certified teaching personnel.

Education Law § 3023
8 NYCRR §§ 80-1.5 and 80-5.4

Adoption Date: June 14, 2018

SUBJECT: APPOINTMENT - SUPPORT STAFF

The probationary period for all new civil service employees will be for the maximum period established by the local Civil Service Commission.

The time, place, conditions of employment, and transfer of support staff will be vested in the Superintendent who will conduct these actions in compliance with all applicable contract provisions. The duties for each Civil Service employee will be clearly defined.

Civil Service Law § 63

Adoption Date: August 9, 2018

SUBJECT: SUPPLEMENTARY SCHOOL PERSONNEL

Teacher Aides

In accordance with the Commissioner's regulations, the Board may employ teacher aides to assist in the daily operation of the school through non-teaching duties.

The duties and responsibilities to be assumed by teacher aides will be outlined by the Superintendent in accordance with Civil Service guidelines. Teacher aides will be responsible to the building principal or designee.

A teacher aide may be assigned to assist teachers in non-teaching duties such as:

a) Managing records, materials, and equipment;

b) Attending to the physical needs of children; and

c) Supervising students and performing such other services as support teaching duties when those services are determined and supervised by a teacher.

Teaching Assistants

In accordance with the Commissioner's regulations, the Board may employ teaching assistants to provide, under the general supervision of a licensed or certified teacher, direct instructional service to students.

Teaching assistants assist teachers by performing duties such as:

a) Working with individual students or groups of students on special instructional projects;

b) Providing the teacher with information about students that will assist the teacher in the development of appropriate learning aspects;

c) Assisting students in the use of available instructional resources and assisting in the development of instructional materials;

d) Utilizing their own special skills and abilities by assisting in instructional programs in areas such as foreign language, arts, crafts, music, and similar subjects; and

e) Assisting in related instructional work as required.

(Continued)

SUBJECT: SUPPLEMENTARY SCHOOL PERSONNEL (Cont'd.)

Teaching assistants who hold a pre-professional teaching assistant certificate will have the same scope of duties as described above for other teaching assistants. Within that scope of duties, teaching assistants holding a pre-professional teaching assistant certificate may, at the discretion of the District, and while under the general supervision of a teacher, perform duties such as:

a) Working with small groups of students so that the teacher can work with a large group or individual students;

b) Helping a teacher to construct a lesson plan;

c) Presenting segments of lesson plans, as directed by the teacher;

d) Communicating with parents of students at a school site or as otherwise directed by a teacher; and

e) Helping a teacher to train other teaching assistants.

Licensure and certification requirements will be as mandated by Commissioner's regulations.

8 NYCRR § 80-5.6, 80-5.9

Adoption Date: August 9, 2018

SUBJECT: STAFF ACCEPTABLE USE POLICY

The Board will provide staff with access to various computerized information resources through the District's computer system (DCS hereafter) consisting of software, hardware, computer networks, wireless networks/access, and electronic communication systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may also include the opportunity for staff to have independent access to the DCS from their home or other remote locations, and/or to access the DCS from their personal devices. All use of the DCS and the wireless network, including independent use off school premises and use on personal devices, will be subject to this policy and any accompanying regulations.

The Board encourages staff to make use of the DCS to explore educational topics, conduct research and contact others in the educational world. The Board anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments. To that end, the Board directs the Superintendent or designee(s) to provide staff with training in the proper and effective use of the DCS.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements will be kept on file in the District Office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance will apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff. Electronic mail and telecommunications will not be utilized to share confidential information about students or other employees.

Access to confidential data is a privilege afforded to District employees in the performance of their duties. Safeguarding this data is a District responsibility that the Board takes very seriously. Consequently, District employment does not automatically guarantee the initial or ongoing ability to use mobile or personal devices to access the DCS and the information it may contain.

This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate staff conduct and use as well as prescribed behavior.

District staff will also adhere to the laws, policies, and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy protected by federal and state law.

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously, or unlawfully damages or destroys property of the District.

(Continued)

SUBJECT: STAFF ACCEPTABLE USE POLICY (Cont'd.)

Social Media Use by Employees

The District recognizes the value of teacher and professional staff inquiry, investigation and communication using new technology tools to enhance student learning experiences. The District also realizes its obligations to teach and ensure responsible and safe use of these new technologies. Social media, including social networking sites (SNS), have great potential to connect people around the globe and enhance communication. Therefore, the Board encourages the use of District approved social media tools and the exploration of new and emerging technologies to supplement the range of communication and educational services.

For purposes of this Policy, the definition of public social media networks or SNS are defined to include: websites, Web logs (blogs), wikis, social networks, online forums, virtual worlds, video sites and any other social media generally available to the District community which do not fall within the District's electronic technology network (e.g., Facebook, MySpace, Twitter, LinkedIn, Flickr, Vine, Instagram, SnapChat, blog sites, etc.). The definition of District approved password-protected social media tools are those that fall within the District's electronic technology network or which the District has approved for educational use. Within these internal forums, the District has greater authority and ability to protect minors from inappropriate content and can limit public access.

The use of social media (whether public or internal) can generally be defined as Official District Use, Professional/Instructional Use and Personal Use. Personal use of social media or SNS by employees during District time or on District-owned equipment is *allowed on a limited basis* (ex: lunch or meal period break). In addition, employees are encouraged to maintain the highest levels of professionalism when communicating, whether using District devices or their own personal devices, in their professional capacity as educators. They have a responsibility to address inappropriate behavior or activity on these networks, including requirements for mandated reporting and compliance with all applicable District policies and regulations.

Confidentiality, Private Information and Privacy Rights

Confidential or private data, including, but not limited to, protected student records, employee personal identifying information, and District assessment data, will only be loaded, stored, or transferred to District-owned devices which have encryption and/or password protection. This restriction, designed to ensure data security, encompasses all computers and devices within the DCS, any mobile devices, including flash or key drives, and any devices that access the DCS from remote locations. Staff will not use email to transmit confidential files in order to work at home or another location. Staff will not use personal cloud-based storage services (such as Dropbox, personal GoogleDrive, SkyDrive, etc.) for confidential files.

(Continued)

SUBJECT: STAFF ACCEPTABLE USE POLICY (Cont'd.)

In addition, staff will not leave any devices unattended with confidential information visible. All devices must be locked down while the staff member steps away from the device, and settings enabled to freeze and lock after a set period of inactivity.

Staff data files and electronic storage areas will remain District property, subject to District control and inspection. The Superintendent, Assistant Superintendent, Technology Coordinator and Network Administrator may access all such files and communications without prior notice to ensure system integrity and that users are complying with requirements of this policy and any accompanying regulations. Staff should not expect that information stored on the DCS will be private.

NOTE: Refer also to Policies #5672 -- Information Security Breach and Notification
#6411 -- Use of Email in the District
#7243 -- Student Data Breaches
#7316 -- Student Use of Personal Technology
#8271 -- Internet Safety/Internet Content Filtering Policy

Adoption Date: August 9, 2018

SUBJECT: USE OF EMAIL IN THE DISTRICT

Email is a valuable business communication tool, however, users must use this tool in a responsible and lawful manner. Every employee and authorized user has a responsibility to be knowledgeable about the inherent risks associated with email usage and to avoid placing the District at risk. The same laws and business records requirements apply to email as to other forms of written communication. District employees and authorized users will use the District's designated email system for all business-related email, including emails in which students or student issues are involved. Personal accounts and instant messaging will not be used to conduct official business.

Employee Acknowledgement

All employees and authorized users will be required to review a copy of the District's policies on staff use of computerized information resources and any regulations established in connection with those policies. Each user must annually acknowledge this employee and authorized user agreement before establishing an account or continuing in his or her use of email.

Classified and Confidential

District employees and authorized users may not:

a) Provide lists or information about District employees or students to others and/or classified information without approval. Questions regarding usage and requests for these lists or information should be directed to a principal or supervisor;

b) Forward emails with confidential, sensitive, or secure information without principal or supervisor authorization. Additional precautions, such as encryption, should be taken when sending documents of a confidential nature;

c) Use file names that may disclose confidential information. Confidential files should be password protected and encrypted. File protection passwords will not be transmitted via email correspondence;

d) Use email to transmit any individual's personal, private, and sensitive information (PPSI). PPSI includes social security number, driver's license number or non-driver ID number, account number, credit or debit card number and security code, or any access code or password that permits access to financial accounts or protected student records;

e) Send or forward emails with comments or statements about the District that may negatively impact it; or

f) Send or forward email that contains confidential information subject to Health Insurance Portability and Accountability Act (HIPAA), Family Educational Rights and Privacy Act (FERPA), and other applicable laws.

(Continued)

SUBJECT: USE OF EMAIL IN THE DISTRICT (Cont'd.)

Personal Use

Employees and authorized users may use the District's email system for limited personal use. However, employees and authorized users have no expectation of privacy in this email use. Personal use does not include chain letters, junk mail, and jokes. Employees and authorized users will not access any other email account or system (Yahoo, Hotmail, AOL, etc.) via the District's network or use the District's email programs to conduct job searches, post personal information to bulletin boards, blogs, chat groups, and list services, etc. without specific permission from the principal or supervisor. The District's email system also will not be used for personal gain or profit.

Receiving Unacceptable Mail

Employees and authorized users who receive offensive, unpleasant, harassing, or intimidating messages via District email or instant messaging should inform their principal or supervisor immediately.

Records Management and Retention

Email will be maintained and archived in accordance with the NYS Records Retention and Disposition Schedule ED-1 and as outlined in the Records Management Policy. Email records may consequently be deleted, purged, or destroyed after they have been retained for the requisite time period established in the ED-1 schedule.

Training

Employees or authorized users should receive regular training on the following topics:

a) The appropriate use of email with students, parents and other staff to avoid issues regarding harassment and/or charges of fraternization;

b) Confidentiality of emails;

c) Permanence of email: email is never truly deleted, as the data can reside in many different places and in many different forms; and

d) No expectation of privacy: email use on District property is not to be construed as private.

Sanctions

The Computer Coordinator may report inappropriate use of email by an employee or authorized user to the employee or authorized user's principal or supervisor who may take appropriate disciplinary action. Violations may result in a loss of email use, access to the technology network, and/or other disciplinary action. When applicable, law enforcement agencies may be contacted.

(Continued)

SUBJECT: USE OF EMAIL IN THE DISTRICT (Cont'd.)

Confidentiality Notice

A standard confidentiality notice will automatically be added to each email as determined by the District.

NOTE: Refer also to Policies #3320 -- Confidentiality of Computerized Information
#3420 -- Non-Discrimination and Anti-Harassment in the District
#5670 -- Records Management
#6410 -- Staff Acceptable Use Policy
#8271 -- Internet Safety/Internet Content Filtering

Adoption Date: August 9, 2018

SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION

Personnel Records

The District will maintain a personnel file for each teacher, administrator, and support staff member employed by the District. Employees may review or inspect their personnel files in accordance with District procedure or practice.

Release of Personnel Information

All steps should be taken to protect the privacy of the employees of the District. To ensure the individual's privacy, directory or confidential information should not be shared with a third party except in the following situations:

a) When members of the Board need information from the employee's personnel record to aid them in performing their legal responsibilities in matters such as appointments, assignments, promotions, demotions, remuneration, discipline, dismissal, or to aid in the development and implementation of personnel policies.

b) When the employee grants permission.

Procedures for obtaining consent for release of records to third parties will be developed by the administration.

Release of Information Concerning Former Employees

The District will not release information concerning the employment records, personnel file or past performance of a former employee, unless that information is required to be disclosed by law. Only the initial and final dates of employment and the position held will be provided through a written response to a written request. The former employee may authorize the release of any additional information.

Public Officers Law § 87
8 NYCRR Part 84

NOTE: Refer also to Policy #5673 -- Employee Personal Identifying Information

Adoption Date: August 9, 2018

SUBJECT: EMPLOYEE POLITICAL ACTIVITIES

The Board recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally-protected rights to address matters of public concern.

However, a District employee's constitutional rights to raise matters of public concern are limited when the speech or action occurs on school grounds and/or during school times. When the speech or action occurs on school grounds and/or during school time, the Board can impose reasonable restrictions on the time, place, and manner of the speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the school.

Teachers may not use their classrooms or school surroundings as a means to promote their personal political views and beliefs. However, teachers are encouraged to address issues of current events for their instructional and informational value to students, to invite public and/or political figures to visit the classroom as a community resource, and to motivate students to participate in the political process.

NOTE: Refer also to Policies #3271 -- Solicitation of Charitable Donations
#3272 -- Advertising in the Schools
#5560 -- Use of Federal Funds for Political Expenditures

Adoption Date: August 9, 2018

SUBJECT: THEFT OF SERVICES OR PROPERTY

The theft of services or property from the District by an employee will result in immediate disciplinary action that may lead to dismissal or other penalty, and will not preclude the filing of criminal or civil charges by the District.

Penal Law § 165.15

Adoption Date: August 9, 2018

SUBJECT: MEDICARE REIMBURSEMENT

The LaFayette Central School District provides a level of health insurance for its retirees. Part of this entails reimbursement for the amount deducted from Social Security for Medicare Part B. The amount reimbursed will be capped at $96.40. Reimbursement shall mean, an amount up to $96.40 shall be deducted from the retires's health insurance premium bill. Retirees will not be reimbursed for any amount; rather, the $96.40 will be deducted from any balance owed by the retiree for district sponsored retiree health insurance. Effective July 1,2010.

Adoption Date: September 13, 2018

SUBJECT: EMPLOYEE ASSISTANCE PROGRAM (EAP)

The District will provide an Employee Assistance Program for employees who are experiencing personal difficulties. The purpose of the program is to assist employees in obtaining help to resolve such problems in an effective and confidential manner. This program recognizes that the primary obligation to seek assistance and to resolve the problem rests with the employee.

The Board recognizes that a wide range of problems that are not directly associated with an employee's job function may have an effect on an employee's job performance. The problems may involve physical illness, mental or emotional illness, alcohol abuse or alcoholism, drug abuse or dependency, tobacco abuse or personal problems such as those of a marital, family, or financial nature.

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#6150 -- Alcohol, Drugs and Other Substances
#6151 -- Drug-Free Workplace

Adoption Date: September 13, 2018

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

Liability Protection in Accordance with Education Law

The Board recognizes its statutory obligation to indemnify District employees (and in certain circumstances, Board members and volunteers) in accordance with the provisions of Education Law. For the purposes of this policy, the term "employee" will be as defined in the applicable statute(s).

The District will not be subject to the duty to defend unless the employee, within the time prescribed by statute, delivers appropriate notice of the claim to the Board.

a) For purposes of Education Law Section 3811, the employee must give written notice within five days after service of process upon him or her. Only written notice of the claim to the Board is mandated; however, submission of relevant legal documents by the employee to the Board is also encouraged.

b) The employee must deliver the original or a copy of the relevant legal documents to the Board within ten days after service of process upon him or her.

The District will provide legal defense and/or indemnification for all damages, costs, and reasonable expenses incurred in the defense of an action or proceeding if authorized by statute and provided that the alleged action or omission which occurred or allegedly occurred is covered by the appropriate statute(s). Furthermore, the District will not be required to provide indemnification protection and/or legal defense unless the employee was, at the time of the alleged incident, acting in the discharge of his or her duties within the scope of his or her employment or authorized volunteer duties and/or under the direction of the Board.

Public Officers Law Section 18

The Board hereby also confers the benefits of New York State Public Officers Law Section 18 upon the "employees" of the District, as defined in Public Officers Law Section 18; and the District assumes the liability for the costs incurred in accordance with the provisions of Public Officers Law Section 18. The benefits accorded to District employees under Public Officers Law Section 18 will supplement and be available in addition to defense or indemnification protection conferred by other enactment or provisions of law.

The term "employees" includes members of the Board, the Superintendent, District officers, District employees, volunteers expressly authorized to participate in a District sponsored volunteer program, or any other person holding a position by election, appointment, or employment in the service of the District, whether or not compensated. The term "employee" also includes a former employee, their estate or judicially appointed representative.

(Continued)

SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES (Cont'd.)

The District will provide for the defense of the employee in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his or her public employment or duties. Furthermore, the District will indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which the judgment or claim arose occurred while the employee was acting within the scope of his or her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless will be conditioned upon the approval of the amount of the settlement by the Board.

The duty to defend and/or indemnify and save harmless will be conditioned upon the delivery by the employee to the School Attorney or to the Superintendent a written request to provide for his or her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten days after he or she is served with that document. The full cooperation of the employee in the defense of the action or proceeding and in the defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal, will also be required as a condition for the District's duty to defend and/or indemnify and save harmless to exist.

Exceptions to Liability Coverage

Indemnification coverage and/or provision of legal defense by the District will not apply unless the actionable claim is of the type covered by the statute(s) and/or is not otherwise exempt from coverage in accordance with law. Additionally, indemnification coverage and/or the duty to provide a defense will not arise where the action or proceeding is brought by or on behalf of the District.

Paul D. Coverell Teacher Protection Act of 2001, as authorized by the No Child Left Behind Act of 2001, 20 USC § 6731 et seq.
Education Law §§ 1604(25), 1604(31-b), 1709(26), 1709(34-b), 2560, 3023, 3028 and 3811
General Municipal Law §§ 6-n and 52
Public Officers Law § 18

Adoption Date: September 13, 2018

SUBJECT: LEAVES OF ABSENCE

In general, leaves of absence will be administered by the Superintendent. The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement. Where a leave of absence is falsely requested or improperly used, the Board may undertake appropriate disciplinary action. The purpose or conditions of a leave of absence may not be altered except by permission of the Superintendent, as expressed in writing.

Leaves of absence, contractual, et al

a) Employees who are members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted in accordance with provisions of contracts in effect between the District and each bargaining unit.

b) Employees who are not members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted by such employees where the requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.

c) Employees who are under contract to the District:

Authorization is granted to implement provisions for leaves of absence contained in each contract.

Leaves of absence, unpaid, not covered above

a) Subject to limitations enumerated in this policy statement, authorization is granted for the following unpaid leaves of absence.

1. For a period of time not to exceed one school year for approved graduate study, such leave to include any required internship experience.

2. At the expiration of a paid sick leave of absence, this leave may be extended for a period of time not longer than the end of the school year after the school year in which the paid leave of absence began.

b) Unpaid leaves of absence will not be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves, except that the Superintendent will have discretion, where circumstances warrant, to approve leaves of absence for those purposes.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

c) Unpaid leaves of absence will not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, can be secured.

d) Except where it interferes with an employee's legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the District.

Other leaves of absence

a) Emergency Service Volunteer Leave

Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers will be granted leave from work with pay for up to 20 days in any calendar year to participate in specialized disaster relief operations. This leave will be provided without loss of seniority, compensation, sick leave, vacation leave, or other overtime compensation to which the volunteer is otherwise entitled.

b) Screenings for Breast Cancer and Prostate Cancer

Employees will be granted up to four hours of paid leave on an annual basis to undertake a screening for breast cancer; employees will be granted up to four hours of paid leave on an annual basis to undertake a screening for prostate cancer (i.e., male employees are entitled to a total of eight hours for both screenings). This leave will be excused leave and will not be charged against any other leave to which the employee is entitled.

c) Blood Donation

The District must either, at its option:

1. Grant three hours of leave of absence in any 12 month period to an employee who seeks to donate blood. According to Commissioner's Guidelines, leave granted to employees for off-premises blood donation is not required to be paid leave.

   The leave may not exceed three hours unless agreed to by the Superintendent or designee; or

2. Allow its employees without use of accumulated leave time to donate blood during work hours at least two times per year at a convenient time and place set by the Superintendent or designee, including allowing an employee to participate in a blood drive at the District.

   Leave taken by employees at a District-designated donation alternative (such as a District-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, sick, or other leave time.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

The District will not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of blood donation under any other provision of law will not be prevented.

d) Bone Marrow Donation

Employees seeking to undergo a medical procedure to donate bone marrow will be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed 24 work hours unless agreed to by the Superintendent or designee. The District will require verification for the purpose and length of each leave requested by the employee for this purpose.

e) Nursing Mothers

The District will provide reasonable unpaid break time or permit the use of paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three years following child birth. The District will make reasonable efforts to provide a room or other location in close proximity to the work area where the nursing mother can express milk in privacy. The District will not discriminate against an employee who chooses to express breast milk in the workplace.

Reasonable unpaid break time is generally no less than 20 minutes and no more than 30 minutes dependent upon the proximity of the designated location for expressing breast milk. In most situations, the District is required to provide unpaid break time at least once every three hours if requested by the employee. At the employee's option, the District will allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid break time(s) so long as such additional time requested falls within the District's normal work hours.

The District will provide written notice to employees who are returning to work following the birth of a child of their right to take unpaid leave for the purpose of expressing breast milk. This notice may either be provided individually to affected employees or to all employees generally through publication of the notice in the employee handbook or posting of the notice in a central location.

Any employee wishing to avail herself of this benefit is required to give the District advance notice, preferably prior to her return to work, to allow the District an opportunity to establish a location and schedule leave time to accommodate employees as needed.

f) Victims of Domestic Abuse

Employers are required to provide employees with an unpaid leave to appear as a witness, consult with the district attorney, or exercise the employee's statutory rights as the victim of, or witness to a crime of domestic violence. A victim of domestic violence may need one or more of these types of leave.

(Continued)

SUBJECT: LEAVES OF ABSENCE (Cont'd.)

To use this leave, the employee must provide notice of the need for leave at any time prior to the actual day of leave. Employers are permitted to ask the employee who sought the attendance or testimony of the employee to provide verification of the employee's service. Employees will not be penalized or discharged for absences by reason of a required appearance as a witness in a criminal proceeding, or consultation with the district attorney, or exercising his or her rights as provided under the law.

g) Military Leave

The District will comply with state and federal laws regarding military leave and re-employment.

h) Jury Duty

As provided by law, any employee who is summoned to serve as a juror and who notifies the District to that effect prior to his or her term of service will not, on account of absence by reason of jury service, be subject to discharge or penalty. The District will ensure that all absences for this purpose are granted in accordance with law and the terms of any applicable collective bargaining agreement.

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 USC §§ 4301-4333
Civil Service Law §§ 71-73, 159-b and 159-c
Education Law §§ 1709(16), 3005, 3005-a and 3005-b
General Municipal Law § 92-c
Judiciary Law §§ 519 and 521
Labor Law §§ 202-a, 202-c, 202-I, 202-j and 206-c
Military Law §§ 242 and 243
Penal Law § 215.14

Adoption Date: September 13, 2018

SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Board, in accordance with the Family and Medical Leave Act of 1993 (as amended) (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to 12 work weeks in a 12-month period as determined by the District.

The District uses the calendar year January through December as its method for calculating the leave year period for the commencement of the FMLA leave period. In certain cases, FMLA leave may be taken on an intermittent or reduced schedule basis rather than all at once.

The entitlement to leave for the birth or placement of a child will expire at the end of the 12-month period beginning on the date of the birth or placement.

Employees are "eligible" if they have been employed by the District for at least 12-months and for at least 1,250 hours of service during the previous 12-month period. Full-time teachers are deemed to meet the 1,250 hour test. However, a break in employment for military service (i.e., call to active duty) should not interrupt the 12-month/1,250 hours of employment requirement and should be counted toward fulfilling this prerequisite. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one or more of the following reasons:

a) The birth of a child and care for the child;

b) Adoption of a child and care for the child;

c) The placement of a child with the employee from foster care;

d) To care for a spouse, minor child or parent who has a "serious health condition" as defined by the FMLA;

e) To care for an adult child who is also incapable of self-care due to a disability (regardless of date of the onset of disability) and has a "serious health condition" as defined by the FMLA; and/or

f) A "serious health condition" of the employee, as defined by the FMLA, that prevents the employee from performing his or her job.

A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider that renders the person incapacitated for more than three consecutive calendar days. Furthermore, the first visit to a health care provider for an employee claiming a "serious health condition" under FMLA must occur within seven days of the aforementioned incapacity with the second required visit occurring within 30 days of the incapacitating event. In order for an employee to claim the need for continuous treatment

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

under FMLA for a chronic serious health condition, the condition must require a minimum of two visits per year to a healthcare provider, continue over an extended period of time, and may cause episodic rather than a continuing period of incapacity. A "serious health condition" is also defined as any period of incapacity related to pregnancy or for prenatal care.

Military Family Leave Entitlements

Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative) is entitled to up to 26 weeks of leave in a single 12-month period to care for a "military member" who is:

a) Recovering from a service-connected serious illness or injury sustained while on active duty; or

b) Recovering from a serious illness or injury that existed prior to the service member's active duty and was aggravated while on active duty; or

c) A veteran who has a qualifying injury or illness from service within the last five years and aggravates that illness or injury.

This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave. Military Caregiver Leave may be combined with other forms of FMLA-related leave providing a combined total of 26 weeks of possible leave for any single 12-month period; however, the other form of FMLA leave when combined cannot exceed 12 of the 26 weeks of combined leave. Military Caregiver Leave has a set "clock" for calculating the 12-month period for when FMLA leave begins and tolling starts at the first day of leave taken.

The term "military member" means:

a) A member of the Regular Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or

b) A veteran (discharged or released under any condition other than dishonorable) who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

"Qualifying Exigency" Leave/Call to Active Duty

An "eligible" employee is entitled to FMLA leave because of "a qualifying exigency" arising out of circumstances where the spouse, son, daughter, or parent of the employee is serving in the regular Armed Forces or either the National Guard or the Reserves and is on active duty during a war or national emergency called for by the President of the United States or Congress, or has been notified of an impending call to active duty status, in support of a contingency operation. There is no "qualifying exigency" unless the military member is or is about to be deployed to a foreign country.

A "qualifying exigency" related to families of the Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve and Coast Guard Reserve personnel on (or called to) active duty to take FMLA protected leave to manage their affairs is defined as any one of the following reasons:

a) Short-notice deployment;

b) Military events and related activities;

c) Childcare and school activities;

d) Parental care leave;

e) Financial and legal arrangements;

f) Counseling;

g) Rest and recuperation (for up to 15 calendar days);

h) Post-deployment activities; and

i) Any additional activities where the employer and employee agree to the leave.

In any case in which the necessity for leave due to a qualifying exigency is foreseeable, the employee will provide such notice to the employer as is reasonable and practicable. This military-related leave is for up to 12 weeks during a single 12-month period. Leave may be taken intermittently or on a reduced leave schedule.

Concurrent (Substitute) Leave

FMLA leave will begin after employees have exhausted other available paid leave.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

Implementation/Benefits/Medical Certification

At the Board's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his or her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits, and working conditions at the conclusion of the leave.

The Board has a right to 30 days advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the "serious health condition" of the employee or the employee's immediate family member. Under no circumstance should the employee's direct supervisor contact any health care provider regarding the employee's condition; all contact in this manner must be made by a health care provider (employed by the employer), a human resource professional, a leave administrator or a management official. If the medical certification requested by the employer is found to be deficient, the employer must indicate where the errors are, in writing, and give the employee seven days to provide corrected materials to cure any deficiency prior to any action being taken.

Special Provisions for District Employees

An instructional employee is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting (e.g., teachers, coaches, driving instructors, special education assistants, etc.). Teaching assistants and aides who do not have instruction as the principal function of their job are not considered an "instructional employee."

<u>Intermittent Leave Taken By Instructional Employees</u>

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is not regarded as intermittent leave but rather continuous leave. The period in the interim (i.e., summer vacation) is not counted against an employee and the employee must continue to receive any benefits that are customarily given over the summer break.

Intermittent leave may be taken but must meet certain criteria. If the instructional employee requesting intermittent leave or leave on a reduced schedule will be on that leave for more than 20% of the number of working days during the period for which the leave would extend, the following criteria may be required by the employer:

a) Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

b) Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

Appropriate notice for foreseeable FMLA leave still applies and all employees must be returned to an equivalent position within the school district. Additional work-related certifications, requirements and/or training may not be required of the employee as a contingent of their return to work.

Leave Taken by Instructional Employees Near the End of the Instructional Year

There are also special requirements for instructional employees taking leave and the leave's relation to the end of the term. If the instructional employee is taking leave more than five weeks prior to the end of the term, the District may require that the employee take the leave until the end of the term if the leave lasts more than three weeks and the employee was scheduled to return prior to three weeks before the end of the term.

If the instructional employee is taking leave less than five weeks prior to the end of the term for any of the previous FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two weeks and the employee would return to work during that two week period at the end of the instructional term.

If the instructional employee begins taking leave during the three weeks prior to the end of the term for any reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave is scheduled to last more than five working days.

Any additional time that is required by the District due to the timing of the end of the school year, will not be charged against the employee as FMLA leave because it was the District who requested that the leave extend until the end of the term.

FMLA Notice

A notice which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA will be posted in each school building and a notice of an employee's FMLA rights and responsibilities will be either placed in the employee handbook of the employer or furnished to each new employee upon hire. The District has five days to supply this notice from the date of hire.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

Family and Medical Leave Act of 1993 (as amended), Public Law 103-3
National Defense Authorization Act of 2008, Public Law 110-181
10 USC 101(a) (13)
29 USC 1630.1 and 2611-2654
29 CFR Part 825 and Part 1630
42 USC 12102
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 CFR Parts 160 and 164

NOTE: Refer also to Policy #6552 -- Military Leaves of Absence

Adoption Date: September 13, 2018

SUBJECT: MILITARY LEAVES OF ABSENCE

In accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and State Law, the District, upon advance notice by the employee, will grant leaves of absence for service in the uniformed services and/or military duty (hereinafter referred to as "military service" or "military duty") to its employees who are ordered to duty or volunteer for qualifying military service. The employee's notice may be either verbal or written. No advance notice is required if military necessity prevents the giving of notice, or the giving of notice is otherwise impossible or unreasonable under all the circumstances.

Employment Rights

Time during which an employee is absent pursuant to military leave will not constitute an interruption of continuous employment in the District and no such employee will be subjected, directly or indirectly, to any loss or diminution of time, service, increment, vacation or holiday privileges, or any other right or privilege, by reason of such absence; nor will any employee be prejudiced by reason of such absence with reference to continuance in employment, reemployment, reinstatement, transfer, or promotion.

Salary/Compensation

Every employee will be paid his or her salary or other compensation for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty. This payment of salary or compensation will not exceed a total of 30 days or 22 working days, whichever is greater, in any one calendar year; and will not exceed 30 days or 22 working days, whichever is greater, in any one continuous period of absence.

The employee must be permitted, upon request, to use any accrued vacation, annual, or similar leave with pay during the period of military service in order to continue his or her civilian pay. The District may not require the employee to use accrued leave.

The employee is not entitled to use accrued sick leave during the period of military service, unless the District allows employees to use sick leave for any reason or allows other similarly situated employees on comparable furlough or leave of absence to use accrued paid sick leave.

Employee Benefits

Health Plan Coverage

If the employee has coverage under a health plan in connection with his or her employment with the District, the employee must be permitted to elect to continue the coverage for a certain period of time as designated in law.

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

When the employee is performing military service, he or she is entitled to continuing coverage for himself or herself (and dependents if the plan offers dependent coverage) under a health plan in connection with the employment. The plan must allow the employee an opportunity to continue coverage for a period of time that is the lesser of:

a) The 24-month period beginning on the date on which the employee's absence for the purpose of performing military service begins; or

b) The period beginning on the date on which the employee's absence for the purpose of performing military service begins, and ending on the date on which the employee fails to return from service or apply for a position of reemployment.

Health plan administrators may develop reasonable requirements addressing how continuing coverage may be elected, consistent with the terms of the plan and USERRA's exceptions to the requirement that the employee give advance notice of military service. Further, health plan administrators may develop reasonable procedures for employee payment to continue coverage, consistent with USERRA and the terms of the plan.

Pension/Retirement Plans

While on military duty, any District employee who is a member of any pension or retirement system may elect to contribute to that pension or retirement system the amount which he or she would have contributed had that employment been continuous. Upon making the contribution, the employee will have the same rights in respect to membership in the retirement system as he or she would have had if the employee had been present and continuously engaged in the performance of his or her position. To the extent that such contributions are paid, absence while engaged in the performance of military duty will be counted in determining the length of total service under the pension or retirement system.

Alternatively, employees will have an opportunity to make up contributions to the pension or retirement system upon return to employment in the District in accordance with law and the individual employee's pension/retirement system.

The payment of member contributions required under law to obtain military service credit is waived for members called to active military duty on or after September 11, 2001 and prior to January 1, 2006.

Time during which an employee is absent on military duty will not constitute an interruption of continuous employment, but this time will not be counted or included in determining the length of total service in the pension or retirement system unless the employee contributes to the pension or retirement system the amount he or she would have been required to contribute if the employee had been continuously employed during the period of military duty.

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

Leaves of Absence for Military Spouses

The spouse of a member of the armed forces of the United States, national guard or reserves who has been deployed during a period of military conflict (defined as a period of war declared by the United States Congress, or in which a member of a reserve component of the armed forces is ordered to active duty pursuant to the United States Code), to a combat theater or combat zone of operations will be allowed up to ten days unpaid leave by their employer. This leave will only be used when the person's spouse is on leave from the armed forces of the United States, National Guard, or reserve while deployed during a period of military conflict to a combat theater or combat zone of operations.

In accordance with law, an employee means a person who performs services for hire for the District for an average of 20 or more hours per week, and includes all individuals employed at any District site having 20 or more District employees, but does not include independent contractors.

The District will not retaliate against an employee for requesting or obtaining a leave of absence as provided above. The provisions of this section will not affect or prevent the District from providing leave for military spouses in addition to leave allowed under any other provision of law. The provisions of this section will not affect an employee's rights with respect to any other employee benefit provided by law.

Reemployment/Restoration Rights ("Escalator Principle")

As a general rule, an employee is entitled to reemployment in the job position that he/she would have attained with reasonable certainty if not for the absence due to military service. The position to which the returning service member should be restored has become known as the "escalator principle."

Depending on the circumstances or intervening events, the escalator principle may cause an employee to be reemployed in a higher or lower position, transferred, laid off, or even terminated.

The employee must be qualified for the reemployment position. The District will make reasonable efforts to help the employee become qualified to perform the duties of this position. The District is not required to reemploy the employee on his or her return from military service if the employee cannot, after reasonable efforts by the District, qualify for the appropriate reemployment position.

Per state law, an employee restored to his or her position after the termination of military duty will be entitled to the rate of compensation he or she would have received had the employee remained in his or her position continuously during the period of military duty; and the employee will be deemed to have rendered satisfactory and efficient service in the job position during the period of military leave of absence. Further, the employee will not be subjected directly or indirectly to any loss of time service, increment, or any other right or privilege; nor will an employee be prejudiced in any way with reference to promotion, transfer, reinstatement, or continuance in employment.

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

All other rights, benefits, and responsibilities of a District employee serving in the military will be in accordance with law, regulations, and/or the applicable contract or collective bargaining agreement.

Probationary Service

Public Employees in General

If a public employee (with the exception of the probationary service of "teachers" as described below) enters military duty before the expiration of the probationary period in any position to which he or she may have been appointed, or to which he or she may thereafter be appointed or promoted, the time the employee is absent on military duty will be credited as satisfactory service during this probationary period.

Teachers/Supervisory Staff

In any case where a "teacher" (as defined in State Education Law Section 3101, the term "teacher" encompasses a broad category of full-time members of the teaching and supervisory staff of the District, and is not limited to "instructional" employees) enters military duty before the expiration of the probationary period to which he or she may have been appointed, the time the "teacher" is absent on military duty will be credited as satisfactory service during this probationary period. If the end of this probationary service occurs while the "teacher" is on military duty or within one year following the termination of military duty, the period of the probationary service may be extended by the Board for a period not to exceed one year from the date of termination of military duty. However, in no event will the period of probationary service in the actual performance of teaching services extend beyond that required by the District at the time of the "teacher's" entry into military service.

Collective Bargaining Agreements/Contracts/Plans/Practices

In accordance with USERRA, any State or local law, contract, agreement, policy, plan, or practice that establishes an employment right or benefit that is more beneficial than, or is in addition to, a right or benefit under USERRA, the greater employment right or benefit will supersede this Federal Law.

Notice of Rights and Duties

The District will provide a notice of the rights, benefits, and obligations of employees and the District under USERRA. The District may provide the notice by posting it where employee notices are customarily placed. The District may also provide the notice to its employees in other ways that will minimize costs while ensuring that the full text of the notice is provided (e.g., by handing or mailing out the notice, or distributing the notice via email).

(Continued)

SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd.)

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), Public Law 108-454
38 USC §§ 4301-4333
20 CFR Part 1002
Education Law § 3101
Military Law §§ 242 and 243

NOTE: Refer also to Policies #6212 -- Certification and Qualifications
#6213 -- Registration and Professional Development
#6551 -- Family and Medical Leave Act

Adoption Date: September 13, 2018

SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR

A certification of the determination that an individual is an employee is required when the District initially reports to the New York State and Local Retirement System (NYSLRS) certain covered professionals -- those persons providing services as an attorney, physician, engineer, architect, accountant, or auditor.

Employee means an individual performing services for the District for which the District has the right to control the means and methods of what work will be done and how the work will be done. Independent contractor means a consultant or other individual engaged to achieve a certain result for the District but who is not subject to the direction of the employer as to the means and methods of accomplishing the result. The District will not enter into agreements with independent contractors for instructional services.

Employees to be Reported to NYSLRS

Only persons who are active members of NYSLRS and who have been assigned a registration number will be included in the reporting requirements. In the case of employees who are in the process of being registered to membership, all service, salary and deductions data, and mandatory contributions will be accumulated by the District and the accumulation will be included with the first monthly report which is due after the employee's registration number has been assigned.

An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the retirement system.

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making this determination, the District must consider the factors set forth in State Regulations.

The District will also complete, as necessary, a Certification Form for Individuals Engaged in Certain Professions (Form RS2414) as promulgated by the Office of the New York State Comptroller. When making a determination as to an individual's status as an employee or independent contractor, no single factor will be considered to be conclusive of the issue. All factors will be considered in making an assessment of an individual's status when engaged to perform services.

Written Explanation by District: Certain Professions

In the case of an individual whose service has been engaged by the District in the capacity of attorney, physician, engineer, architect, accountant, or auditor and the District has determined that the individual is rendering service as an employee and, therefore, may be eligible for credit with a retirement system, the District will submit to the retirement system, in a form prescribed by the Comptroller and certified by the Chief Fiscal Officer of the District, an explanation of the factors that led to the conclusion that the individual is an employee and not an independent contractor or consultant.

(Continued)

SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR (Cont'd.)

Legal Services

Charging for Legal Services

An attorney will not simultaneously be an independent contractor and an employee of the District for the purpose of providing legal services to the District.

An attorney who is not an employee of the District will not seek to be or be considered, treated or otherwise reported by the District as an employee thereof for purposes of compensation, remuneration, health insurance, pension, and all associated employment-related benefits and emoluments.

Reports Regarding Attorneys

The District will, on or before the 45th day after the commencement of its fiscal year, file with the State Education Department, the State Comptroller, and the Attorney General a report specifying:

a) All attorneys who provide legal services to the District or Board;

b) Whether the District or Board hired those attorneys as employees; and

c) All remuneration and compensation paid for legal services.

Protection Against Fraud

Any person who knowingly makes any false statement, or falsifies or permits to be falsified any record or records of the retirement system in any attempt to defraud the system, or who receives certain benefits or payments in excess of statutory limits, as a result of those acts, will be guilty of criminal conduct, and will be punished under the laws of New York State.

Education Law §§ 525, 2050-2054
Retirement and Social Security Law §§ 11, 34, 311, and 334
2 NYCRR §§ 315.2 and 315.3

NOTE: Refer also to Policy #1337 -- Duties of the School Attorney

Adoption Date: September 13, 2018

SUBJECT: EMPLOYMENT OF RETIRED PERSONS

A retired person may be employed and earn compensation in a position in the District, without any effect on his or her status as retired and without suspension or diminution of his or her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there will be no earning limitations on or after the calendar year in which any retired person attains age 65.

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law.

Two sections of the Retirement and Social Security Law (RSSL Section 211 and 212) affect a retiree's return to public employment in New York State. If a retiree returns to public employment, he or she may still be able to collect his or her pension depending upon:

a) How much is earned after returning to work; and

b) The retiree's age.

If a retiree is under age 65, he or she can return to public employment without approval or reduction in retirement benefits as long as his or her calendar year earnings do not exceed $30,000 (the RSSL Section 212 limit). If a retiree's earnings will be more than the Section 212 limits, the employer must request and receive prior approval from the appropriate agency to hire the retiree under Section 211. This may help avoid a reduction or suspension of the retiree's pension.

Section 211 waivers are provided for "unclassified service" positions. Retired police officers employed by a school district as a School Resource Officer (SRO) fall under the "classified service" but may have the earnings limitation waived at the discretion of the Commissioner of Education, as long as all of the requirements for waivers in the unclassified service are fulfilled.

There is generally no restriction on a retiree's earnings beginning in the calendar year he or she turns 65, unless returning to public office.

RSSL Section 211 Approval Process

Approval for post-retirement employment of a person under the age of 65 or a retired police officer employed as a SRO whose calendar year earnings exceed $30,000 may be granted only on the written request of the District giving detailed reasons related to the standards set forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent, and physically fit for the performance of the duties of the position in which he or she is to be employed and is properly certified where certification is required.

(Continued)

SUBJECT: EMPLOYMENT OF RETIRED PERSONS (Cont'd.)

The District will prepare a detailed recruitment plan to fill the vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of such position.

Approvals to hire retired individuals may be granted for periods not exceeding two years each, provided that a person may not return to work in the same or similar position for a period of one year following retirement. However, in accordance with RSSL Section 212, a retiree may return to work in the same or similar position within the same year following retirement if his or her earnings are under $30,000 or if he or she receives a Section 212 waiver, or other conditions exist as enumerated in law.

Reporting Requirements and Disclosure

a) The District will report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Retirement and Social Security Law Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his or her retirement allowance.

b) The District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the state or any of its political subdivisions, will report on an annual basis to the retirement system paying the retirement allowance and to the State Comptroller. This report will consist of the re-employed retiree's name, date of birth, place of employment, current position, and all earnings.

Public Record

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of the request will be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board making such findings and determination as specified in RSSL Section 211.

Education Law § 525
Retirement and Social Security Law §§ 111, 211, 212, 217, and 411
8 NYCRR § 80-5.5(b)

Adoption Date: September 13, 2018

Lafayette Central School District **NUMBER**

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SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Statement of Overall Objectives

The District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. The District recognizes that consistent school attendance, academic success, and school completion has a positive correlation, and therefore has developed, and, if necessary, will revise a Comprehensive Student Attendance Policy to meet the following objectives:

x) Increase school completion for all students;

y) Raise student achievement and close gaps in student performance;

z) Identify attendance patterns in order to design attendance improvement efforts;

aa) Know the whereabouts of every student for safety and other reasons;

bb) Verify that individual students are complying with education laws relating to compulsory attendance;

cc) Determine the District's average daily attendance for State aid purposes.

Description of Strategies to Meet Objectives

The District will:

a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to, increased attendance.

b) Develop a Comprehensive Student Attendance Policy based upon recommendations of the Board, administrators, teachers, students, parents, and the community. The District will hold at least one public hearing prior to the adoption of this collaboratively developed Comprehensive Student Attendance Policy.

c) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness, or early departure of each student.

d) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problem.

e) Develop early intervention strategies to improve school attendance for all students.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

Determination of Excused and Unexcused Absences, Tardiness, and Early Departures

Based upon our District's education and community needs, values, and priorities, the District has determined that absences, tardiness, and early departures will be considered excused or unexcused according to the following standards:

a) **Excused:** An absence, tardiness, or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, or other reasons as may be approved by the Board.

b) **Unexcused:** An absence, tardiness, or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, hunting, babysitting, haircut, obtaining learner's permit, road test, oversleeping).

1) A written excuse, signed by a parent or person in parental relation should be presented by the student when returning to school following each absence.

Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness, and early departure will be kept in a register of attendance in a manner consistent with Commissioner's regulations. An absence, tardiness, or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

Attendance will be taken and recorded in accordance with the following:

a) For students in non-departmentalized kindergarten through grade 8 (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), the student's presence or absence will be recorded after the taking of attendance once per school day, provided that students are not dismissed from school grounds during a lunch period. Where students are dismissed for lunch, their presence or absence will also be recorded after the taking of attendance a second time upon the student's return from lunch. For purposes of APPR and Teacher-Student Data Linkages (TSDL), classroom attendance for all students in grades K through 12 must be recorded on a subject by subject basis for Teacher of Record Determinations.

b) For students in grades 7 through 12 or in departmentalized schools at any grade level (i.e., students pass individually to different classes throughout the day), each student's presence or absence will be recorded after the taking of attendance in each period of scheduled instruction.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

c) Any absence for a school day or portion thereof will be recorded as excused or unexcused in accordance with the standards articulated in this policy.

d) In the event that a student at any instructional level from grades K through 12 arrives late for, or departs early from, scheduled instruction, the tardiness or early departure will be recorded as excused or unexcused in accordance with the standards articulated in this policy.

A record will be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or other cause as may be found satisfactory to the Commissioner of Education.

Attendance records will also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

At the conclusion of each class period or school day, all attendance information will be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness, or early departure will be coded on a student's record in accordance with the established District or building procedures.

Student Attendance and Course Credit

The District believes that classroom participation is related to, and affects, a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Consequently, for each marking period, a certain percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc., as determined by the building administrator or classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

At the middle school/senior high school level, any student with excessive absences in a course may not receive the course participation portion of the grade as defined in the course syllabus. It should be noted that students who do not attend class on a regular basis will not receive the same level of exposure to instruction and will be at risk for course failure. However, students with properly excused absences, tardiness, and early departures for which the student has performed any assigned make-up work, assignments, and/or tests will not be counted as an absence for the purpose of determining the student's eligibility for course credit. District procedures will specify how student tardiness and early departures will be calculated and factored into the District's minimum attendance standard.

However, the District may not deny course credit to a student who has exceeded the allowable number of absences but taken all tests, completed missed class work, and secured a passing grade.

For summer school and courses meeting 1/2 year or 1/4 year, the same policy will apply and a calculation of the absences will be prorated accordingly.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

Students will be considered in attendance if the student is:

a) Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or

b) Working under an approved independent study program; or

c) Receiving approved alternative instruction.

Students who are absent from class due to their participation in a school-sponsored activity must arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school sponsored events where instruction is substantially equivalent to the instruction which was missed will be counted as the equivalent of regular attendance in class.

Upon returning to school following a properly excused absence, tardiness, or early departure, it will be the responsibility of the student to consult with his or her teacher(s) regarding arrangements to make up missed work, assignments, and/or tests in accordance with the time schedule specified by the teacher.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents or persons in parental relation and students are informed of the District's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines will be followed:

a) Copies of the District's Comprehensive Student Attendance Policy will be available to parents or persons in parental relation and provided to students at the beginning of each school year or at the time of enrollment in the District.

b) School newsletters and publications will include periodic reminders of the components of the District's Comprehensive Student Attendance Policy. Copies of the Attendance Policy will also be included in parent or student handbooks or posted on the District website.

c) At periodic intervals, a designated staff member(s) will notify, by telephone, the parent or person in parental relation of the student's absence, tardiness, or early departure and explain the relationship of the student's attendance to his or her ability to receive course credit. If the parent or person in parental relation cannot be reached by telephone, a letter will be sent detailing this information.

d) A designated staff member will review the District's Attendance Policy with students who have excessive and/or unexcused absences, tardiness, or early departures. Further, appropriate student support services within the District, as well as the possible collaboration or referral to community support services and agencies, will be implemented prior to the denial of course credit for insufficient attendance by the student.

Notice of Students who are Absent, Tardy, or Depart Early Without Proper Excuse

A designated staff member will notify by telephone the parent or person in parental relation to a student who is absent, tardy, or departs early without proper excuse. The staff member will explain the District's Comprehensive Student Attendance Policy, the District's or building level intervention procedures, and, if appropriate, the relationship between student attendance and course credit. If the parent or person in parental relation cannot be reached by telephone, the staff member will provide the notification by mail. Further, the District's Attendance Policy will be mailed to the parent or person in parental relation to promote awareness and help ensure compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent or person in parental relation, a school conference will be scheduled between the parent or person in parental relation and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

Attendance Incentives

In order to encourage student attendance, the District will develop and implement grade-appropriate or building-level strategies and programs to promote positive student attendance.

Disciplinary Consequences

Unexcused absences, tardiness, and early departures will result in disciplinary sanctions as described in the District's *Code of Conduct*. Negative consequences will not be imposed, however, where the absence, tardiness, or early departure is related to homelessness. Consequences may include, but are not limited to, in-school suspension, detention, and denial of participation in interscholastic and extracurricular activities. Parents or persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness, or early departures and the importance of class attendance and appropriate interventions. Individual buildings and grade levels will address procedures to implement the notification process to the parent or person in parental relation.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness, or early departures occur, designated District personnel will pursue the following:

a) Identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of unexcused absences, tardiness, or early departures);

b) Contact the District staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent or person in parental relation will be contacted;

c) Discuss strategies to directly intervene with specific element;

d) Recommend intervention to Superintendent or designee if it relates to change in District policy or procedure;

e) Implement changes, as approved by appropriate administration;

f) Utilize appropriate District and/or community resources to address and help remediate student unexcused absences, tardiness, or early departures;

g) Monitor and report short and long term effects of intervention.

(Continued)

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

Appeal Process

A parent or person in parental relation may request a building level review of his or her child's attendance record.

Building Review of Attendance Records

The building principal will work in conjunction with the building attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness, and early departures.

Annual Review by the Board

The Board will annually review the building level student attendance records and if those records show a decline in student attendance, the Board will make any revisions to the Policy and plan deemed necessary to improve student attendance.

Community Awareness

The Board will promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

a) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of each school year and promoting the understanding of this policy to students and their parents or persons in parental relation;

b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and

c) Providing copies of the policy to any other member of the community upon request.

Education Law §§ 3024, 3025, 3202, 3205, 3206, 3210, 3211, and 3213
8 NYCRR §§ 104.1, 109.2, and 175.6

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Adoption Date: October 11, 2018

SUBJECT: AGE OF ENTRANCE

Kindergarten

Students who are legal residents of the District and who reside with parents or guardians within the District at the time of the opening day of school must be five years of age or more on December 1 in order to register for kindergarten.

A child who transfers into the District at any time during the school year may be considered for admission to kindergarten by the Superintendent provided:

a) The parents were not legal residents of the District on the opening day of school, and

b) The child has been registered and enrolled in kindergarten in the District in which his or her parents were legal residents.

Other Grades

Admission of children to other grades will involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

Proof of Age

A student's birth certificate or other satisfactory evidence of age must be presented at the time of initial registration. The child will be enrolled under his or her legal name.

Education Law §§ 1712, 3202, 3212, and 3218

NOTE: Refer also to Policies #7130 -- Entitlement to Attend -- Age and Residency
#7131 -- Education of Homeless Children and Youth

Adoption Date: October 11, 2018

SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS

The District has developed a plan for the diagnostic screening of all new entrants and students with low test scores to determine whether such students have or are suspected of having a disability, are possibly gifted, or are possibly English Language Learners (ELLs). The results of the diagnostic screening will be contained in a written report that will be shared with the parent.

A new entrant means a student entering the New York State public school system, pre-kindergarten through grade 12, for the first time, or re-entering a New York State public school with no available record of a prior screening.

Students with low test scores are students who score below level two on English language arts or mathematics assessment for New York State elementary schools.

The diagnostic screening will be conducted:

a) By persons appropriately trained or qualified;

b) By persons appropriately trained or qualified in the student's home language if the language of the home is other than English;

c) In the case of new entrants, prior to the school year, if possible, but no later than December 1 of the school year of entry or within 15 days of transfer of a student into a New York State public school should the entry take place after December 1 of the school year;

d) In the case of students with low test scores, within 30 days of the availability of the test scores.

No screening examination for vision, hearing, or scoliosis condition is required where a student, parent, or person in parental relation objects on the grounds that the examination conflicts with their genuine and sincere religious beliefs.

Results and Reports

The results of the diagnostic screening will be reviewed and a written report of each student screened will be prepared by appropriately qualified District staff. If the screening indicates a possible disability, a possibly gifted child, or a child identified as possibly being an ELL, the District will refer the child for the appropriate programs or services.

Parents or guardians of children to be screened will receive information in advance regarding the purpose of screening, the areas to be screened and the referral process. The information will be communicated either orally or in writing in a language that the parent or guardian can understand.

(Continued)

SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS (Cont'd.)

Upon request, the District will provide parents or guardians with the written results of their child's performance on screenings. The results of all mandated screening examinations will be provided to the child's parent or guardian and to any teacher of the child within the school while the child is enrolled. A letter will be sent to the parent or guardian of any child who fails a screening.

Confidentiality of Information

All information collected about a child through the screening program will be kept confidential.

Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)
Education Law §§ 901, 903, 904, 905, 914, and 3208(5)
Public Health Law § 2164
8 NYCRR Parts 117, 136, 142.2, and 154

NOTE: Refer also to Policies #7131 -- Education of Homeless Children and Youth
#7512 -- Student Physicals
#8240 -- Instructional Programs: Driver Education, Gifted and Talented Education and Physical Education

Adoption Date: October 11, 2018

SUBJECT: ASSIGNMENT OF STUDENTS TO ELEMENTARY SCHOOLS

It is the policy of the Board of Education of the LaFayette Central School District to allow parents and guardians reasonable flexibility and freedom of choice regarding the elementary school which their children attend. The Board also recognizes the unique interests of members and other residents of the Onondaga Nation concerning the extent to which their children will receive education about their culture. However, the Board wishes to ensure that assignment of students to elementary schools be done in a way which minimizes disruption to their education and to the administration of the District's schools.

Therefore, it is the policy of the District that parents and guardians of students who are eligible to attend either elementary school in the District may normally choose the elementary school which their children may attend.

The parents and guardians of students who are enrolling in the LaFayette Central School District for the first time, if eligible, may elect which school their children will attend by giving written notice to the District Office.

Students who are already enrolled in elementary school in the District will continue to attend the same elementary school until they complete the last grade of elementary school, cease to be eligible to attend school in the District, or have a transfer to another elementary school approved. Parents and guardians of these students may apply for a transfer by giving written notice to the Principal of the school where their children currently attend no later than one month into the new semester of a school year. A student will not be transferred between schools more frequently than once per year, except under extraordinary circumstances.

Exceptions to the above policy may be made if the Superintendent of Schools or his or her designee determines that assignment to a different school is necessary to the management and control of the educational affairs of the District; if the Board of Education approves the recommendation of the District for such an assignment; if required by law; if required by space, personnel or program limitations; if required by the individualized education program of a student with a disability; or if done pursuant to Section 3214 of the Education Law.

Adoption Date: November 8, 2018

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

All persons residing within the District who are between the ages of five years and 21 years and who have not received a high school diploma are entitled to enroll in the District.

A student who becomes six years of age on or before the first of December in any school year will be required to attend full-time instruction from the first day that the District schools are in session in September of that school year. A student who becomes six years of age after the first of December in any school year will be required to attend full-time instruction from the first day of session in the following September. Each student will be required to remain in attendance until the last day of session in the school year in which the student becomes 16 years of age.

Evidence of a prospective student's age and residency must be presented in the form as is permitted by state and federal law and regulation.

Determination of Student Residency

Residence is established by a child's physical presence as an inhabitant within the District and his or her intent to reside in the District.

A child's residence is presumed to be that of his or her parents or legal guardians. Where a child's parents live apart, the child can have only one legal residence. In cases where parents have joint custody, the child's time is essentially divided between two households, and both parents assume responsibility for the child, the decision regarding the child's residency lies ultimately with the family. Where parents claim joint custody, but do not produce proof of the child's time being divided between both households, residency will be determined on the basis of the child's physical presence and intent to remain within the District.

The presumption that a child resides with his or her parents or legal guardians may be rebutted upon demonstration that custody of the child has been totally and permanently transferred to another individual. The District will not acknowledge living arrangements with persons other than a child's parents or legal guardians which are made for the sole purpose of taking advantage of the District's schools.

The presumption that a child resides with his or her parents or legal guardians may also be rebutted upon demonstration that the child is an emancipated minor. To establish emancipation, a minor may submit documentation of his or her means of support, proof of residency, and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his or her parents or persons in parental relationship.

(Continued)

SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

Undocumented Children

Undocumented children are entitled to attend the District's schools, provided they meet the age and residency requirements established by state law. Consequently, the District will not request on any enrollment or registration form, in any meeting, or in any other form of communication, any documentation or information regarding or tending to reveal the immigration status of a child, a child's parent(s), or the person(s) in parental relation. In the event the District is required to collect certain data, it will do so after the child has been enrolled or registered; in no instance will the information be required as a condition of enrollment or continued attendance.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relation, will be allowed to attend the public school that they attended prior to the relocation. The District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Family Educational Rights and Privacy Act, 20 USC § 1232g
Education Law §§ 310, 906, 3202, 3205, 3214, and 3218
Family Court Act § 657
8 NYCRR § 100.2(x) and (y)

NOTE: Refer also to Policies #7131 -- Education of Students in Temporary Housing
#7132 -- Non-Resident Students

Adoption Date: October 11, 2018

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING

The Board recognizes the unique challenges that face students in temporary housing (i.e., homeless children and youth) and will provide these students with access to the same free and appropriate public education, including public preschool education, as other students, as well as access to educational and other services necessary to be successful in school. The District will ensure that these students are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, and success of students in temporary housing.

Identification of Students in Temporary Housing

All districts are obligated to affirmatively identify all students in temporary housing. Therefore, the District will determine whether there are students in temporary housing within the District by using a housing questionnaire to determine the nighttime residence of all newly enrolled students and all students whose address changes during the school year. Not all students in temporary housing can be identified through social service agencies or shelters, as children may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. For this reason, the District uses a housing questionnaire that asks for a description of the current living arrangements of the child or youth to determine whether the child or youth meets the definition of a homeless child.

In addition to using the housing questionnaire, the District will also contact the local department of social services (LDSS) (i.e., the social services district) to identify students in temporary housing, as well as the local runaway and homeless youth shelter, and any other shelters located within District boundaries to ensure all students in temporary housing are properly identified and served.

Definitions

A. Feeder school means:

1. A preschool who students are entitled to attend a specified elementary school or group or elementary schools upon completion of that preschool;

2. A school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle intermediate, or high schools upon completion of the terminal grade of such school; or

3. A school that sends it students to a receiving school in a neighboring school district.

B. Homeless child means:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

1. A child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is:

    a) Sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason (sometimes referred to as "doubled-up")

    b) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

    c) Abandoned in hospitals;

    d) A migratory child who qualifies as homeless under (a), (b), or (c) of this subparagraph or (C) below; or

    e) An unaccompanied youth; or

C. A child or youth who has primary nighttime location that is:

D. A supervised, publicly, or privately operated shelter designed to provide temporary living accommodations, including, but not limited to, shelters operated or approved by the state or LDSS, and residential programs for runaway and homeless youth established in accordance with applicable law; or

E. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

F. Migratory child means a child or youth who made a qualifying move in the preceding 36 months:
    1. As a migratory agricultural worker or a migratory fisher; or

    2. With, or the join, a parent or spouse who is a migratory agricultural worker or a migratory fisher

G. Preschool means a publicly funded prekindergarten program or a Head State program administered by the District and/or services under the Individuals with Disabilities Act administered by the District.

H. Receiving school means:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

1. A school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or

2. A school that enrolls students from a feeder school in a neighboring local educational agency.

I. Regional placement plan means a comprehensive regional approach to the provision of educational placements for homeless children that has been approved by the Commissioner of Education.

J. School district of current location means the public school district within New York State in which the hotel, motel, shelter or other temporary housing arrangement of a homeless child, or the residential program for runaway and homeless youth, is located, which is different from the school district of origin.

K. School district of origin means the school district within New York State in which:

1. The homeless child was attending a public school or preschool on a tuition-free basis or was entitled to attend when circumstances arose that caused the child to become homeless, which is different from the school district of current location;

2. The child was residing when circumstances arose that caused the child to become homeless if the child was eligible to apply, register, or enroll in public preschool or kindergarten at the time the child became homeless; or

3. The homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose that caused the child to become homeless.

L. School of origin means:

1. The public school that that child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool or a charter school;

2. The designated receiving school at the next grade level for all feeder schools for a student in temporary housing who completes the final grade level served by the school of origin; and

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

3. The public school or preschool in which the child would have been entitled or eligible to attend based on the child's last residence before the circumstances arose which caused the child to become homeless if the child becomes homeless after the child is eligible to apply, register, or enroll in the public preschool or kindergarten or if the child is living with a school age sibling who attends school in the school district of origin.

M. Unaccompanied youth means a homeless child or youth who is not in the physical custody of a parent or legal guardian.

The McKinney-Vento Liaison for Students in Temporary Housing

The District will designate an appropriate staff person, who may also be a coordinator for other federal programs, as the District liaison for students in temporary housing (Otherwise referred to as the McKinney-Vento liaison). The District's McKinney-Vento liaison serves as one of the primary contacts between families experiencing homelessness and school staff, district personnel, shelter workers, and other service providers. The McKinney-Vento liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed.

The District's McKinney-Vento liaison must ensure that:

a) Students in temporary housing are identified by school personnel and through coordination activities with other entities and agencies;

b) Students in temporary housing enroll in, and have full and equal opportunity to succeed in, the District's schools;

c) Students in temporary housing and their families receive educational services for which they are eligible, including Head Start programs administered by a local educational agency, Early Head Start, early intervention services under part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District.

d) Students are parents in temporary housing receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

e) Parents or guardians of students in temporary housing are informed of the educational related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

f) Parents and guardians of students in temporary housing, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school district of origin and are assisted in accessing transportation services;

g) Disputes regarding eligibility, school selection, enrollment and/or transportation are mediated in accordance with applicable laws and regulations;

h) Assistance in commencing an appeal, in accordance with applicable law, of a final determination regarding eligibility, enrollment, school selection, and/or transportation is provided to the student in temporary housing's parent or guardian or the unaccompanied youth;

i) A record is maintained of all appeals of enrollment, school selection, and transportation;

j) Public notice of the educational rights of students in temporary housing is posted in locations where these students received services, such as schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of students in temporary housing, and unaccompanied youth;

k) School personnel providing services to students in temporary housing receive professional development and other support;

l) Unaccompanied youths:

1. Are enrolled in school;

2. Have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations; and

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

3. Are informed of their status as independent students under section 480 of the Higher Education Act of 1965 and that the youths may obtain assistance from the McKinney-Vento liaison to receive verification of this status for purposes of the Free Application for Federal Student Aid (FAFSA);

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

n) Assistance with obtaining any necessary immunizations or screenings, or immunization or other required health records is provided to the parents or guardians of the students in temporary housing.

School District and School Designations

A designator will make the initial decision about which school district and school a student in temporary housing will attend. A designator is:

a) The parent or person in parental relation (guardian) to a student in temporary housing;

b) The student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or

c) The director of a residential program for runaway and homeless youth, in consultation with the student in temporary housing, where the student is living in the program.

The District will ask the designator to designate one of the following as the school district of attendance for the student in temporary housing;

a) The school district of current location;

b) The school of Origin; or

c) Any school that permanent housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

The District will also ask the designator to designate one of the following as the school where the student in temporary housing seeks to attend:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

a) The school of origin; or

b) Any school that permanent housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

A student in temporary housing is entitled to attend the schools of the school district of origin without the payment of tuition for the duration of his or her homelessness and through the remainder of the school year in which the student becomes permanently housed and for one additional year if that year constitutes the student's terminal year in that school building, subject to a best interest determination.

Designation/STAC 202 Form

The District will identify all students in temporary housing, and a designation form will be completed by the designator for all these students and any other student who claims homelessness. Designations must be made on the STAC 202 form provided by the Commissioner.

The appropriate designator must complete the designation form. The District makes designation forms available to a student in temporary housing who seeks admission to school or to the parent or person in parental relation who seeks to enroll the child in school.

The District will provide completed designation forms to the McKinney-Vento liaison immediately, but no later than two business days from the earlier date on which the child youth either:

a) Sought enrollment in school; or

b) Was placed in a temporary housing facility or residential facility for runaway and homeless youth.

Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the LDSS nor housed in a residential program for runaway homeless youth, designates the District as the school district of current location, the District will forward to the State Education Department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend the District's schools.

Immediate Enrollment and Best Interest Determinations

Upon identification of a child who is in temporary housing and/or receipt of a completed designation/STAC 202 form, the District will:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

a) Immediately review the designation form to ensure that it had been completed and admit the student in temporary housing even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, immunization records, proof of residency or other documentation and even if the child or youth has missed application deadlines;

b) Determine whether the designation made by the designator is consistent with the best interests of the student in temporary housing. In making best interest decisions the District will:

1. Presume that keeping the child in the school of origin is in the child best interest, except when doing so is contrary to the wishes of the parent or guardian (or youth in the case of an unaccompanied youth); and

2. Consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child's parent or guardian (or the youth, if a homeless unaccompanied youth). If the District determines that it is in the best interest of the student in temporary housing to attend a school other than the school of origin or the designated school, the District will provide the parent or guardian (or youth, if an unaccompanied youth) with a written explanation of its determination, including information about the right to appeal.

c) Provide the child with access to all of the District's programs, activities and services to the same extent as they are provided to resident students;

d) Immediately contact the school district where the child's records are located in order to obtain a copy of these records and coordinate the transmittal of records for students with disabilities pursuant to applicable laws and regulations;

e) Immediately refer the parent or guardian of the student in temporary housing to the McKinney-Vento liaison who must assist in obtaining necessary immunizations or immunization or medical records if the child or youth needs to obtain immunization or medical records;

f) Forward the STAC 202 form to the Commissioner and the school district of origin, where applicable. In all cases, the District will five a copy of the completed STAC 202 form for the District's records;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

g) Arrange for transportation in accordance with applicable laws and regulations; and

h) Arrange for the child to receive free school meals.

Request for Records

Within five days of receipt of a request for school records from a new school, the District will forward, in a manner consistent with state and federal law, a complete copy of the student in temporary housing's records, including, but not limited to, proof of age, academic records, evaluations, immunization records, and guardianship papers, if applicable.

Tuition Reimbursement

The District is eligible to request reimbursement from the State Education Department for the direct cost of educational services to students in temporary housing that are not otherwise reimbursed under special federal programs, when:

a) The District is either the school district of current location or a school district participating in a regional placement plan;

b) The District is designated as the school district of attendance; and

c) The school district of origin for the student in temporary housing is within New York State.

All claims for reimbursement will be made on the STAC 202 form prescribed by the Commissioner of the State Education Department.

In addition, the District is eligible for reimbursement for the direct costs of educational services, including transportation costs for students who continue enrollment in the District schools after finding permanent housing midyear in a different school district within New York State. In these cases, the District will directly bill the new district where the student permanently resides for all direct costs of educational services, including transportation, that are not otherwise reimbursed under special federal programs.

Transportation Responsibilities

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

The LDSS is responsible for providing transportation to students in temporary housing, including preschool students and students with disabilities who are eligible for benefits under Social Services Law § 350-j and placed in temporary housing arrangements outside their designated districts. Where the LDSS requests that the District provide or arrangement for transportation for a student in temporary housing in the circumstances above, the District will provide or arrange for the transportation and directly bill the LDSS so that the district will be fully and promptly reimbursed for the cost of the transportation.

If the District is the designated school district of attendance, the District will provide for the transportation of each student in temporary housing who is living in a residential program for runaway and homeless youth, including if the temporary housing is located outside the school district. The costs for transportation for each student in temporary housing who lives in a residential program for runaway youth and homeless youth located outside of the designated school district will be reimbursed by the State Education Department, to the extent funds are provided for the purpose, with the submission of a Runaway and Homeless Youth Act Transportation Program Form. Where the District provides transportation for a student living in a Runaway and Homeless Youth Act Transportation Form.

The District will transport any student in temporary housing to their school of origin, including preschools and charter schools, where it is the designated district of attendance and the student in temporary housing is not entitled to receive transportation from the Department of Social Services.

When the District is designated as the school district of current location for a student in temporary housing and the student does not attend the school of origin, the District will provide transportation on the same basis as it is provided to resident students, unless the local transportation policy represents a barrier to the student's attendance in school.

If the student in temporary housing designates the District as the school district of attendance, transportation will not exceed 50 miles each way, unless the Commissioner determines that it is in the best interest of the child.

Where the District is designated as the school district of attendance and it has recommended the student in temporary housing attend a summer educational program, the district of attendance will provide transportation services to students in temporary housing for summer educational programs if the lack of transportation poses a barrier to the student's participation in the program.

Where the District is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities when:

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

a) The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school;

b) The student meets the eligibility criteria for the activity; and

c) The lack of transportation poses a barrier to the student's participation in the activity.

Where the District is designated as the school district of attendance, it will provide transportation as described above for the duration of homelessness, unless the LDS is responsible for providing transportation. After the student becomes permanently housed, the District will provide transportation to the school of origin until the end of the school year and for one additional year if that year constitutes the child's terminal year in the school building.

Dispute Resolution Process

The District has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

a) The District will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth, if the District determines that the District is not required to either enroll and/or transport the child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or it there is a disagreement about a child's or youth' states as a homeless child or unaccompanied youth. The written explanation will be in a manner and form understandable to the parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney-Vento liaison's availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.

b) The District will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

c) If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school he or she is enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals.

The McKinney-Vento Liaison's Dispute Resolution Responsibilities

The District's McKinney-Vento liaison must assist the student in temporary housing's parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation, the District's McKinney-Vento liaison will:

a) Provide the parent or guardian or unaccompanied youth with a copy of the form petition;

b) Assist the parent or guardian or unaccompanied youth in completing the form petition;

c) Arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth;

d) Accept service of the form petition and supporting papers on behalf of any District employee or officer named as a party, or the District if it is named as a party, or arrange for service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

e) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that he or she has received the form petition and supporting documents, and will either accept service of these documents on behalf of the District employee or officer or District, or effect service by mail by mailing the form petition and supporting documents to any District employee or officer named as a party, and, if the District is named as a party, to a person in the office of the Superintendent who has been designated by the Board to accept service on behalf of the District;

f) Transmit on behalf of the parent of guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

g) Provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that he or she has received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New Your State Education Department, State Education Building, Albany, New York 12234;

h) Accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects. He or she will also make this correspondence available to the parent or guardian or unaccompanied youth; and

i) Maintain a record of all appeals of enrollment, school selection, and transportation determinations.

Coordination

The District will coordinate the provision of services described in this policy with local social services agencies, housing providers and other agencies or programs providing services to students in temporary housing and their families, including services and programs funded under the Runaway and Homeless Youth Act.

The District will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.

The District will coordinate implementation of the above provision of services with the requirements of the Individuals with Disabilities Education Act (IDEA) for students with disabilities.

Coordination with Title I

The District acknowledges that students in temporary housing are eligible for services under Title I, Part A, whether or not they live in a Title I school attendance area or meet the academic requirements required of other children. The District will ensure that:

a) Title I, Part A funds are set aside as are necessary to provide students in temporary housing, who may have unique needs that differ from their permanently housed peers, with educationally related support services;
b) Its local plan includes a description of how the plan is coordinated with McKinney-Vento;

c) Its local plan describes the services provided to students in temporary housing;

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

d) Its local plan describes the efforts it made to identify students in temporary housing, including unaccompanied youth, if the District reports that there are no students in temporary housing enrolled in the District. These efforts will include contacting the LDSS or Office of Children and Family Services (OCFS) to verify that there are no students in temporary housing in the District; and

e) Its housing questionnaire asks about the living arrangements of the child or unaccompanied youth, including asking if he or she is living in a shelter; with relatives or others due to loss of housing or economic hardship; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing. Documentation of the District's efforts to identify students in temporary housing will be maintained on file and a copy of the housing questionnaire will also be kept on file.

Reporting Requirements

The District will collect and transmit to the Commissioner of Education, at the time and in the manner as the Commissioner may require containing information as the Commissioner determines in necessary, including the numbers of homeless students, their grade, and their nighttime residence.

Access to Free Meals

The District will provide free meals to all children identified as homeless. They do not have to complete a free or reduced-price meal application. When the McKinney-Vento liaison or a shelter director provides a child's name to the District's school food service office, free school meals will commence immediately.

Removal of Barriers

The District will review and reside its policies that may act as barriers to the identification of students in temporary housing and their enrollment and retention in school, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

Comparable Services

The District will provide services to students in temporary housing comparable to those offered to other students in the District, including; transportation services; educational services for which the child or youth meets the relevant criteria, such as services provided under Title I or similar State or local programs; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

(Continued)

SUBJECT: EDUCATION OF STUDENTS IN TEMPORARY HOUSING (Cont'd)

Student Privacy

Information about a student in temporary housing's living situation will be treated as a student education record and will not be deemed to be directory information under the Family Educational Rights and Privacy Act (FERPA). A parent or guardian or unaccompanied youth may consent to the release of a student's address information in the same way they would other student education records under FERPA.

All school enrollment staff, secretaries, school counselors, school social workers, and principals will be trained on the requirements for enrollment of students in temporary housing. Other staff members including school nutrition staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.

McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (ESSA) of 2015,
42 USC § 11431, et seq.
Education Law §§ 902(b) and 3209
Executive Law Article 19-H
8 NYCRR § 100.2(x)

Adoption Date: October 11, 2018

SUBJECT: NON-RESIDENT STUDENTS

Non-resident students may be accepted into the schools of this District, subject to availability of space and facilities, upon written application of the parent(s) or guardian(s), including proof of all required immunizations, to and approval by, the Superintendent of Schools. All requests for non-resident attendance must be submitted annually to the Superintendent by August 1 (late requests will be considered in the order received). It is understood the request may not create a classroom space, student-teacher ratio and/or staffing problem and a non-resident student will be accepted only if it is in the best interest or the District.

Unless otherwise provided, such acceptance will be contingent upon payment of tuition established each year in accordance with the Education Law and Regulations of the Commissioner of Education and Board Policy. The rate is established as $5,000 commencing January 9, 2015. Non-resident students enrolled as of January 8, 2015 will continue to pay the $1,000 tuition rate for the balance of their enrollment.

Tuition will be payable to the Treasurer of the LaFayette Central School District. It may be paid in full on or before the August 1st preceding the beginning of the school year, or in an installment agreement established by Administrative Regulations.

The District will not be responsible for the transportation of non-resident students accepted on either a tuition or tuition-free basis. The District, may, at its discretion, provide transportation to a non-resident student from a stop along a regular transportation route within the District; in no event will such transportation be made available if it would result in either overcrowding of the vehicle or added expense to District taxpayers.

Tuition will be assessed of non-resident students on a nondiscriminatory basis. The following categories of non-resident students will be accepted into the schools of the District on a tuition-free basis in order to preserve the continuity of the student's educational program and social development:

a) Students whose parent(s) or guardian(s) with whom the student resides have commenced construction of a family dwelling within the District with occupancy expected within 60 school days.

b) Students who begin the school year as bona fide District residents whose parent(s) or guardian(s) with whom the student resides subsequently move out of the District, such tuition-free status may extend through the then current school year.

c) Students entering their senior year whose parent(s) or guardian(s) move out of the District may attend on a tuition-free basis for the entire school year.

Tuition will not be charged to students from other nations who are living with District residents under the auspices of an approved foreign exchange program.

(Continued)

SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

In the event that the Board of Education permits, on a tuition basis, the attendance of a student whose parent or guardian owns property in the District and pays tax on such property, the Board will deduct from the tuition fee of the amount of such tax.

Native American students residing on the Onondaga Nation will be accepted into Grimshaw and the Jr./Sr. High School on the same basis as the District's other resident students as long as the District continues to benefit from funding sources that provide for the education of Native American students. Such sources include, but are not limited to, Native American State Aid, Native American Tuition Aid and Native American Supplemental Grants.

A non-resident student's continued attendance will be dependent on a student's maintaining a passing average in all subjects and compliance with the District's Code of Conduct and student attendance policy. A student and his or her parent or guardian shall be entitled to an informal conference with the Superintendent before any decision is made to terminate a student's attendance during or at the end of the school year or for any of these reasons. Furthermore, all rules and regulations not otherwise covered in this policy, in effect for students who are District residents will be applicable to non-resident District students.

Finally, the Board of Education reserves the right to limit or eliminate non-resident enrollment depending on the District's resources.

Education Law Sections 1709 (13) and 3202
Commissioner's Regulations Section 174.1

Adoption Date: October 11, 2018

SUBJECT: SCHOOL CENSUS

Although not required by law, the District may take a census of all children from birth to 18 years of age. Census data will be reported as required by law.

The census must indicate the names of all children between birth and 18 years of age, and of children with disabilities between birth and 21 years of age; their respective residences by street and number; the day of the month and the year of their birth; the names of the parents/persons in parental relation to them; information relating to physical or mental disabilities, to illiteracy, to employment and to the enforcement of the law relating to child labor and compulsory education as the State Education Department (SED) and the Board require; and also further information as the Board may require.

On written request and in the form as prescribed by the Commissioner of Education, the Board will provide to the Commissioner a report containing the names, ages, and addresses of those children who are blind or deaf, and those children having serious physical or mental disabilities. Additionally, this report will further indicate whether these children are being educated within the public schools of the District or, if they are not, where education is being furnished to them.

Parents or persons in parental relation to those children within the prescribed census age ranges must make reports as the Board requires, including, but not limited to, providing two weeks before the child reaches compulsory school age, the name of the child; the child's residence; the name of the person or persons in parental relation to the child; the name and location of the school to which the child will have been or will be sent as a student; and other information as required by law or as the Board may require.

A parent, guardian or other person having under his or her control or charge a child between birth and 18 years of age who withholds or refuses to give information in his or her possession relating to this census data as required by law pertaining to the child; or, in the alternative, gives false information in relation to census data, will be liable to and punished by a fine or imprisonment as established by law.

Count of Immigrant Children and Youth

The District is required to count the number of "immigrant children and youth" enrolled in the public and nonpublic schools in the geographic area under the jurisdiction of, or served by, the District. The results of this count have important implications for the receipt of supplemental federal funds to the District for services to recently arrived immigrant children and youth.

For purposes of this count, the term "immigrant children and youth" will include those individuals who:

a) Are ages three through 21;

(Continued)

SUBJECT: SCHOOL CENSUS (Cont'd.)

b) Were not born in any state or from the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the U.S. Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands; and

c) Have not been attending schools in any one or more States for more than three full academic years.

Each nonpublic school will report its data to the public school district in which it is located. It is the responsibility of each public school district to report its immigrant count as well as the counts for all nonpublic schools within its jurisdiction.

In accordance with law, the District will conduct its survey and submit the information electronically to the SED by the specified deadline date. LEAs must also maintain on file a list of the immigrant students counted, their countries of origin, dates of arrival, and the public or nonpublic school in which they are registered as well as copies of the letter to each of the nonpublic schools in its jurisdiction regarding the count.

20 USC § 6811
Education Law §§ 3240-3243 and 4402(1)(a)
8 NYCRR § 200.2(a)

NOTE: Refer also to Policy #7650 -- Identification and Register of Children with Disabilities (Child Find)

Adoption Date: October 11, 2018

SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT

Grade Promotion and Placement

Grade promotion and the placement of students within the District's instructional system will be at the discretion of the school administration and will be subject to review at any time. In making these decisions, the administrator or building principal will be guided by: performance in class; past records, including various measures of student growth; recommendations from parents, persons in parental relation to District students, and teachers; and any other appropriate sources of information. With regard to student placement decisions, parents or persons in parental relation to District students may submit written requests for teacher attributes that would best serve their child's learning needs; however, requests for specific teachers will not be honored.

Testing Program

The District utilizes various ability, achievement, diagnostic, readiness, interest, and guidance tests for the purpose of complying with state and federal law and/or aiding the implementation of quality educational services. The District will not make any student promotion or placement decisions based solely or primarily on student performance on the state administered English language arts and mathematics assessments for grades 3 through 8. The District may, however, consider student performance on state assessments in making student promotion and placement decisions provided that multiple measures be used in addition to these assessments and that these assessments do not constitute the major factor in these determinations.

Alternative Testing Procedures

The use of alternative testing procedures will be limited to:

a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing procedures will be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and

b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department (SED) Guidelines.

The alternative testing procedures employed will be based upon a student's individual needs and the type of test administered.

The District will report the use of alternative testing procedures to the New York State Education Department on a form and at a time prescribed by the Commissioner.

(Continued)

SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT (Cont'd.)

Reporting to Parents or Persons in Parental Relation to Students

Parents or persons in parental relation to District students will receive an appropriate report of student progress at regular intervals.

The District will not place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language arts or mathematics assessment for grades 3 through 8. However, the District will comply with state and federal requirements regarding the maintenance and transfer of student test scores. Any test results on a state administered standardized English language arts or mathematics assessment for grades 3 through 8 sent to parents or persons in parental relation to a student will include a clear and conspicuous notice that these results will not be included on the student's official transcript or in the student's permanent record and are being provided to the student and parents for diagnostic purposes.

When necessary, attempts will be made to provide interpreters for non-English speaking parents and/or persons in parental relation to District students.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Education Law §§ 305(45) - (47), 1709(3)
8 NYCRR §§ 100.2(g), 100.2(ll), 100.3(b)(2)(iv), 100.4(b)(2)(v), 100.4(e)(6)
8 NYCRR Parts 117 and 154

Adoption Date: November 8, 2018

SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

The Board will provide parents or persons in parental relation who are hearing impaired with meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children's education. School initiated meetings or activities include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term "hearing impaired" will include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in District meetings or activities.

Parents or persons in parental relation will be notified of the availability of interpreter services, to be provided at no charge, provided that a written request is made to the District within 14 days of the scheduled meeting or activity. Exceptions may be made for unanticipated circumstances as determined by the principal or designee. The District will also notify appropriate school personnel as to the terms and implementation of this policy.

If interpreter services are requested, the District will appoint an interpreter for the hearing impaired to interpret during the meeting or activity. The District will arrange for interpreters through a District-created list or through an interpreter referral service. The District will also develop interagency agreements, as appropriate, to ensure that sign language interpreters are provided for eligible parents or persons in parental relation when District students attend out-of-District schools or programs.

In the event that an interpreter is unavailable, the District will make other reasonable accommodations which are satisfactory to the parents or persons in parental relation. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include the use of:

a) Written communications, transcripts, or note takers; and

b) Technology, such as: a decoder or telecommunication device for the deaf, assistive listening devices, and closed or open captioning.

Education Law § 3230
8 NYCRR § 100.2(aa)

Adoption Date: November 8, 2018

Students

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS

Response to Intervention (RtI) is the practice of providing high-quality instruction/intervention matched to student needs and using learning rate over time and level of performance to make important educational decisions about an individual student (NASDSE, 2006).

The Regents policy establishes RtI as a school-wide system of organizing instruction and support resources to deliver high quality instruction to meet the diverse needs of learners (NYSED, 2010)

RtI begins with high quality research-based instruction in the general education setting provided by the general education teacher. Instruction is matched to student need through provision of differentiated instruction in the core curriculum and supplemental intervention delivered in a multi-tier format with increasing levels of intensity and targeted focus of instruction. As a consequence of school-wide screenings of all students and progress monitoring, students who have not mastered critical skills or who are not making satisfactory progress can be identified for supplemental intervention. If the student continues not to make sufficient progress after receiving the most intensive level of instructional intervention, it may be determined that a referral for a comprehensive evaluation to determine eligibility for special education is needed (NYSED, 2010).

Summary of RTI Requirements

Appropriate Instruction

A school district's process to determine if a student responds to scientific, research-based instruction shall include **appropriate instruction** delivered to all students in the general education class by qualified personnel. Appropriate instruction in reading means scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies [8 NYCRR §100.2(ii)(1)(i)] .

Appropriate instruction begins with the core program that provides:

- high quality, research-based instruction to all students in the general education class provided by qualified teachers;
- differentiated instruction to meet the wide range of student needs;
- curriculum that is aligned to the State learning standards and grade level performance indicators for all general education subjects; and
- Instructional strategies that utilize a formative assessment process.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Screenings Applied to All Students in the Class

A school district's process to determine if a student responds to scientific, research-based instruction shall include **screenings** applied to all students in the class to identify those students who are not making academic progress at expected rates [8NYCRR §100.2(ii)(1)(ii)].

Screenings of all students should be conducted at least three times per academic year (fall, winter, spring) to help ensure the early identification of students *potentially* at risk and the areas in which they may experience difficulty.

Parents of all students should be notified of school-wide screening results.

Universal Screening Procedures

- If a student is absent when a universal screening is administered, it is the responsibility of a member of the screening team that the student completes the screening within the set timeframe for that screening window.
- When a new student enrolls in a building it is the responsibility of the classroom teacher to set up screening for that student.
- When administering universal screeners, students will NOT be provided test accommodations. This is to ensure that an accurate baseline measure is obtained.
- Screenings ***must*** be completed by a Screen Team
    - Screen Teams for K-6 ELA and Math consist of:
        - RtI Providers
        - Classroom Teachers
        - School Psychologists
        - Other Professionals as needed
    - Screen Teams for 7-12 ELA and Math consist of
        - Classroom teacher
            - ELA teacher for ELA Screening
            - Math teacher for Math Screening
        - RtI Providers
        - Advisors

Placement in Intervention Services
In all buildings, students are primarily placed by a direct route to service based upon their performance on the universal screening measures.This applies to both Math and ELA intervention services.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

The direct route to service is the following:

- Students to be placed in Tier 2
  - Scored in the bottom half of the 16th and 30th percentile on the universal screening: Direct Support
  - Scored in the upper half of the 16th and 30th percentile on the universal screening: Monitor
  - And/or Scored in bottom half of Level 2 on NYS 3-8 Assessment (scaled score): Direct Support
  - And/or Scored in upper half of Level 2 on NYS 3-8 Assessment (scaled score): Monitor
- Students to be placed in Tier 3
  - Scored between the 1st and 15th percentile on the universal screening
  - And/or Scored Level 1 on NYS 3-8 Assessment (scaled score)

Students may also enter intervention services based upon the following:

- Records indicating services at previous schools
- Recommendation from the Problem Solving Team (PST).
  - Please note, recommendations will be based on documented interventions

Intervention Program Criteria

- Students will receive specialized instruction
  - Based on universal screening results
- Students will work towards an individualized goal
  - Created by the Intervention provider
- Students progress will be monitored based on progress monitoring protocol
  - Progress will be reported quarterly to the students' parents

Exit Criteria for Intervention Services

- Score above the 30th percentile on universal screening measure(s) and/or a Level 3 or 4 on the NYS 3-8 Assessments

Storage and Maintenance of Records

- Records will be kept according to NYS Law.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

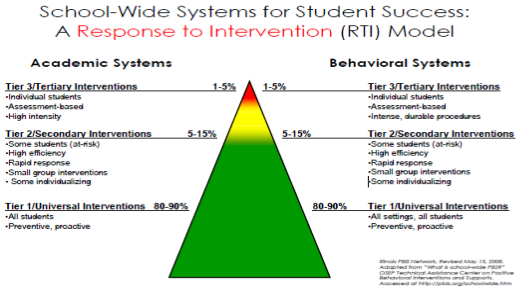
Instruction Matched to Student Need

A school district's process to determine if a student responds to scientific, research- based instruction shall include **instruction matched to student need** with increasingly intensive levels of targeted intervention and instruction for students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards [8NYCRR §100.2(ii)(1)(iii)].

Multi-Tier Service Delivery Model

When students are identified through screening, progress monitoring, or other on-going assessment procedures as not making sufficient or satisfactory progress, the school's multi-tier service delivery model provides a range of supplemental instructional interventions with increasing levels of intensity to address these needs. The various tiers include distinguishing features such as:

- size of instructional group,
- mastery requirements for content,
- frequency and focus of screening,
- duration of the intervention,
- frequency and focus of progress monitoring,
- frequency of intervention provided, and
- the instructor's qualifications.



CULTURALLY RESPONSIVE INSTRUCTION Culturally responsive instruction uses the cultural knowledge, prior experiences, performance styles and strengths of students from diverse backgrounds to make learning more appropriate and

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Tier 1

Tier 1 is commonly identified as the core instructional program provided to all students by the general education teacher in the general education classroom. Research-based instruction and positive behavior intervention and supports are part of the core program. A school/district's core program (Tier 1) should minimally include:

- core curriculum aligned to the NYS learning standards;
- appropriate instruction and research-based
- instructional interventions that meets the needs of at least 80 percent of all learners;
- universal screening administered to all students in the general education classroom three times per year;
- weekly progress monitoring of students initially identified as at-risk for five or six weeks;
- differentiated instruction based on the abilities and needs of all students in the core program; and
- a daily uninterrupted 90 minute block of instruction in reading.

Tier 2

Tier 2 intervention is typically small group supplemental instruction. This supplemental instructional intervention **is provided in addition** to, and not in place of, the core instruction provided in Tier 1. For example, a student who is receiving Tier 2 intervention would be provided core instruction plus 20-30 minutes of supplemental interventions two to five days per week. Tier 2 interventions focus on the areas of student need or weakness that are identified in the screening, assessment ,or progress monitoring reports from Tier 1. Therefore, students are often grouped according to instructional need. Approximately 5 to 10 percent of students in a class receive Tier 2 intervention.

The school determines the location of Tier 2 intervention. It may take place in the general education classroom or in an alternate location outside of the general education classroom. Tier 2 interventions should be supported by research and vary by curriculum focus, group size, frequency, and duration. Individual student needs affect the determination of these variables.

Progress monitoring occurs more frequently in Tier 2 and may vary from once every two weeks to once a week using Curriculum-Based Measurement (CBM) that measure targeted skills. Periodic checks to ensure that the delivery of instruction was provided in the way it was intended (**fidelity checks**) are conducted for the purposes of determining how closely the intervention or instruction is implemented to the way it was designed.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

The recommended length of time a student spends in the second tier of intervention will vary depending on such factors as the skill set to be learned, rate of student's progress, whether the student is making adequate progress according to the standard protocol established prior to initiation of the intervention, the student's age and/or developmental level. When progress monitoring of a Tier 2 intervention indicates lack of adequate response, schools should consider adjusting the intervention in terms of intensity.

Tier 3

Tier 3 intervention is designed for those students who demonstrate insufficient progress in Tier 2. Tier 3 is typically reserved for approximately one to five percent of students in a class who will receive more intensive instruction **in addition to** their core instruction. Tier 3 differs from Tier 2 instruction in terms of such factors as time, duration, group size, frequency of progress monitoring, and focus. This tier provides greater individualized instruction in a small group setting anywhere from 30 to 60 minutes at a minimum of three days per week. The progress of students at Tier 3 is monitored more frequently, at least once a week, to determine the student's response to intervention. Instruction is provided by school personnel who are highly skilled or trained in the areas of academic need indicated by student performance data. The setting for Tier 3 intervention is determined by school personnel. It is important to note that Tier 3 is considered **supplemental instruction** to Tier 1 and is not intended to replace Tier 1 instruction. Similar to Tier 2, school personnel must conduct regular fidelity checks to determine if the intervention was implemented the way it was intended.

Description of different teams:

Inquiry

- Purpose is to set a goal for the entire building using data from the universal screeners. This goal should be woven into everyday instruction and trends. This team also ensures students that are at-risk based off standard protocol are placed in intervention. The responsibilities of this team will be carried out by the Response to Intervention District Design Team.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Data

- Purpose is to discuss formative assessments, summative assessments, and, progress monitoring data to inform instruction. This team also discusses the appropriate placement of students in interventions and collaborate to create effective Tier 1 and Tier 2 interventions within the classroom. These are grade-level or grade-band teams that can include AIS providers and other members when necessary.
- Attachment H: Data Team Meeting Protocol

Problem Solving Team

- Purpose is to discuss individual students that have not responded to several targeted, intensive interventions. This team also discusses the development of additional interventions in the student's area of need. This is a set building-level team comprised of invested members. This team ***must*** include, but is not limited to, the building principal, school psychologist, counselor, general education teacher(s), special education teacher(s), and RtI provider(s). Also, if applicable the Problem Solving Team must include Native American Student Liaison(s) , and related service provider(s).

Repeated Assessments of Student Achievement (Progress Monitoring)

A school district's process to determine if a student responds to scientific, research-based instruction shall include **repeated assessments of student achievement** which should include curriculum-based measures to determine if interventions are resulting in student progress toward age or grade level standards [8NYCRR §100.2(ii)(1)(iv)].

Screening targets students who may be at-risk by comparing their performance to a criterion-referenced measure. *Progress monitoring* provides routine data that display student growth over time to determine if the student is progressing as expected in the curriculum (Mellard and Johnson, 2008).

Data from progress monitoring in Tier 1 inform decision-making about classroom instruction in two main ways:

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

- Once a student has been initially identified as at-risk by screening procedures, progress monitoring can be used to determine the student's progress in the general curriculum and confirm or refute initial screening results.
- Analysis of average performance of all students combined and their rate of growth can assist teachers/administrators in determining the need for curricular and instructional change within the core curriculum.

The primary purpose of progress monitoring in Tier 2 and beyond involves determining whether the intervention is successful in helping the student catch up to grade level expectations. Data from progress monitoring in Tiers 2 and 3 inform decision-making regarding individual students' responsiveness or lack of responsiveness in two ways:

- Learning rate, or student's growth in achievement or behavior competencies over time, compared to prior levels of performance and peer growth rates; and
- "Level of performance, or the student's relative standing on some dimension of achievement/performance, compared to expected performance (either criterion- or norm-referenced)." (NASDSE, May 2006)

Application of Student Information to Make Educational Decisions

A school district's process to determine if a student responds to scientific, research-based instruction shall include the application of information about the student's response to intervention to **make educational decisions** about changes in goals, instruction and/or services, and the decision to make a referral for special education programs and/or services [8NYCRR §100.2(ii)(1)(v)].

Standard Protocol Model

A standard protocol model involves the provision of a research-validated interventions for a specific amount of time, duration, and frequency with small groups of students having similar needs.

Problem-Solving Model

- The problem solving model involves an in depth analysis of skill deficits and instructional and environmental variables.
- Conceptualize the problem (Is there a problem? What is it?)
- Examine variables that may be influencing the problem (Why is it happening?)
- Deliver targeted or individualized interventions (What shall we do about it?)
- Evaluate the effectiveness of the intervention (Did the intervention work?)

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Considerations when Implementing RtI with Limited English Proficient/English Language Learners (LEP/ELL)

For students identified as LEP/ELL students, appropriate instruction includes instruction that is linguistically and culturally responsive. This means that instruction and interventions must consider and build upon a student's cultural background and experiences as well as their linguistic proficiency (in both English and the native language) (Esparza Brown and Doolittle: NCCREST, 2008).

Notification to Parents

A school district's process to determine if a student responds to scientific, research-based instruction shall include **written notification to the parents** when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:

- the amount and nature of student performance data that will be collected and the general education services that will be provided pursuant to the structure and components of the RtI program selected by the school district;
- strategies for increasing the student's rate of learning; and
- the parents' right to request an evaluation for special education programs and/or services. [8NYCRR §100.2(ii)(1)(vi)]

Parents must be notified in writing and in a language or mode of communication they understand if their child needs and intervention beyond that which is provided to all students in the classroom in and RtI process. The notification MUST include the following:

- how much and what kind of information (data) the school will collect to monitor the student's progress
- the nature of the intervention/instructional support the student receive; and
- of the parent's right to request an evaluation for special education services.

School District Selection of the Specific Structure and Components of an RtI Program

A **school district shall select and define the specific structure and components** of the response to intervention program, including, but not limited to, the criteria for determining the levels of intervention to be provided to students, the types of interventions, the amount and nature of student performance data to be collected, and the manner and frequency for progress monitoring [8NYCRR §100.2(ii)(2)].

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Ensuring Staff Knowledge and Skills Necessary to Implement RtI Programs

A school district shall take appropriate steps to **ensure that staff has the knowledge and skills necessary** to implement a response to intervention program and that such program is implemented consistent with the specific structure and components of the RtI process selected by the school district. [8 NYCRR §100.2(ii)(3)]

Staff Roles and Responsibilities by Building

	Grimshaw	ONS	Junior/Senior High	Big Picture
Screeners	Screen Team	Screen Team	ELA/Math Teachers	Advisors
Screener Make Ups / New Students	RtI Intervention Providers	RtI Intervention Providers	Scheduled through Guidance	Advisors
Data Analysis	RtI Intervention Providers & School Psychologist	RtI Intervention Providers & School Psychologist	School Psychologist	School Psychologist
Scheduling Intervention	RtI Intervention Providers & Principal	RtI Intervention Providers & Principal	School Psychologist & Guidance	School Psychologist & Guidance
Entrance & Conflict	RtI Intervention Providers	RtI Intervention Providers	Grade Level Counselor	Grade Level Counselor
Exit/Reduction Letters	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers
Tier 1 Instruction	Classroom Teacher	Classroom Teacher	ELA/Math Teachers	Advisors

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Tier 2 Without RtI	Classroom Teacher	Classroom Teacher	ELA/Math Teachers	Advisors
Tier 2 With RtI	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers
Tier 3 Instruction	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers
Progress Monitoring Goal Setting	Intervention Providers	Intervention Providers	Intervention Providers	Intervention Providers
Tier 1 Progress Monitoring	Classroom Teacher	Classroom Teacher	ELA/Math Teachers	Advisors
Tier 2 Without RtI Progress Monitoring	Classroom Teacher/ RtI Intervention Providers	Classroom Teacher/ RtI Intervention Providers	ELA/Math Teachers	Advisors
Tier 2 With RtI Progress Monitoring	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers
Tier 3 Instruction Progress Monitoring	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers
Inquiry Team	RTI DDT	RtI DDT	RtI DDT	RtI DDT
Data Team	Principal, School Psychologist, Classroom Teacher, RtI Intervention Providers	Principal, School Psychologist, Classroom Teacher, RtI Intervention Providers	Principal, School Psychologist	Principal, School Psychologist,
Problem Solving Team	Principal, School Psychologist, Classroom Teacher, RtI Intervention Providers, School Counselor, Related Service Providers	Principal, School Psychologist, Classroom Teacher, RtI Intervention Providers, School Counselor, Related Service Providers	Principal, School Psychologist	Principal, School Psychologist,

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Tier 2 Without RtI Quarterly Reports	Classroom Teacher/ RtI Intervention Providers	Classroom Teacher/ RtI Intervention Providers	ELA/Math Teachers	Advisors
Tier 2 With RtI Quarterly Reports	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers
Tier 3 Instruction Quarterly Reports	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers	RtI Intervention Providers

Use of RtI in the Determination of a Learning Disability
NYS has established criteria for the CSE to use when determining if a student has a learning disability.

These criteria include consideration of data and instructional information obtained through an RtI process which provides important information to determine if a student needs to be referred for an individual evaluation to determine if the student has a learning disability. Effective on and after July 1, 2012, a school district must have an RtI process in place as it may no longer use the severe discrepancy between achievement and intellectual ability to determine that a student in kindergarten through grade four has a learning disability in the area of reading.

In making a determination of eligibility for special education, the CSE must determine that underachievement of the student is not due to lack of appropriate instruction in reading (including the five essential components), mathematics or limited English proficiency. The data from RtI can help to document that the reason for a student's poor performance or underachievement is not due to lack of appropriate instruction or limited English proficiency. Along with other individual evaluation information, RtI data can yield important descriptive information about how children learn and why they may be having difficulties.

Response to Intervention (RtI) is a multi-tiered early prevention and intervention system designed to improve outcomes for all students. In accordance with Commissioner's regulations, the District has established administrative practices and procedures for implementing District-wide initiatives that address an RtI process applicable to all students. For students suspected of having a potential learning disability, the District will provide appropriate RtI services pursuant to Commissioner's regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

The New York State Education Department (SED) has released a guidance document to assist school districts in designing and implementing an effective RtI process, which includes, but is not limited to, information regarding regulatory requirements, quality indicators, staff development, tools to assist districts in selecting a specific model and procedures for the use of RtI data in determining if a student has a learning disability. This guidance document is available on the SED's official website.

The District has established procedures for identifying students with learning disabilities that use a research-based RtI process prior to, or as part of, an individual evaluation to determine whether a student has a learning disability. An RtI process is required for all students in grades kindergarten through grade 4 suspected of having a learning disability in the area of reading. RtI cannot be utilized as a strategy to delay or deny a timely initial evaluation of a student suspected of having a disability under the Individuals with Disabilities Education Act (IDEA).

Minimum Requirements of District's RtI Program

The District's RtI process will include the following minimum requirements:

a) Scientific, research-based instruction in reading and mathematics provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's regulations, means scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;

b) Screenings will be provided to all students in the class to identify those students who are not making academic progress at expected rates;

c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;

d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;

e) The application of information about the student's response to intervention to make educational decisions about changes in goals [i.e., goals for all students, not just Individualized Education Program (IEP) goals], instruction and/or services and the decision to make a referral for special education programs and/or services; and

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

f) Written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:

1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's regulations;

2. Strategies for increasing the student's rate of learning; and

3. The parents' right to request an evaluation for special education programs and/or services.

Structure of RtI Program

The District's RtI program will consist of multiple tiers of instruction or assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

Student Support Teams (SSTs), whose members may include, but are not limited to, regular education teachers, special education personnel, the school psychologist, reading and math coordinators, designated administrators, and other individuals deemed appropriate by the District, will be available for each building or grade level classification to address the implementation of the District's RtI process.

The SST's responsibilities will include, but are not limited to, the following:

a) Determining the level of interventions and student performance criteria appropriate for each tier of the RtI model;

b) Analyzing information and assessments concerning a student's RtI and making educational decisions about changes in goals, instruction, or services;

c) Determining whether to make a referral for special education programs or services.

Criteria for Determining the Levels of Intervention to be Provided to Students

Types of Interventions

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the Tier Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

Tier One Instruction

Tier One instruction is provided to all students in the general education setting. The use of scientific, research based instruction in the areas of reading and math will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment, and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

Tier Two Instruction

In general, Tier Two instruction will consist of small group, targeted interventions for those students identified as being "at risk" who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as reading and math teachers, tutors, speech therapists, school psychologists, and/or school counselors as determined by the SST.

At the conclusion of Tier Two instruction, the SST will review the student's progress and make a determination as to whether Tier Two interventions should be maintained; the student returned to the general education classroom if satisfactory progress is shown; or referred for Tier Three instruction.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student; and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the SST, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the CSE.

Progress monitoring on a continuous basis is an integral part of Tier Three; and the student's response to the intervention process will determine the need or level of further intervention services and/or educational placement.

Amount and Nature of Student Performance Data to be Collected

The SST will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic needs as warranted. This data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's RtI program and make modifications to the program as deemed necessary.

Manner and Frequency for Progress Monitoring

The SST will monitor the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team will meet with the student's teacher(s) and determine if further adjustments need to be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress will be an ongoing part of the RtI program from the initial screening to completion of the RtI process as applicable. Parents may also request that the progress of their child be reviewed by the SST.

Fidelity measures (e.g., an observational checklist of designated teaching behaviors in accordance with the RtI process being implemented) will also be completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and performance charts will be plotted at the completion of the instructional period or intervention process.

(Continued)

SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Staff Development

All staff members involved in the development, provision, and/or assessment of the District's RtI program, including both general education and special education instructional personnel, will receive appropriate training necessary to implement the District's RtI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, and the manner and frequency for monitoring progress.

34 CFR §§ 300.309 and 300.311
Education Law §§ 3208, 4002, 4401, 4401-a, 4402, 4402, and 4410
8 NYCRR §§ 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

Adoption Date: November 8, 2018

SUBJECT: GRADUATION OPTIONS/EARLY GRADUATION/ACCELERATED PROGRAMS

To graduate from the District, a student must meet or exceed the requirements set forth in Part 100 of the Commissioner's regulations. The Board may establish graduation requirements that exceed the minimum standards set by the Board of Regents. The District will award the appropriate diploma, credential, or both to students.

Pathways to Graduation

Students must pass the required number of Regents examinations or approved alternative exams and meet any further graduation requirements; these requirements may include passing an approved pathways assessment, other assessment, or an additional exam that measure an equivalent level of knowledge and skill. Students who fail certain Regents examinations may appeal the result in accordance with Commissioner's regulations.

Early Graduation

A student may be eligible for early graduation (fewer than eight semesters) if the student completes all requirements for graduation, excluding physical education. The District will consult with appropriate personnel, the student, and persons in parental relation, and consider factors such as the student's grades, performance in school, future plans, and benefits to graduating early in making its decision.

Accelerated Programs

Eighth Grade Acceleration for Diploma Credits

Eighth grade students may take appropriate high school courses. The Superintendent or designee will determine whether an eighth grade student is eligible to take high school courses using criteria that examines each student's readiness. By the end of seventh grade, accelerated students must receive instruction designed to facilitate their attainment of the state intermediate learning standards in each subject area in which they are accelerated.

Advanced Placement (AP)

Advanced Placement examinations afford students the opportunity to earn credit or advanced standing in many colleges and universities. The College Board administers a variety of AP examinations in May of each year. The District will determine a student's readiness for enrollment in any AP class.

(Continued)

SUBJECT: GRADUATION OPTIONS/EARLY GRADUATION/ACCELERATED PROGRAMS (Cont'd.)

Dual Credit for College Courses

Students who have demonstrated intellectual and social maturity may choose to matriculate at any one of the colleges that have a cooperative agreement with the District. Students who wish to enroll in college-level coursework must meet all academic, grade level, and coursework requirements. These opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. The administration will review and approve any college courses before they are taken during the school day. The Board will not pay tuition and other related costs for those high school students enrolled in college courses.

Online Coursework

The District may offer students the ability to complete general education and diploma requirements for a specific subject through online instruction or blended coursework that combines online and classroom-based instruction.

To receive credit for online coursework, students must successfully complete an online or blended course and demonstrate mastery of the learning outcomes for the subject by passing the Regents exam or other assessment in the subject area.

8 NYCRR §§ 100.1(i), 100.2(f), 100.4(d), 100.5, 100.6, and 200.5

NOTE: Refer also to Policy #7222 -- Diploma or Credential Options for Students with Disabilities

Adoption Date: November 8, 2018

SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The District will provide students with disabilities appropriate opportunities to earn a diploma or other exiting commencement credential in accordance with Commissioner's regulations. During the student's annual review, the District will evaluate graduation opportunities and identify the means to achieve them. As part of this process, the District:

a) Will coordinate activities with guidance personnel and BOCES staff to ensure that students meet credit and sequence requirements and to consider them for vocational opportunities.

b) May modify instructional techniques and materials. Any modifications will be included on a student's Individual Education Plan (IEP) so that they can be implemented consistently throughout the student's program.

c) Will review special education instructional programs to ensure equivalency with the same courses taught in the general education program.

d) Will coordinate communication between special and general education staff so that all staff members understand required skills and competencies, and to establish equivalency of instruction in special education classes.

Graduation and transition plans will take into account the various pathways available to these students. For students with IEPs, the District will plan transition services for post-secondary life as early as possible, but no later than the school year in which the student turns age 15. The transition activities will be focused on improving both the student's academic and functional achievement. The plan will explore post-secondary opportunities and employment options and, if applicable, connection with adult service agencies that may provide the student with services after exiting school.

The District may award these diplomas or credentials, or both:

a) Local diploma: available to students with an IEP or a Section 504 accommodation plan that specifies a local diploma. Students must comply with credit requirements. The available assessments to earn a local diploma include:

1. Low-pass safety net option: students must achieve a score of 55 or higher on five required Regents exams.

2. Low-pass safety net and appeal: available to students who score 52-54 on a Regents exam, successfully appeal that score, and meet all appeal conditions.

3. Compensatory safety net option: except for scores on ELA and math exams, students may use one Regents exam score of 65 or above to compensate for a Regents exam score of 45-54. Students must score at least 55 (or successfully appeal a score of 52-54) on both the ELA and a math exam.

(Continued)

SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

5. Superintendent's determination: students who are unable to demonstrate their proficiency on standard state assessments because of one or more disabilities may be able to graduate upon the Superintendent's review and written certification of their eligibility. The Superintendent must review every student who does not meet graduation standards through the appeal and safety net options for potential eligibility under this determination.

b) Career Development and Occupational Studies commencement credential (CDOS): any student who is not assessed using the New York State Alternate Assessment (NYSAA) may earn the CDOS commencement credential as a supplement to a Regents or local diploma or as his or her only exiting credential if the student attended school for at least 12 years, excluding kindergarten. The student must meet criteria specified by the State Education Department (SED) confirming that he or she has attained the standards-based knowledge, skills, and abilities necessary for entry-level employment.

c) Skills and Achievement commencement credential: students with severe disabilities who are assessed using the NYSAA may earn the SA commencement credential. They must attend school for at least 12 years, excluding kindergarten. The District must document the student's skills, strengths, and levels of independence in academic, career development, and foundation skills needed for post-secondary life.

Education Law §§ 3202 and 4402
8 NYCRR §§ 100.1, 100.2, 100.5, 100.6, 200.4, and 200.5

NOTE: Refer also to Policy #7220 -- Graduation Options/Early Graduation/Accelerated Programs

Adoption Date: November 8, 2018

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE

The School District shall comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Under its provisions, parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, have a right to inspect and review any and all education records maintained by the School District.

Education Records

The term "education records" is defined as all records, files, documents and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for such agency or institution (34 Code of Federal Regulations (CFR) Section 99.3). This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provided under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA. As such, they are subject to the confidentiality provisions of both Acts.

Personal notes made by teachers or other staff, on the other hand, are not considered education records if they are:

a) Kept in the sole possession of the maker;

b) Not accessible or revealed to any other person except a temporary substitute; and

c) Used only as a memory aid.

Additionally, FERPA does not prohibit a school official from disclosing information about a student if the information is obtained through the school official's personal knowledge or observation and not from the student's education records.

Records created and maintained by a law enforcement unit for law enforcement purposes are also excluded.

Access to Student Records

The Board directs that administrative regulations and procedures be formulated to comply with the provisions of federal law relating to the availability of student records. The purpose of such regulations and procedures shall be to make available to the parents/guardians of students and noncustodial parent(s) whose rights are not limited by court order or formal agreement, or students

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

who are eighteen (18) years of age or older or who are attending an institution of post-secondary education, student records, and files on students, and to ensure the confidentiality of such records with respect to third parties.

Under FERPA, unless otherwise exempted in accordance with law and regulation, the District may release personally identifiable information (PII) contained in student education records only if it has received a "signed and dated written consent" from a parent or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that such signature:

a) Identifies and authenticates a particular person as the source of the electronic consent; and

b) Indicates such person's approval of the information contained in the electronic consent.

Exceptions

Without the consent of a parent or eligible student, a district may release a student's information or records when it is:

a) Directory Information and Limited Directory Information

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Limited Directory Information Disclosure means that the District may limit disclosure of its designated directory information to specific parties, for specific purposes, or both. The intent is to allow schools the option to implement policies that allow for the disclosure of student information for uses such as yearbooks, but restrict disclosure for more potentially dangerous purposes. The District shall limit disclosure of its designated directory information as otherwise specified in its public notice to parents of students in attendance and eligible students in attendance.

b) To School Officials who have a Legitimate Educational Interest

To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. An educational interest includes the behavior of a student and disciplinary action taken against such student for conduct that posed a significant risk to the safety or well-being of the student, other students or other members of the school community. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

c) To Another Educational Institution

The District may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, to another school or postsecondary institution at which the student seeks or intends to enroll, or after the student has enrolled or transferred, so long as the disclosure is for purposes related to the student's enrollment or transfer. Parental consent is not required for transferring education records if the school's annual FERPA notification indicates that such disclosures may be made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, schools must provide a copy of the information disclosed and an opportunity for a hearing.

d) For Health and Safety Emergency Reasons

The District must balance the need to protect students' personally identifiable information with the need to address issues of school safety and emergency preparedness. Under FERPA, if an educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records, without consent, to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals during the period of the health or safety emergency. The District may release information from records to appropriate parties including, but not limited to, parents, law enforcement officials and medical personnel. The District's determination that there is an articulable and significant threat to the health or safety of a student or other individuals shall be based upon a totality of the circumstances, including the information available, at the time the determination is made. The District must record the articulable and significant threat that formed the basis for the disclosure and maintain this record for as long as the student's education records are maintained.

e) To Juvenile Justice Systems

Information may be disclosed to state and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a state statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released. In such cases the official or authority must certify in writing that the information will not be disclosed to any other party except as provided under law without prior written consent.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

f) To Foster Care Agencies

The District may release records to an agency caseworker or other representative of a state or local child welfare agency, who has the right to access a student's case plan, when the agency or organization is legally responsible, for the care and protection of the student. This does not give a child welfare agency the right to look into any non-foster care student's records, without parental consent, when there has been a mere allegation of abuse or neglect, absent an order or subpoena (see below).

g) Pursuant to a Subpoena or Court Order

When a district receives a subpoena or court order for the release of records the District must make a reasonable effort to notify the parent/guardian or eligible student of the order or subpoena in advance of compliance. This allows the parent/guardian or eligible student to seek protective action against the subpoena or order before the release of the records.

The District may disclose a student's records without first notifying parents/guardians or eligible students if the disclosure is:

1. Based on a subpoena in which the court orders, for good cause shown, not to reveal to any person the existence or contents of the subpoena or any information furnished pursuant to the subpoena;

2. Pursuant to a judicial order in cases where the parents are a party to a court proceeding involving child abuse or neglect or dependency matters, and the order is issued in the context of that proceeding; or

3. Made to a court (with or without an order or subpoena) when the District is involved in a legal action against a parent or student and the records are relevant to the matter.

h) For Financial Aid Purposes

Pertinent information may be released in connection with the determination of eligibility, amount, conditions and enforcement of terms of a student's financial aid.

i) To Accrediting Organizations

Disclosure of a student's records may be made to an organization in which that student seeks accreditation, in order to carry out their accrediting function.

(Continued)

SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

j) To Parents of a Dependent Student

Even when a student turns 18 years of age or older the District may disclose education records to that student's parents, without the student's consent, if the student is claimed as a dependent for federal income tax purposes by either parent.

k) For Audit/Evaluation Purposes

The audit or evaluation exception allows for the disclosure of PII from education records without consent to authorized representatives of the Comptroller General of the U.S., the Attorney General, the Secretary of Education, federal, state or local educational authorities ("FERPA permitted" entities). Under this exception, PII from education records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with federal legal requirements that relate to those education programs (audit, evaluation, or enforcement or compliance activity).

The District may, from time to time, disclose PII from education records without consent to authorized representatives of the entities listed above. The District may also, from time to time, designate its own authorized representative who may access PII without consent in connection with an audit or evaluation of an education program within the District. As an example, the District might designate a university as its authorized representative in order to disclose, without consent, PII from education records on its former students to the university. The university could then disclose, without consent, transcript data on those former students attending the university to allow the District to evaluate how effectively the District prepared its students for success in postsecondary education.

l) For Conducting Studies

This exception allows for the disclosure of PII from education records without consent to organizations conducting studies for, or on behalf of, schools, school districts or postsecondary institutions. Studies can be for the purpose of developing, validating, or administering predictive tests; administering student aid programs; or improving instruction.

The District may, from time to time, disclose PII from education records without consent to such organizations conducting studies for the District, in accordance with its obligations under FERPA.

In addition, other entities outside of the District may, from time to time, disclose PII from education records that the District has previously shared with that entity, to organizations conducting studies on behalf of the District. For example, a State Education Agency (SEA) may disclose PII from education records provided by the District without consent to an organization for the purpose of

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SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

conducting a study that compares program outcomes across school districts to further assess the effectiveness of such programs with the goal of providing the best instruction.

Required Agreements for the Studies or Audit/Evaluation Exceptions (see items k and l)

To the extent required by law, the District shall enter into a written agreement with organizations conducting studies for the District, or, with its designated authorized representatives in connection with audits or evaluations of education programs within the District. In the event that the District discloses PII from education records to its own designated authorized representative in connection with an audit or evaluation of an educational program within the District, it shall use reasonable methods to ensure to the greatest extent practicable that its designated authorized representative complies with FERPA and its regulations.

Challenge to Student Records

Parents or guardians of a student under the age of eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, shall have an opportunity for a hearing to challenge the content of the school records, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Release of Information to the Noncustodial Parent

The District may presume that the noncustodial parent has the authority to request information concerning his or her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his or her responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information.

Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g
34 CFR Part 99
8 NYCRR 80-1.5(b)

NOTE: Refer also to Policies #7241 -- Student Directory Information
#7242 -- Military Recruiters' Access to Students
#7643 -- Transfer Students with Disabilities

Adoption Date: November 8, 2018

SUBJECT: STUDENT DIRECTORY INFORMATION

The District will publish an annual public notice informing parents or eligible students (i.e., a student 18 years of age or older or who is attending an institution of post-secondary education) of the District's definition of directory information, the parent or eligible student's right to refuse the release of student directory information and indication of the time period for their response. (Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.) Following this public notice and a reasonable response period, the District may release this information to an outside group without individual consent.

The Family Educational Rights and Privacy Act (FERPA) defines student directory information as any of the items as indicated in the following list. The District will release the following defined directory information as checked below:

__X__ Student's name
__X__ Address
__X__ Telephone listing
__X__ Date and place of birth
_____ Major field of study
__X__ Grade level
__X__ Participation in officially recognized activities and sports
__X__ Weight and height (for members of athletic teams)
__X__ Dates of attendance
__X__ Honors, degrees and awards received
__X__ Email address
__X__ Photograph
__X__ Name of educational institution previously attended
_____ Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.
_____ Student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Parents and eligible students may not, by opting out of disclosure of directory information, prevent a school from requiring a student to wear or present a student identification card or a badge that displays information that may be directory information. A student's social security number, in whole or part, will not be designated as directory information.

(Continued)

SUBJECT: STUDENT DIRECTORY INFORMATION (Cont'd.)

Limited Directory Information Disclosure

Limited Directory Information Disclosure means that that the District may limit disclosure of its designated directory information to specific parties, for specific purposes, or both. Allowing limited directory information disclosure may permit the District to use student directory information for such limited purposes as school yearbooks, honor roll lists, graduation programs, playbills, and other similar uses, without obtaining individual consent. Limiting the disclosure of such information may be beneficial when the District perceives such disclosure as putting students at risk of becoming targets of marketing campaigns, news media or possible victims of criminal acts. The District will limit its disclosure of its designated directory information as specified in its public notice to parents and eligible students.

Military Recruiter Access

The release of student directory information is not to be confused with the release of names, addresses and telephone listings of eligible students (i.e., a student 17 years of age or older or in the eleventh grade (or its equivalent) or higher) to Military Recruiters. The District will notify parents that by law it routinely releases this information to Military Recruiters upon request subject to a parents' or eligible students' request not to disclose this information with written parental verification of the request.

Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)
34 CFR Part 99

NOTE: Refer also to Policy #7242 -- Military Recruiters' Access To Students

Adoption Date: November 8, 2018

SUBJECT: MILITARY RECRUITERS' ACCESS TO STUDENTS

In accordance with law, the District will comply with a request by a Military Recruiter for names, addresses, and telephone listings of eligible students. Eligible student under ESEA and the National Defense Authorization Act is defined as a secondary student who is 17 years of age or older or in the eleventh grade (or its equivalent) or higher. Under ESEA and the National Defense Authorization Act, parents must be notified that the District by law routinely discloses students' names, addresses, and telephone listings to Military Recruiters upon request, subject to a parents' or eligible student's request not to disclose such information with written parental verification of such request.

Under FERPA, the District must provide notice to parents or eligible students of the types of student information that it releases publicly. This type of information, commonly referred to as "directory information," which is released by the District includes - but is not limited to - such items as students' names, addresses, and telephone listings. The notice must include an explanation of a parent's or eligible student's right to request that "directory information" not be disclosed without prior written consent of the parent or eligible student. Eligible student under FERPA is defined as a student 18 years of age or older or who is attending an institution of post-secondary education.

A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents or eligible students of the above information is sufficient to satisfy the notification requirements of FERPA, ESEA, and the National Defense Authorization Act. The notification will advise the parent or eligible student of how to opt out of the public, nonconsensual disclosure of directory information and the disclosure of name, address, and telephone listing to Military Recruiters; and will state the method and timeline within which to do so.

Further, in compliance with the ESEA and the National Defense Authorization Act, the District will give Military Recruiters the same access to secondary school students as they provide to postsecondary institutions or to prospective employers.

If a parent or eligible student opts out of providing directory information (or any subset of such information) to third parties, the opt-out relating to the student's name, address, or telephone listing applies to requests from Military Recruiters as well. For example, if the opt-out states that telephone numbers will not be disclosed to the public, the District may not disclose telephone numbers to Military Recruiters.

The Superintendent or designee will ensure that appropriate notification is provided regarding the opt-out rights prohibiting release of directory information and/or release of name, address and telephone listing to Military Recruiters.

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SUBJECT: MILITARY RECRUITERS' ACCESS TO STUDENTS (Cont'd.)

Elementary and Secondary Education Act of 1965, § 9528, 20 USC § 7908 as amended by the No Child Left Behind Act of 2001
Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)
National Defense Authorization Act § 544, 10 USC § 503
34 CFR § 300.571
Education Law § 2-a
8 NYCRR § 3.33

Adoption Date: November 8, 2018

SUBJECT: STUDENT DATA BREACHES

A student data breach is defined as any instance in which there is an unauthorized release of or access to personally identifiable information (PII) or other protected information of students not suitable for public release.

The District has a legal responsibility to protect the privacy of education data, including PII of its students. The Family Education Rights and Privacy Act of 1974 (FERPA), protects the privacy of student education records. Although FERPA does not include specific data breach notification requirements, it does protect the confidentiality of education records and requires districts to record each incident of data disclosure. In addition, under state law, direct notification of parents and/or affected students may be warranted depending on the type of data compromised, such as student social security numbers and/or other identifying information that could lead to identity theft.

The District has implemented privacy and security measures designed to protect student data stored in its student data management systems. These measures include reviewing information systems and data to identify where PII is stored and used; monitoring data systems to detect potential breaches; and conducting privacy and security awareness training for appropriate staff. In the event of a suspected breach, the District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement if necessary.

34 CFR 99.32 (a)(1)
Technology Law §§ 202 and 208

NOTE: Refer also to Policies #5672 -- Information Security Breach and Notification
#7240 -- Student Records: Access and Challenge

Adoption Date: November 8, 2018

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

The Protection of Pupil Rights Amendment (PPRA) governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following protected areas:

a) Political affiliations or beliefs of the student or the student's parent/guardian;

b) Mental or psychological problems of the student or the student's family;

c) Sex behavior or attitudes;

d) Illegal, anti-social, self-incriminating, or demeaning behavior;

e) Critical appraisals of other individuals with whom respondents have close family relationships;

f) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

g) Religious practices, affiliations, or beliefs of the student or student's parent/guardian; or

h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

General Provisions

The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA). Further, PPRA does not supersede any of the requirements of the Family Educational Rights and Privacy Act (FERPA).

The rights provided to parents/guardians under PPRA transfer from the parent/guardian to the student when the student turns 18 years old or is an emancipated minor under applicable state law.

The School District may use funds provided under Part A of Title V of the Elementary and Secondary Education Act of 1965 to enhance parental/guardian involvement in areas affecting the in-school privacy of students.

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

Annual Parental Notification of Policies/Prior Written Consent/"Opt Out" Provisions

The District shall provide for reasonable notice of the adoption or continued use of this policy directly to parents/guardians and eligible students enrolled in the District. At a minimum, the District shall provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

Further, in the notification, the District shall offer an opportunity for parents/guardians to provide written consent or opt their child out of participation in the following activities in accordance with law and the surveys conducted:

a) The administration of any survey containing one or more of the protected areas.

   1. U.S. Department of Education-Funded Surveys: Prior written consent from parents must be obtained before students are required to submit to the survey.

   2. Surveys funded by sources other than U.S. Department of Education: Notification may indicate the specific or approximate dates during the school year when surveys will be administered and provide an opportunity for the parent to opt his/her child out of participating upon receipt of the notification.

b) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

c) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Specific Notification

In the event that the District does not identify the specific or approximate dates of the activities or surveys to be administered in the general annual notification, it shall "directly" notify, such as through U.S. Mail or email, the parents of students who are scheduled to participate in the specific activities or surveys prior to participation and provide an opportunity for the parent to provide written consent or opt his/her child out of participation in accordance with law and the surveys conducted.

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

U.S. Department of Education-Funded Surveys

In compliance with the Protection of Pupil Rights Amendment (PPRA), the School District is committed to protecting the rights and privacy interests of parents/guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).

The District shall make instructional materials available for inspection by parents/guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate. In addition, the School District shall obtain prior written parental/guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning any of the protected areas.

Surveys Funded by Sources Other than U.S. Department of Education

The School District has developed and adopted this Board policy, in consultation with parents/guardians, regarding the following:

a) The right of the parent/person in parental relation to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents/guardians to inspect such surveys are to be submitted, in writing, to the Building Principal at least ten days prior to the administration or distribution of any survey. Further, the District shall grant a request by the parent/guardian for reasonable access to such survey within a reasonable period of time after the request is received by the District.

b) Arrangements shall be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the protected areas, including the right of the parent/guardian of the student to inspect, upon request, any survey containing one or more of the protected areas. Such requests must be submitted by the parent/guardian, in writing, to the Building Principal at least ten days prior to the administration or distribution of any survey.

c) Parents/guardians shall be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within a reasonable period of time (defined by the District, for the purposes of this policy, as 30 days) after such request is received by the District. Requests shall be submitted by parents/ guardians, in writing, to the Principal. The term "instructional material" means instructional

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

d) The administration of physical examinations or screenings that the School District may administer to a student.

Further, this law does not apply to any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

In the implementation of this provision regarding the administration of physical examinations or screenings that the school may administer to the student, the School District incorporates by reference Board policies that address student health services, as applicable, including but not limited to policies regarding the administration of medication, immunization of students, and student physicals.

e) Unless mandated/authorized in accordance with federal or state law and/or regulation, it is policy of the Board of Education, to not permit the collection, disclosure, or use of personal information (the term "personal information" is defined as individually identifiable information including a student's or parent/guardian's first and last name; home address; telephone number; or Social Security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), unless otherwise exempted pursuant to law as noted below. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent/designee.

This law is not intended to preempt applicable provisions of state law that require parental/guardian notification.

These requirements do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

a) College or other postsecondary education recruitment, or *military recruitment**;

**Military recruiter access to student information is governed by the Family Educational Rights and Privacy Act of 1974 (FERPA) and the National Defense Authorization Act for Fiscal Year 2002.*

(Continued)

SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

b) Book clubs, magazines, and programs providing access to low-cost literary products;

c) Curriculum and instructional materials used by elementary schools and secondary schools;

d) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

e) The sale by students of products or services to raise funds for school-related or education-related activities;

f) Student recognition programs.

Family Educational Rights and Privacy Act of 1974, as amended by the No Child Left Behind Act of 2001, 20 USC §§ 1232h(b) and 1232h(c)
34 CFR Part 98

NOTE: Refer also to Policies #7121 -- Diagnostic Screening of Students
#7242 -- Military Recruiters' Access to Students
#7511 -- Immunization of Students
#7512 -- Student Physicals
#7513 -- Administration of Medication

Adoption Date: November 8, 2018

SUBJECT: DESIGNATION OF PERSON IN PARENTAL RELATION

A parent of a minor or incapacitated person may designate another person as a person in parental relation to such minor or incapacitated person for certain health care and educational decisions for a period not exceeding six months. However, this parental designation is conditioned upon there being no prior order of any court in any jurisdiction currently in effect that would prohibit the parent from exercising the same or similar authority; and provided further that, in the case where a court has ordered that both parents must agree on education or health decisions regarding the child, a designation pursuant to this law will not be valid unless both parents have given their consent.

The designation of a person in parental relation must be in writing in the form prescribed by law, and must include specified information as set forth in law for designations of 30 days or less, as well as additional information required for designations of more than 30 days. The designation of a person in parental relation may be presented to any school that requires the designation by either the parent or designee. The designation may specify a period of time less than six months for which the designation will be valid unless earlier revoked by the parent in accordance with law. However, a designation specifying a period of more than 30 days must be notarized.

If no time period is specified in the designation, it will be valid until the earlier of:

a) Revocation; or

b) The expiration of 30 days from the date of signature if the designation does not meet the requirements for designations of more than 30 days; or

c) Six months from the date of commencement specified in the designation if the designation meets the requirements for designations of more than 30 days.

Scope of Designation

A designation made in accordance with this law may specify:

a) The treatment, diagnosis, or activities for which consent is authorized;

b) Any treatment, diagnosis, or activity for which consent is not authorized; or

c) Any other limitation on the duties and responsibilities conveyed by the designation.

Form of Designation

Designations in General

A designation of a person in parental relation pursuant to this law must be in writing and include:

a) The name of the parent;

(Continued)

SUBJECT: DESIGNATION OF PERSON IN PARENTAL RELATION (Cont'd.)

b) The name of the designee;

c) The name of each minor or incapacitated person with respect to whom the designation is made;

d) The parent's signature; and

e) The date of the signature.

The designation may specify a period of time less than six months for which the designation will be valid unless earlier revoked by the parent in accordance with Section 5-1554 of General Obligations Law. However, any designation specifying a period of more than 30 days must also conform to the following provisions as set forth in law.

Designations for More Than 30 Days

A designation specifying a period of more than 30 days must also include:

a) An address and telephone number where the parent can be reached;

b) An address and telephone number where the designee can be reached;

c) The date of birth of each minor or incapacitated person with respect to whom the designation is made;

d) The date or contingent event on which the designation commences;

e) The written consent of the designee to the designation; and

f) A statement that there is no prior order of any court in any jurisdiction currently in effect prohibiting the parent from making the designation.

A designation specifying a period of more than 30 days must be notarized.

Revocation of Designation

A parent may revoke a designation by notifying, either orally or in writing, the designee or the school to which the designation has been presented, or by any other act evidencing a specific intent to revoke the designation. A designation will also be revoked upon the execution by the parent of a subsequent designation. Revocation by one parent authorized to execute such a designation will be deemed effective and complete revocation of a designation in accordance with law.

(Continued)

SUBJECT: DESIGNATION OF PERSON IN PARENTAL RELATION (Cont'd.)

A designee who receives notification from a parent of any such revocation must immediately notify any school to which a designation has been presented. A parent may directly notify the school of the revocation. The failure of the designee to notify the school of such revocation will not make the revocation ineffective.

Effect of Designation

a) A designee will possess all the powers and duties of a person in parental relation unless otherwise specified in the designation.

b) A designation will not impose upon a designee a duty to support the child.

c) A designation will not cause a change in the school district of residence of the child for purposes of the Education Law, and during the period of validity of the designation, the child will be presumed to be a resident of the school district in which the parent resided at the time the designation was made.

d) A designation will terminate and be revoked upon the death or incapacity of the parent who signed the designation.

e) The decision of a designee will be superseded by a contravening decision of a parent.

A person who acts based upon the consent of a designee reasonably and in the good faith belief that the parent has authorized the designee to provide the consent will not be deemed to have acted negligently, unreasonably, or improperly in accepting the designation and acting upon the consent. However, any such person may be deemed to have acted negligently, unreasonably, or improperly if he/she has knowledge of facts indicating that the designation was never given, or did not extend to an act or acts in question, or was revoked.

No provision of General Obligations Law Title 15-A will be construed to require designation of a person in parental relation where such designation is not otherwise required by law, rule, or regulation.

Education Law §§ 2 and 3212
Family Court Act § 413
General Obligations Law Title 15-A
Public Health Law §§ 2164 and 2504

Adoption Date: November 8, 2018

SUBJECT: RIGHTS OF NON-CUSTODIAL PARENTS

The Board is mindful that various arrangements exist for the care and custody of children residing in the District. The District attempts to maintain current family information to help ensure student safety, proper communication with parents, and appropriate educational programming. Parents who are divorced, legally separated, or otherwise live apart should supply the District with relevant information and documentation, including custody orders, regarding who is responsible for the custody and care of their child, and who is permitted to make educational decisions for that child.

A non-custodial parent's participation in his or her child's education will be governed by the terms of any custody order. As a general matter, however, the District encourages non-custodial parents to participate in their child's education. Unless prohibited from doing so by a court order, non-custodial parents may request information about their child, inspect and review their child's records in accordance with the Family Educational Rights and Privacy Act (FERPA) and District policy, and otherwise remain interested in their child's education.

The District will not release students to a non-custodial parent without the custodial parent's consent. It is the parent's responsibility to inform the District if and when the child may be released to individuals other than the custodial parent in a form acceptable to the District.

NOTE: Refer also to Policies #7130 -- Entitlement to Attend -- Age and Residency
#7240 -- Student Records: Access and Challenge

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