

Downsville Central School District
14784 State Highway 30
PO Box J
Downsville, NY 13755

2018-2019 Policy Manual



2018-2019 Board of Education and Administration

President	Richard Bell
Vice-President	Brian LaTourette
Chairperson	Christian (Chris) Towsley
Member	Gary Champlin
Member	Vacant Seat – Resignation of Charles Dunlap
Clerk	Nancy Haynes
Superintendent	John Evans
Principal	Robert Rhinehart
Assistant Principal	Lynne VanValkenburg

August 2018

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District Mission

Excellence
Achievement
Growth
Life-long learning
Equity
Strength of character

District Vision

We, the Downsville Central School Community, will be a high achieving, evolving educational environment responsible for building a foundation of trust, fairness, and consistency by working collaboratively to inspire and nurture each individual's passion, voice, and character for life-long success.

District Goals

Provide high quality programs preparing all students to become responsible citizens, productive workers, and lifelong learners. Ensure effective communication throughout the Downsville Central School Community. Develop a budget that ensures the quality and breadth of our programs. Maintain and enhance school facilities and infrastructure to support a safe, quality educational environment.

Always Soaring Upward

The Eagle Way

We will recognize and value individual strengths.
We will learn from our mistakes.
We will enforce rules consistently and fairly.
We will be accountable for our decisions and actions.
We will encourage success in each other.
We will model respect, responsibility, and passion for learning.

Adopted:	August 11, 1988
Reaffirmed:	May 24, 1999
Amended:	December 10, 2001
Amended:	January 28, 2001
Amended:	July 10, 2006
Reaffirmed:	2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Definitions:

"School officer or employee" means an officer or employee of the Downsville Central School District whether paid or unpaid, including members of the school board, and any professional or nonprofessional staff or appointees.

"Interest" means a benefit received by a school officer or employee as defined by General Municipal Law.

Every school officer or employee shall follow these standards of conduct:

Gifts – Shall not directly or indirectly solicit, or accept or receive any gifts in circumstances where it appears the gift was intended to influence an official duty or was a reward for an official action. Gifts include money, services, loans, travel, entertainment, hospitality, thing or promise or any other form valued over \$75 as per General Municipal Law. This does not prohibit an exchange of gifts, provided discretion is used to ensure that gifts of value are not accepted by school officers or employees. Gifts from children that are sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

Confidential Information – Shall not disclose confidential information acquired through official duties. Shall not use confidential information to further personal interest.

Contracts or Contingency Fees – Shall not agree to compensation or a contingency fee for influencing any matter before the School District. This shall not prohibit fixing fees based on reasonable value of services rendered.

Disclosure of interest in matters before the Board – If a school officer or employee participates in the discussion or gives official opinion to the School Board, they shall publicly disclose (on the official record) the nature and extent of any direct or indirect financial or other private interest they have in the matter discussed.

Investments in conflict with official duties – Shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with the school officer or employees official duties.

Private Employment – Shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when such employment or service creates a conflict with official duties or impairs the proper discharge of official duties.

Future Employment – Shall not appear before any Downsville Central School District Board, panel, or committee (after the termination of services or employment) in relation to any case, proceeding or application in which they personally participated or which was under their active consideration during their period of service or employment.

Nothing in these rules shall be used to bar or prevent the timely filing of any claim, account, demand or suit against the Downsville Central School District for any lawful benefit authorized or permitted by law.

The Superintendent of the Downsville Central School District shall give a copy of this code of ethics to every school officer and employee of the school district before starting the duties of their office or employment.

Penalties – In addition to any penalty contained in any other law, any person who knowingly and intentionally violates any of this code may be fined, suspended or removed from office or employment in the manner provided by law.

General Municipal Law Article 18

Adopted: August 9, 1993

Reaffirmed: 1999, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1360 Unexpired Term of Office

In the event a seat on the Board of Education becomes vacant before a member's term expires the board may fill the vacancy by either of the following:

1. Appoint a qualified person to fill a vacant term of office until the next annual election or
2. Hold a Special Election to fill the vacant term or
3. Leave the seat vacant if the vacancy occurs close to the next election.

Adopted: August 9, 1993
Reaffirmed: 1999
Amended: July 10, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1410 School Board and District Officers

The Downsville Central School Board Officers include a President and a Vice President.

The Downsville Central School District's Officers are individuals who are elected or appointed to administer the public school's affairs. The Downsville Central School District Officers include Board Members, the Superintendent, the District Clerk, the District Treasurer, the District Internal Claims Auditor and the Tax Collector.

Adopted: August 9, 1993
Reaffirmed: 1999
Amended: July 10, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1431 President of the Board

The President of the School Board shall:

Preside at all meetings of the School Board and perform such duties as are required by law or action by the School Board.

Appoint all committees of the School Board.

Appoint temporary committees at the request of the School Board.

Be an ex-officio member of all committees.

Adopted: August 9, 1993
Amended: March 22, 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1433 Designated Chairperson

When the President and Vice-President of the Board are absent the Designated Chairperson elected at the annual organizational meeting of the School Board shall conduct the meeting.

Adopted: August 9, 1993
Reaffirmed: 1999
Reaffirmed: July 10, 2004
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

In addition to the responsibilities required under law, the Treasurer shall:

- A. Keep the School Board fully informed regarding those fiscal matters for which the Treasurer is responsible.
- B. Acknowledge receipt of all monies and deposit in designated bank the day received.
- C. Disburse all district monies signing checks or (check-signer controlled by Treasurer) upon receipt of signed warrant or a certified payroll so payment of claims and payrolls are met by required time schedules.
- D. Develop and maintain accurate financial records on a consistent and systematic basis in conformance with the Uniform System of Accounts.
- E. Render a monthly financial report to the School Board.
- F. Develop a cash flow statement and procedure to keep abreast of the available cash for investment.
- G. Provide and assist the coordinators of federal projects with accounting and financial data pertaining to their project.
- H. Keep abreast of the data processing procedures and advise the Superintendent as to the use of data processing for the good of the district.
- I. Complete the Annual Financial Report.
- J. Develop and maintain a convenient system whereby financial records are located conveniently and easily for auditing and other purposes.
- K. Know and understand the duties of the individual responsible for making out the payroll and perform these duties in the absence of that individual.
- L. Delegate to other clerical employees performance responsibilities of the Treasurer only after fully communicating the need with the Superintendent and gaining approval.
- M. Oversee and recommend steps necessary for district to be in compliance with NYS comptroller's regulations pertaining to school district finances.

Education Law Sec. 2122, 2503, 2130 Part 5

Adopted: February 7, 1979
 Amended: August 25, 1983
 Amended: August 9, 1993
 Reaffirmed: 1999
 Amended: January 8, 2007
 Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The Downsville Central School Board does not operate with a committee structure but may assign special committees in needed circumstances determined by the School Board.

Adopted: August 9, 1993
 Reaffirmed: 1999
 Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

School Board Advisory Councils and Committees

School Board members are elected to represent the interests of the citizens in the management of public schools. In order to carry out this task it is essential that the School Board members keep in touch with public opinion and present the school's needs to the public. Advisory committees of local citizens can contribute to this two-way flow of information. The Downsview Central School Board will obtain input from the LINKS Shared Decision-Making Team for the following purposes:

1. To assist in the development of educational policies and programs;
2. To seek solutions to specific problems confronting the schools;
3. To enlist public support for action on certain policies and programs;
4. To provide for an interchange of ideas between school officials and members of the community at large.

The members of a Shared Decision-Making Team will be selected as per the plan approved by the State Education Department.

In line with its tasks, the Shared Decision Making Team will make an appropriate written report within a reasonable time so that the School Board may duly consider this report before making a related decision. If the School Board, the Superintendent, and the Shared Decision-Making Team agree, the Team's report may be released to the media through the Administration Office.

Adopted: October 12, 1978

Amended: August 9, 1993

Amended: April 24, 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Aids Advisory Council

The School Board shall establish an AIDS Advisory Council to be responsible for making recommendations concerning content, implementation and evaluation of an AIDS instructional program. The council shall include parents, school board members, appropriate District personnel and community representatives including representatives from religious organizations.

Education Law Sec. 135.3(b)(2)

Adopted: August 9, 1993

Reaffirmed: 1999, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Appointment of Impartial Hearing Officer

The Board President shall be designated to appoint an impartial hearing officer subject to ratification by the Board at its next regular meeting. In the case where the Board President is unavailable, the Board Vice President shall be designated to appoint an impartial hearing officer subject to ratification by the Board at its next regular meeting.

Any impartial hearing officer shall be appointed by the District in a manner consistent with the Commissioner's Regulations Section 200.5(i). The impartial hearing officer may not be a person who is an employee of this District or who may have a personal or professional interest which would conflict with his or her objectivity in the hearing.

Adopted: May 13, 2002

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1464R-1 Impartial Due Process Hearing/Selection of Impartial Hearing Officers

The School District is committed to making every effort to amicably resolve differences involving the educational programs for students with disabilities. Mediation will be available to resolve disputes involving any matter, including matters arising prior to the filing of a request for an impartial hearing. In addition, the district may establish procedures providing the opportunity to meet with a disinterested party from a community dispute resolution center for an explanation of the benefits of the mediation process. For those exceptional circumstances where a more formal method is required, the impartial hearing process will be utilized.

Administrative regulations on impartial due process hearings/selection of impartial hearing officers will be developed in order to explain and detail the selection process and the impartial hearing officers will be developed in order to explain and detail the selection process and the impartial due process hearing procedures.

Dated: August 2015

1532 Emergency Meetings

Where a Special Meeting is called on less than 24 hours' notice, the Clerk shall require every member of the Board to sign a waiver of notice.

Adopted: August 9, 1993

Reaffirmed: 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1562 Agenda

The Superintendent in consultation with the Board President shall prepare all agendas for meetings of the School Board. Items of business may be suggested by any school board member, staff member, student, or citizen of the district. The inclusion of items suggested by staff members, student, or citizens shall always allow suitable time for the remarks of the public who wish to speak briefly before the School Board.

The School Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the School Board agrees to consider them. The School Board, however, may not revise School Board policies, or adopt new ones, unless such action has been scheduled.

The agenda, and supporting materials, shall be distributed to School Board members sufficiently prior to the meeting, if possible, to permit them to give items of business careful consideration. The agenda and appropriate agenda materials shall also be made available to the press; to representatives of community, staff, and student organizations; and to others upon request.

Adopted: December 8, 1977

Amended: August 22, 1985

Amended: August 9, 1993

Reaffirmed: 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1565 **Voting**

All votes on an issue must be preceded by a formal motion and a second. The President cannot make a motion or second a motion.

General Construction Law Sec. 41

Public Officers Law Art 6, Sec. 87 (3)(a)

Adopted: January 9, 1986

Amended: August 9, 1993

Reaffirmed: 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1567 **Public Participation at Board Meetings**

All regular and special meetings of the School Board shall be open to the public. Because the School Board desires to hear the viewpoints of citizens throughout the district, it shall offer suitable time at all meetings for citizens to be heard. This shall be noted as “Voice of the Visitors” and the School Board shall schedule a period during each meeting for public participation. Ordinarily, the School Board shall accept comments and questions from the public during this general discussion period of the agenda.

Recognizing its responsibility for proper governance of the school and therefore the need to conduct its business in an orderly and efficient manner, at times, the School Board shall set a time limit on the length of this period and/or a time limit for individual speakers. The length of the public discussion period and the proposed time limit for individual speakers may be extended by action of the School Board. The School Board President shall be responsible for recognizing all speakers, who shall properly identify themselves, and for maintaining proper order and obtaining adherence to any time limits set. All speakers and their topics shall be identified in the board minutes.

Comments and questions at a regular meeting may deal with any topic related to the School Board’s conduct of the school. Comments at special meetings must be related to the call of the meeting. Questions asked by the public shall, when possible, be answered immediately by the Board President or referred to staff members present for reply. Questions requiring investigation shall be referred to the School Board or Superintendent for consideration and later response.

Adopted: December 8, 1977

Amended: March 22, 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1630 **Policy Adoption**

Adoption of new policies is solely the responsibility of the School Board. The Superintendent shall report to the School Board on a monthly basis the policies under consideration and will propose such changes as deemed necessary.

Except for policy actions to be taken on emergency measures, the adoption of School Board policies shall follow this sequence which will take place at least at two regular or special School Board meetings:

1. Announcement and distribution of proposed new or revised policies as an item of information.
2. Opportunity offered to concerned groups or individuals to react to policy proposals.
3. Discussion and final action by the School Board on policy proposals.

1630 Policy Adoption (cont)

The final note to adopt or not to adopt shall follow by at least four weeks from the meeting at which policy proposals are first placed on the agenda.

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the School Board policy manual.
2. Insofar as possible, each policy statement shall be limited to one subject.
3. Policies and amendments adopted by the School Board shall be noted in the minutes of the meeting at which they are adopted and shall be recorded in the policy manual of the district.
4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

Annual Reaffirmation of Policies:

The School Board's set of written policies shall be readopted at each annual organizational meeting, subject to the understanding that all policies not established by law or contractual arrangements may be changed through School Board action as described above.

Adopted: December 8, 1977
Reaffirmed: 1999
Amended: 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1640 Policy Dissemination

The Superintendent shall distribute copies of newly adopted policy to presidents of the bargaining units and other administrators. All new policies adopted will be posted on the bulletin boards in the faculty room and central office. Copies of the policies shall be placed in official policy manuals in designated various locations within the school building. All policy manuals shall be updated annually.

Adopted: August 9, 1993
Reaffirmed: 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1660 Shared Decision Making

A responsibility of the Superintendent is to assure that procedures for LINKS Shared Decision Making are developed and implemented in accordance with the Compact for Learning and the Commissioner's Regulation 100.11.

Adopted: August 9, 1993
Reaffirmed: 1999
Amended: July 10, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1720 School Board Development Opportunities

Because it is an important School Board responsibility to keep abreast of changes in education, the Downsview Central School Board supports continuing in-service training and development for its members. The participation of all members at school board conferences, conventions, workshops, and school board development sessions is strongly encouraged. In order to implement this policy, the Superintendent shall distribute to the School Board notices, invitations and other announcements regarding training opportunities.

General Municipal Law Sec. 77-B
Education Law Sec. 2118
Adopted: August 9, 1993
Reaffirmed: 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1810 Communications to Staff and Students

All official School Board communications, policies and directives to the staff will be communicated through the Superintendent. The Superintendent shall develop appropriate and effective methods to keep staff fully informed of the School Board's issues, concerns, and actions.

The School Board shall strive to provide students with information that provides a general understanding of the School District's goals and expected performance outcomes.

Adopted: August 9, 1993

Amended: May 24, 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

1820 Notification of Theft

The Board of Education should be made aware of thefts of \$200 or more so it can respond knowledgeably to questions from the community.

The Superintendent shall establish procedures that allow the District Treasurer to be notified of the alleged theft of district property. Upon notice of an alleged theft, the District Treasurer shall make a reasonable effort to determine that the theft, in fact, did occur and efforts are being made to recover the missing property. As soon as a theft is reasonable verified, the District Treasurer shall notify the Superintendent. The Superintendent or his designee shall telephone all members of the Board to notify them of the theft of any item over \$200 in value and the status of the recovery effort.

A Board member, who prefers to be notified of the theft at the next Board meeting, rather than by being telephoned, should make that known to the Superintendent.

Adopted: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

2600 Administrative Intern Program

An administrative training program shall be established and maintained, when feasible. This program is to provide the school district with well-trained personnel eligible for service as administrators; and to provide a structure means through which personnel (who aspire to employment as school administrators) may achieve training and experience which will prepare them to perform that function either within or outside the school district.

The administrative training institution is expected to provide liaison personnel who will discuss with the Superintendent the broad objectives which the training institution believes should be sought for the administrative intern. Such personnel are free to visit the school district to observe the intern at work.

Adopted: October 11, 1993

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3100 Public Information and Media Relations

As part of its ongoing effort to keep staff and the public fully informed concerning its affairs and action, the School Board instructs the Superintendent to institute and to maintain effective and appropriate procedures which provide for information dissemination. This information shall include issues under consideration, as well as decisions made.

Releases to the press, and brief summaries of agenda and minutes prepared for distribution to staff and parents are regarded as appropriate means for meeting this requirement.

The Superintendent is expected to establish contacts with the local news media and provide them information concerning the School District's educational programs.

Adopted: December 13, 1993
Amended: May 24, 1999
Amended: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3110 District Informational Calendar

A school calendar for the school year shall be published and distributed to parents. As much as possible, it shall also be distributed to community members. Parents are advised to check for changing dates of events.

Adopted: December 13, 1993
Reaffirmed: 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010
Amended: February 14, 2011
Reaffirmed: July, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3140 School District Records

Bylaw Regarding Public Access to Records Under Public Officers Law Article 6

1. Chief Executive's Duties

The Chief Executive Officer shall be responsible for insuring compliance with these regulations and shall designate one or more persons as Records Access Officer by name or by specific job title and business address who shall have the duty of coordinating the District's response to public requests for access to records.

2. Records Access Officer

The Records Access Officer is responsible for assuring that district personnel:

- a. Maintain an up-to-date subject matter list.
- b. Assist the requester in identifying requested records, if necessary.
- c. Upon locating the records, take one of the following actions:
 - i. Make records promptly available for inspection; or,
 - ii. Deny access to the records in whole or in part and explain in writing the reasons therefore.
- d. Upon request for copies of records:
 - i. Make a copy available upon payment or offer to pay established fees, if any; or, ii. Permit the requester to copy these records.
- e. Upon failure to locate records, certify that:
 - i. The District is not the legal custodian for such records.
 - ii. The records of which the District is a legal custodian cannot be found after diligent search.

3. Location

The District records shall be available for public inspection and copying at the District Office of Downsville Central School, 14784 State Highway 30, Downsville, NY 13755.

4. Hours for Public Inspection

The District shall accept requests for public access to records and produce records during all hours the District offices are regularly open for business.

5. Requests for Public Access to Records

- a. Where request for records is required, such request may be oral or in writing. However, a written request shall not be required for records that have been customarily available without written request.
- b. A request shall reasonably describe the record(s) sought. Whenever possible, a person requesting records shall supply information regarding dates, file designations or other information that may help to describe the records sought.
- c. If a record sought cannot be supplied within five business days of receipt of a request, the District shall furnish a written acknowledgement of receipt of request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within ten business days after the date of acknowledgement of receipt of the request, the request may be construed as a denial of access that may be appealed.
- d. The district shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to Public Officers Law, Section 87-2.
 - i. The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
 - ii. The subject matter list shall be updated not less than twice per year. The date of the most recent updating shall appear on the first page of the subject matter list.
- e. No records may be removed by the requester from the office where the record is located without the permission of the Chief Executive Officer.

6. Denial of Access of Records

- a. The District Board President shall hear appeals for denial of access to records under the Freedom of Information Law.
- b. Denial of access shall be in writing stating the reason therefore and advising the requester of his/her right to appeal to the Board President, who shall be identified by name, business address and business telephone number.
- c. If the District fails to provide requested records promptly as required by Section 5, such failure shall be deemed a denial of access by the District.
- d. Any person denied access to records may appeal within 30 days of denial.
- e. The time for deciding the appeal by the Board President shall commence upon receipt of written appeal identifying:
 - i. The date and location of request for records;
 - ii. The records to which the requester was denied access; and
 - iii. The name and return address of the requester.
- f. The District shall transmit to the Committee on Public Access to Records, copies of all appeals upon receipt of an appeal. Such copies shall be addressed to: Committee on Public Access to Records, Department of State, 162 Washington Avenue, Albany, NY 12231
- g. The School Board President shall inform the requester and the Committee on Public Access to Records of his decision in writing within seven business days of receipt of an appeal. The determination shall be transmitted to the Committee on Public Access to Records in the same manner as set forth in subdivision f of this section.
- h. A final denial of access to a requested record shall be subject to court review, as provided in Article 78 of the Civil Practice Law and Rules.

7. Fees

- a. There shall be no fee charge for the following:
 - i. Inspection of records;
 - ii. Search for records; or
 - iii. Any certification pursuant to this bylaw.
- b. A charge for copies of records shall be as follows:
 - i. The fee for copying records shall be 25¢ per page for photocopies not exceeding 9 x 14 inches.
 - ii. The fee for copies of records not covered by paragraph I above shall not exceed the actual copying cost which is the average unit cost for copying a record, excluding fixed cost of the District, such as operators' salaries.

8. Public Notice

The District shall publicize by publication in the local newspaper having general circulation in the District:

- a. The location where public records shall be made available for inspection and copying.
- b. The name, title, business address and business telephone number of the designated Records Access Officer.
- c. The right to appeal by any requester denied access to a record for whatever reason and the name and business address of the person to whom an appeal is to be directed.

9. The bylaw previously adopted in accordance with Article 6 of the Public Officers Law (Freedom of Information Law) is hereby revoked.

Downsville Central School

Public Notice in Accordance with the Regulations of the Committee on Public Access to Records

I. The location where records shall be made available for inspection and copying is:

District Office
Downsville Central School
PO Box J
Downsville, NY 13755

II. The records access officer is:

Records Access Officer
Downsville Central School
PO Box J
Downsville, NY 13755
607-363-2100

III. A person denied access to a record for whatever reason shall have the right to appeal in accordance with the bylaw of the District. The name and address of the appeal officer is:

Board President
Downsville Central School
PO Box J
Downsville, NY 13755
607-363-2100

Adopted: December 13, 1993
Amended: May 24, 1999
Amended: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3210 School Board Meetings

All citizens of the Downsville Central School District Community are encouraged to attend regular and special School Board meetings. Citizens attending these meetings shall be provided a copy of the agenda at the meeting.

The School District shall announce the date, time and place of all School Board regular and special meetings in advance in accordance with state law.

See also: Sections 1567 Public Participation

Adopted: December 13, 1993
Reaffirmed: 1999
Amended: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3220 Voter Propositions

Unless otherwise required by law, all propositions submitted by anyone other than the Board of Education must be submitted by written petition to the Board of Education, at least 30 days prior to the meeting or election considering the proposition. The petition must include at least 25 signatures in support from those eligible to vote on the proposition.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3340 Relations With Parents With Disabilities

To assure that parents who have a disability have meaningful access to school-initiated conferences, activities and programs pertaining to their child's education, the School Board establishes that:

Parents with disabilities shall be notified of the availability of services to accommodate their disability.

Arrangements shall be made to accommodate parental needs for in or out of School District activities or programs.

Appropriate school personnel shall be knowledgeable about this policy and it is expected that they assist parents with disabilities by identifying appropriate services.

Building level personnel shall inform the Superintendent of the need for services for parents with a disability.

Downsville Central School District will maintain compliance with the Americans With Disabilities Act.

Adopted: December 13, 1993

Amended: May 24, 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3341 Interpretation Services For Parents and Persons In Parental Relationship Who Are Hearing Impaired

1. Definitions: For purposes of this subdivision:

(i)Hearing Impaired shall include any hearing impairment, whether permanent or fluctuating, the result of which prevents a meaningful participation in school district meetings or activities.

(ii) Meeting or Activity shall mean those school-initiated meetings or activities attended by parents or persons in parental relationship who are hearing impaired, which are specific to the academic and/or disciplinary aspects of their child's educational program, including, but 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 conference with school officials relating to disciplinary actions.

2. School District Meetings and Activities: At any meeting or activity which is conducted by the board of education, trustees, school district and attended by parents or persons in parental relationship who are hearing impaired, such board of education or trustees shall provide interpreter services at no charge to such parents or persons in parental relationship, provided that a written request therefore is received by the superintendent at least three business days prior to the event at which the interpreter is needed. In the event that an interpreter of the deaf is unavailable, the school district shall make other reasonable accommodations which are satisfactory to the parents or guardians.

Examples of other potential reasonable accommodations include: adjourning the meeting until an interpreter is available, providing amplification or other equipment to assist the hearing impaired individual or providing the individual with a written summary of the meeting within a reasonable time after the meeting.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The use of school buildings and rooms and portions of the grounds designated for recreational activity may be used by the public when such facilities are not in use for District purposes and will not be disruptive of the normal operations of the District for any of the following purposes:

1. For the purpose of instruction in any branch of education, learning or the arts.
2. For holding social, civic and recreational meetings and entertainments and other uses pertaining to the welfare of the community. Such meetings, entertainments and uses shall be non-exclusive and shall be open to the general public.
3. For meetings, entertainments and occasions where admission fees are charged, when the proceeds thereof are to be expended for an educational or charitable purpose, but such use will not be permitted if such meeting, entertainment and occasions are under the exclusive control and the proceeds are to be applied for the benefit of a society, association or organization of religious sect or denomination of a fraternal, secret or exclusive society or organization other than an organization of veterans of the military, navy and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers.
4. For polling place, for holding primaries and elections and for the registration of voters.
5. For classes of instruction for mentally disabled minors operated by a private organization approved by the Commissioner of Education.
6. For recreation, physical training and athletics including competitive athletic contests of children attending a private, non-profit school.
7. For the provision of child care services during non-school hours or to provide child care services during school hours for the children of students attending the District and if space permits, for children of employees of the District. The cost of such child care shall not be a charge on the District but shall be provided for by charges determined by the Board of Trustees and paid for by the parent of the children attending such day care.
8. For graduation exercise held by not-for-profit elementary and secondary schools, provided that no religious service is performed.
9. Should a religious organization wish to use school facilities for a not-for-profit activity other than instructional or religious, it shall be treated as any other civic or not-for-profit district organization.

All individual, groups, and agencies wishing to use District buildings or grounds must present a certificate of insurance of a general liability policy of at least one half million dollars naming the District as an additional insured on the insurance certificate. Persons responsible for use of the District facilities will also be required to pay a fee equal to the amount of the District costs in operating the facility in advance of the event. The District reserves the right to charge additional fees based on unexpected costs or damages associated with the use of its facilities.

Adopted: December 13, 1999
 Reaffirmed: 1999
 Amended: July 10, 2006
 Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3420 Use of DCS Facilities, Equipment and Instructional Resources

Facilities

School buildings and school grounds and all property belonging to DCS are under the control and supervision of the Board of Education. DCS supports the use of school facilities by outside not-for-profit groups and organizations for educational, civic and recreational meetings. This use cannot infringe on the normal operation of the facility for

3420 Use of DCS Facilities, Equipment and Instructional Resources (cont.)

regular, secondary and adult programs. The District Superintendent shall develop and promulgate regulations to implement this policy including prior approval procedures which:

1. assure the protection of school property;
2. provide for the health and safety of all people involved in the activity;
3. establish guidelines to determine when a fee should be charged for an activity or the use of the school facility;
4. provide fee schedules for when the use of a facility is to be charged to the user;
5. require payment for damage or loss, whether or not a fee for use has been charged; and
6. require that the user maintain adequate insurance to protect the district.

The District Superintendent has the right to request the following information when an application is submitted:

- a. Constitution of the organization
- b. By-laws currently in effect
- c. Names of officers
- d. List of members
- e. Insurance certification

DCS Equipment and Instructional Resources

DCS-owned equipment may be borrowed by non-profit organizations or agencies subject to the approval of the Superintendent or designee. In the event of damage or loss, the organization shall make restitution.

Non-profit civic groups, e.g., service clubs and Boy and Girl Scouts, may borrow films and other media items from DCS at no charge, providing the use of the requested item does not interfere with component school use of the requested item. The borrower must accept the financial responsibility for the item and its prompt return.

Non-profit agencies, non-public schools, community colleges and government agencies may borrow Instructional Support Services items which do not interfere with regular school usage of the requested items. A service fee, as determined by the Superintendent, will be charged to cover the cost of handling. The borrowing agency will be financially responsible for the condition, pick up and prompt return of the requested item.

DCS equipment may be used by a business or industry for training purposes, subject to the approval of the Superintendent or designee.

Adopted: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

3620 Colleges and Universities

The School Board aspires staff and students of the School District benefit from resources provided by the colleges of our area. The Superintendent shall keep the School Board informed of opportunities for shared and cooperative services between the School District and institutions of higher learning. Additionally, the faculty is responsible to encourage student awareness of the available resources.

Adopted: December 13, 1983

Amended: August 25, 1993

Reaffirmed: 1999, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Curriculum guides shall be provided for the various subject areas. These guides shall present a minimal outline for instruction and a basis for further development of the particular course. In instances where State curriculum guides are mandated, they shall be followed.

In all other situations, the Downsville Central School District will develop its own courses of study, as reflected by the needs of the local situation. The guides shall be designed to assist all users in strengthening and in clarifying their philosophy regarding the teaching of a subject. The guides also will, when possible, suggest a variety of possibilities for instruction, patterns of individualization, variations of approaches and materials.

1. Development of Guides:
 - a. Curriculum guides are best developed by the staff and teachers who are to use them.
 - b. Where entire staff participation is not feasible the Superintendent or his/her designee will select representatives of staff or departments concerned shall form committees for study, creation, and revision of any particular guide.
 - c. When work is completed on a guide, the committee responsible for its development shall present it through the office of the Superintendent to the Board.
2. Use of Guides:
 - a. Curriculum guides are to serve as a framework from which a teacher will develop units of study, individual lesson plans, and approaches to instruction that serve students' particular needs at a particular time. The guides shall be used to map the logical sequence of instruction.
 - b. In subjects where sequence is important such as mathematics, teachers shall be expected to adhere to the guide. In subjects where sequential learning is less important, the teacher may be given greater degree of freedom in respect to sequence.
 - c. In all cases, sufficient latitude shall be permitted to provide the teacher with time to teach the current, topical and incidental which add to motivation and meaningful teaching and learning.
 - d. The administration shall see that optimum use is made of available curriculum guides.

Approved: January 13, 1985

Amended: February 13, 1995

Reaffirmed: 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The calendar shall be established and approved annually by the School Board and shall be based on the Delaware-Chenango-Madison-Otsego BOCES calendar.

See also Section 3110 School Calendar.

Adopted: February 13, 1995

Reaffirmed: 1999

Amended: 2006

Reaffirmed: 2007, 2008, 2009, 2010

Amended: February 14, 2011

Reaffirmed: 2011, 2012, 2013, 2014, 2015,
2016, 2017, 2018

4328 Internet Protection

General Information - Internet access will be provided to students in accordance with the terms of this policy. Internet access from school computers is reserved solely for educational purposes. Use by outside groups is prohibited. Use by student clubs and organizations is limited to those times when the Internet access points are not in use for instruction, and shall be limited to educational purposes and governed by this policy. Access to the Internet will be under the direction and supervision of the staff assigned to the particular Internet access area or computer.

The school district reserves the right to monitor all Internet activity including the transmission and receipt of e-mail which is limited to school district purposes.

Every computer in the district having Internet access shall not be operated by a student unless Internet access from the computer is subject to filtering software. Such filtering software shall be designed and it shall operate so that images which are obscene, pornographic or harmful to minors shall not be displayed. Such filtering software shall also be designed and it shall operate so that images or language which advocate or promote violence or hatred against particular individuals or groups of individuals or promotes the superiority of one racial, ethnic or religious group over another shall not be displayed. For purposes of this policy, the phrase *harmful to minors* means any picture, image, graphic image file, or other visual depiction that, taken as a whole, and with respect to minors, appeals to prurient interest in nudity, sex or excretion; depicts, describes or represents in a patently offensive way with respect to what is suitable for minors an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals and, taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

Prohibited Conduct - No student shall while using a computer or other device connected to the Internet:

1. Access, transmit or retransmit material which promotes violence or advocates destruction of property, including information concerning the manufacture of destructive devices, such as explosives, fireworks, smoke bombs, incendiary devices or the like;
2. Access, transmit or retransmit any information which is harmful to minors as that phrase is defined in this policy.
3. Access, transmit or retransmit material which advocates or promotes violence or hatred against particular individuals or groups of individuals or advocates or promotes the superiority of one racial, ethnic or religious group over another.
4. Use or possesses bootleg software. Bootleg software means any software which has been downloaded or is otherwise in the user's possession without the appropriate registration of the software, including payment of any fees owing to the owner of the software.
5. Use encryption software from any access point within the school district.
6. Transmit credit card or other personal identification information, including home addresses or telephone numbers from any school district computer.
7. Transmit e-mail through an anonymous remailer.
8. Access the Internet from a school district computer using a non-school district Internet account.
9. Use an instant messenger service or program, Internet Relay Chat or other forms of direct electronic communication, or enter a chat room without the express permission of the staff member supervising the computer resource.
10. Commit or attempt to commit any willful act involving the use of the network which disrupts the operation of the network within the school district or any network connected to the Internet, including the use or attempted use of possession of computer viruses or so-called hacking or other unlawful activities on line.
11. Disable or attempt to disable filtering software. However, such filtering software may be disabled for bona fide research or other lawful purposes, when the building principal of the building in which such research or other lawful activity will be conducted has given written permission to disable the filtering software.

In addition to those penalties set forth in the student discipline code, a violation of this Internet policy may also result in loss of Internet privileges.

Opinions, advice, services, and all other information expressed on line are those of the on-line authors and not of the school district. The Internet contains information pertaining to a variety of subjects. Not all of this information is accurate or reliable, particularly where the advice of medical, legal, accounting, or other professionals would be appropriate. Users are advised not to rely on advice found on the Internet. The school district is not responsible for such advice.

The school district does not guarantee or imply that access to the Internet will always be available when students want access or that the software provided by the district will always work as intended. The school district is not responsible for failures in the operation or technical functioning of the Internet or the computers or software used to access the Internet.

Adopted: February 27, 1997
Amended: January 28, 2002
Amended: July 10, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4329 Data Privacy Breach Policy

Overview

A privacy breach is an action that results in an inappropriate use of the Personally Identifiable Information (PII) of students or the disclosure of this information to the wrong recipient. The Downsville Central School District's highest priority is to respond to any privacy breach with immediate measures to limit damaging effects.

Examples of a privacy breach may include:

- An employee or contractor intentionally or unintentionally transmits or discloses records containing student PII to an unauthorized party.
- A device with student data, or with access to student information, is lost or stolen.
- A system that contains student records or data is accessed by an unauthorized user.
- Student data, either in hard copy form, on a device or on a system is not properly disposed of.
- Student information is disclosed on a telephone call to people who are not authorized to hear the information.
- Student names or information are transmitted on social media
- Breach Reporting and Response

All Downsville Central School District employees have a role in safeguarding student information and responsibility for immediately communicating and containing damage in the event of a privacy breach.

Employees who become aware of a suspected or actual security breach must report the matter immediately to their Principal or Supervisor. If their Principal or Supervisor is not available, the incident must be reported to an alternate Principal, Supervisor, or the District Office.

Step 1: Initial Information Gathering

After a suspected or actual privacy breach is reported, the Principal or Supervisor will implement the following actions:

1. Contact the Superintendent of Schools or designee.
2. Record the date and time when the suspected or actual breach was discovered and the date and time when response efforts began.
3. Identify all internal and external resources who can contribute knowledge to confirm whether or not a breach has actually occurred or the extent of the breach.
4. Suspend the process that is causing the privacy breach if further breaches occur.

Step 2: Assemble District Breach Response Team

Responsibilities must be assigned so that the remaining steps may be followed in a timely and orderly manner. The response team will consist of the following individuals:

1. The Superintendent of Schools or designee.
2. The Principal and departments whose teams must respond to the breach and staff who must be directly involved in containment efforts.
3. BOCES and/or South Central Regional Information Center staff to support district teams.

Clearly articulate among team members what can and cannot be communicated at this point and to whom with the purpose of preventing further privacy risks or conjecture among the public that could lead to an inaccurate representation of what happened.

Step 3: Secure and Contain

The Breach Response Team must first contain the breach to ensure that no further damage is done. The team will first focus on the following actions:

1. Secure the premises around the area where the breach occurred to help preserve evidence (if applicable).
2. Stop additional data loss by taking machines or systems off-line, disconnecting network access, changing passwords, blocking access through firewalls, etc.

Efforts must be made to not turn-off or reboot systems in a way that will create a loss of logs or information that will be useful forensic information for uncovering the root cause of the breach.

Step 4: Document Everything

Everything that is known about the breach must be documented (see the checklist at the end of this document).

1. The documentation should address the standard who, what, where, why and how questions and also what is not known including who discovered the breach, who reported it, to whom it was reported, who else knows about it, what type of breach occurred, what information was disclosed, what was stolen/is missing, how it was stolen, what systems are affected, etc.
2. Interviews with persons involved in discovering the breach and anyone else who knows about it must be conducted and documented.

Step 5: Contact Authorities

As directed by the Superintendent of Schools or designee, legal counsel should be contacted to advise the district on the matter, and, in the case of theft of equipment, a break-in or other criminal activity, police should be contacted as appropriate.

Step 6: Investigate

A full investigation of the privacy breach must be conducted and a written report prepared addressing the following aspects of the incident:

1. Identification and analysis of the events that led to the breach with supporting documentation and interview statements.
2. Identification and assessment of actual and potential risks.
3. A summary of relevant policy and procedures that have bearing on the incident.
4. A review of what was done to contain the breach.
5. Recommendations for remedial action so future breaches do not occur.

Step 7: Notify

Notification must be sent to the effected individuals whose privacy has been compromised along with a description of the information that was compromised. The notice of privacy breach will include:

- A description of what happened.
- The actual and/or potential risks.
- The mitigating actions taken by the district.
- What actions the effected individuals should take to protect themselves against harm.

Step 8: Improvement and Remediation

It is essential that the district continually improve safeguards to prevent future privacy breaches from happening. To these ends, the district will implement the remedial actions that are identified and take any other actions that may strengthen privacy and security including:

- Reviewing the relevant processes to enhance compliance with privacy legislation.
- Amending or reinforcing existing policies, procedures and practices for managing and safeguarding student PII.
- Developing and implementing new security or privacy measures.
- Implementing additional staff training to promote awareness and focus frontline security efforts.

Employees who have been found to be in violation of security and privacy policies may be subject to remedial action, disciplinary measures or termination of employment based on the nature and severity of the offense. Such measures will be implemented in accordance with district policies and procedures and relevant union contracts.

Adopted: July 23, 2019

4340 Schedules

The School Board delegates the responsibility of building level, class and office scheduling to the Superintendent and administration.

Adopted: February 13, 1995

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4360 Selection of Published Instructional Materials

The Downsview Central School Board recognizes its commitment to choose and monitor unified published programs, where such programs provide the best available educational opportunity for the students. Such programs include, but are not limited to, basal reading and mathematics series, science programs, social studies series, and so forth. These programs are usually intended for K-6, but such programs as the Level I-III mathematics curriculum are included in this policy.

The policy and relevant procedures are intended to provide a guide for an orderly, thoughtful, and thorough process which involves all interested parties: teachers, parents, School Board members, and administrators. The District also recognizes that the process of planning, implementation, and evaluation for both new programs and those presently installed is an ongoing process.

Adopted: March 25, 1982

Amended: February 13, 1995

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4362 Copyright Materials

The Board will make available the equipment necessary for staff to carry out their assignments. This equipment will include machines for the reproduction of materials in either single or multiple copies.

The Board recognizes, however, that federal copyright law makes it illegal to duplicate copyrighted materials without permission, except for certain exempt purposes. The Board further realizes that severe penalties are provided for unauthorized copying of audio, visual, or printed materials unless the copying falls within the bounds of the “fair use” doctrine. The Board therefore informs all personnel that unauthorized reproduction or use of copyrighted materials is illegal and unethical, and that violations of the copyright laws may result in criminal or civil suits and suspension or dismissal from employment in the system.

To protect staff members and the Downsville Central School District against legal action for alleged violations of the copyright laws, the person making the reproduction must be certain that the action is within the law. When an individual is not certain, he/she should contact the Superintendent in order to ascertain whether copying falls under “permitted use.” If it does not, Superintendent may request permission to reproduce materials from copyright holders.

Requests to reproduce copyrighted materials on district equipment will not be honored unless the reproduction is legally permissible.

Adopted: December 8, 1977
Amended: August 25, 1983
Amended: February 13, 1995
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4365 Collection Development Policy for School Library Materials

Downsville Central School District Board of Education is committed to providing every student access to an effective, integrated school library program that reflects the curriculum and the needs of the school community and the world in general. School library materials * will be selected by the School District to support and enrich the educational program. Materials will serve both the breadth of the curriculum and the needs and interests of the faculty and students. It is the obligation of the District to provide for a wide range of abilities and to respect the diversity of many differing points of view.

Although the Board of Education is legally responsible for all matters relating the operation of the Downsville Central School, responsibility for actual selection of school library materials shall rest with the certified school librarian.

Gift material(s) shall be judged by the selection criteria and shall be accepted or rejected based by those criteria.

Deselection, or weeding, is a continuing process of evaluating resources and removing items that no longer meet the selection criteria. The Board of Education can on its own deselect a material even though there has been no challenge. Discarded materials shall be disposed of in a manner that is easiest and most cost effective for the district.

* Library materials are defined as all electronic, print, and non-print resources, excluding textbooks, used by students and teachers for the District’s educational program.

Adopted: February 14, 2011
Affirmed: July 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4371 Grouping for Instruction

Grouping shall facilitate cooperative learning and outcomes of excellence for all students.

Adopted: February 13, 1995

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4372 Grade Level Placement Students Grades 9-12

Determination of Grade Level for Students in Grades 9-12:

Each student's grade level shall be solely determined by the number of credits earned within the allowed combinations of courses.

DEFINITIONS:

Unit of study means at least 108 hours of instruction throughout the school year, or the equivalent. Unit of credit means the successful completion of a unit of study.

DETERMINATION OF GRADE LEVEL:

Each student's grade level shall be determined by the number of credits earned. Credits for physical education will not count toward the determination of grade level.

To be classified a freshman and be placed in 9th grade, a student must have passed eighth grade.

To be classified a sophomore and be placed in 10th grade, a student must have earned five (5) credits excluding physical education.

To be classified a junior and be placed in 11th grade, a student must have earned ten (10) credits excluding physical education.

To be classified a senior and be placed in 12th grade, a student must have earned fifteen (15) credits excluding physical education.

If, by the opening day of school, a student does not have the minimum number of credits earned in the appropriate areas, that student will remain at the grade level from the previous year until such time as the student earns the necessary credits to move to the next grade level.

Adopted: April 9, 1981

Amended: February 13, 1995

Amended: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4373 Promotion Policy Grades K-6

The Downsview Central School Board provides in this promotion policy the maximum feasible communication between all parties concerned with the promotion or retention of any student in grades K-6. These concerned individuals include, but are not limited to, classroom and specials teachers, parents and administrators. Procedures which reflect the promotion policy are available from the District Office and reflect the concern for a free flow of information in the decision process.

Adopted: July 9, 1981

Amended: February 13, 1995

Reaffirmed: 1999, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4374 Graduation Requirements

Graduation requirements will be used to determine the academic eligibility of a student to graduate.

Definitions

Unit of study means at least 108 hours of instruction throughout the school year, or the equivalent. In order to have completed the requirements for graduation and be eligible to participate in the graduation ceremonies a student must have earned the following credits:

	Regents* Diploma	Diploma	Diploma (for students entering 9 th grade on or before 9/04)
English	4	4	4
Social Studies (Required: US History, and Economics/Participation in Government)	4	4	4
Mathematics	3	3	3
Science	3	3	3
Art or Music	1	1	1
Health	½	½	½
Foreign Language	1	1	1
Sequences/Electives	3.5	3.5	3.5
PE	2	2	2
	22 credits	22 credits	22 credits

In addition to successful completion of the above courses, the following minimum grades must be earned on these examinations:

	Local (for students entering 9 th grade on or before 9/2004)	Regents	Advanced Regents
Math A	55	65	65
Math B			65
Science	55	65	65
2 nd Science			65
English	55	65	65
Global History – Geography	55	65	65
United States History & Govt.	55	65	65
*Language other than English			65

* A student that completes 5 unit and career/technical education may substitute another sequence in place of the L.O.T.C. requirement.

CERTIFICATE OF COMPLETION

The Board of Education of the Downsville Central School adopts the following wording and format for the district's "Certificates of Completion." Such certificates shall be awarded only to a student who has both been identified by Downsville Central School's Committee on Special Education as having met the criteria in Section 200.4(a)(1) or (2) of the Commissioner's Regulations, and who has completed all necessary course work as stipulated in the student's IEP(s).

THIS CERTIFIES THAT _____
has completed an Individualized Educational Program prescribed by the
Board of Education for the Downsville Central School and is therefore entitled to this

Certificate of Completion

Given at Downsville in the State of New York

June _____

President, Board of Education

Superintendent

Reaffirmed: 1999

Amended: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4375 Academic Acceleration of Students

The Downsview Central School Board urges the staff: teaching, support, and administrative, to see that all road blocks are cleared from the paths of learners and that they are assisted in moving ahead according to their abilities and capacity for learning.

Caution and careful screening practices should be exercised in student acceleration. Gifted or extremely capable students may be so accelerated, but only after thorough discussions with the school staff, the parents, and the students involved. The final authority to accelerate rests jointly with the parents and the Superintendent, who must both agree on the decision.

Adopted: October 27, 1983
Amended: February 13, 1995
Reaffirmed: 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4380 Student Attendance for Course Work

Starting with the 2013-2014 school year, it is expected that students will have good attendance at school for all course work; and that all students will have a full day schedule to accomplish their secondary school experience. If a student in his/her senior year finds that they have completed the requirements for graduation early, that student is expected to pursue additional study for a full day of course works to date of graduation.

Options which are available include:

- Any elective course in the high school schedule
- Accredited Online courses approved for school credit
- Distance Learning courses
- Career and Tech courses offered at BOCES
- Independent Study as arranged with the district
- School approved work study
- Shared schools courses with other districts as approved by DCS
- Community Service Programs as approved by the District
- No more than two study halls per day

Adopted: March 11, 2013
Reaffirmed: 2014, 2015, 2016, 2017, 2018

4392 Curricula and Instructional Programs

Questions and complaints about District or classroom curricula and instructional programs shall be given respectful attention. Complaints must be voiced at the level of concern, e.g. classroom concerns must be voiced to the teacher and building level concerns must be voiced with the Building Principal.

If the concerns are not allayed by a conference with the teacher or the principal, then a formal complaint must be filed with the Superintendent if the matter is to be given further attention. Formal complaints must be filed in writing. Results of formal complaints shall be summarized in writing with copies appropriately filed with the teacher(s), building administrators, and School Board members, as necessary.

Adopted: February 13, 1995
Reaffirmed: 1999
Amended: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The Board of Education affirms its compliance with those sections of the Rehabilitation Act of 1973 dealing with program accessibility.

Section 504 of the Rehabilitation Act prohibits discrimination against qualified individuals with disabilities in federally assisted programs or activities solely on the basis of disability. The District shall make its program and facilities accessible to all its students with disabilities.

The District shall also identify, evaluate and extend to every qualified student with a disability under Section 504 a free, appropriate public education, including modifications, accommodations, specialized instruction or related aids and services, as deemed necessary to meet their educational needs as adequately as the needs to non-disabled students are met.

The District official responsible for coordination of activities relating to compliance with Section 504 is the Superintendent of Schools. This official shall provide information, including compliant procedures, to any person who feels his/her rights under Section 504 have been violated by the District or its officials.

Section 504 of the Rehabilitation Act of 1973
29 United States Code (USC) Section 794 et seq.

Adopted: May 28, 2013 *(please note error in policy number – was adopted as Policy 4380; however, it should have been 4395 – correction made at the regular meeting on August 6, 2013)*

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4401

Student Screening

In order to comply with the federal law, the Downsview Central School District will provide screening of the following students for the purpose of identifying potential disabled and/or gifted students.

Those to be screened are:

1. All entering kindergartners;
2. All new entrants who have not been screened in their previous school attendance;
3. All students scoring below level two on either the 3-8 grade ELA or Mathematics tests for New York State elementary and middle schools
4. All students who obtain a comparable percentile score on the Regents preliminary competency test or their state's equivalent tests.

Screening of new entrants shall include, but is not limited to:

1. A physical examination in accordance with Section 901, 903 and 904 of the Education Law, including proof of immunization as required by Section 2164 of the Public Health Law.
2. A language development assessment.

If screening indicates a possible disabling condition which may require the provision of special education services or programs, referral shall be made to the Committee on Special Education.

If such screening indicates a possibly gifted child, the name and finding shall be reported to the Superintendent of Schools and to the parent or legal guardian of such child. Such notification shall not be construed as an entitlement for services for any such child identified as possibly gifted.

Chapter 53 Federal Law 1980
Education Law Section 3208(5)

Adopted: May 24, 1984

Amended: February 27, 1995

Amended: July 26, 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4402 Disabled Students Participating in School District Programs

All students with disabling conditions residing in the District shall have the opportunity to participate in School District programs including extracurricular programs and activities which are available to all other pupils enrolled in the public school of the District. The Board directs the CSE Chairperson to develop procedures implementing 8 NYCRR §200.6(a) in the District.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4403 Appointment and Training of Appropriate Special Education Personnel

The Board of Education shall appoint and train only appropriately qualified personnel including members and chairpersons of the Committee on Special Education (CSE) and the Committee on Preschool Special Education (CPSE) as well as special education teachers and services providers to carry out functions identified in Part 200 of the Commissioner's Regulations and under §504 of the Rehabilitation Act and IDEA. Administrative procedures shall be developed pursuant to this Policy.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4404 Intervention Strategies

The Board of Education directs the Superintendent or the Superintendent's designee to establish a school-wide approach and pre-referral intervention system to remediate student performance prior to referral for special education.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4404.1.1 Pre-Referral Intervention Strategies in General Education (Prior to a Referral for Sp. Ed)

The School District's Response to Intervention plan shall be implemented school-wide, and include approaches and pre-referral interventions in order to remediate a student's academic and/or behavioral performance *prior to referral* for special education.

The provision of pre-referral interventions for students starts with high quality research-based instruction in the general education setting with appropriate supports and/or modifications as necessary. (Tier 1 Interventions). School-wide screenings will identify students who have not mastered critical skills and as a result, may require supplemental instruction. The District may utilize resources already in place for identified students including, but not limited to Academic Intervention Services as defined in Education Law and/or Commissioner's Regulations. The District will ensure that there is a system in place, with appropriate personnel, for developing, implementing and evaluating pre-referral intervention.

The District will provide general education support services (which will include differentiated instruction), instructional modifications and supplemental instructional approaches, to address a student's performance prior to a referral to the Committee on Special Education (CSE). A Formal Student Assistance Team (SAT) will be formed in accordance with state regulations and District guidelines. The SAT will include representatives from general and special education as well as other disciplines and include individuals with classroom experience. Parents/legal guardians of the student will be included in pre-referral planning to address the educational needs of their child.

4404.1.1

Pre-Referral Intervention Strategies in General Education (cont.)

The SAT shall ensure that appropriate opportunities exist for collaboration between general educators and special educators, and that consultation and support are available to teachers and other school personnel to assist parents/legal guardians and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

When determining appropriate pre-referral interventions for a student the following will be considered: the student's strengths, environment, social history, language and cultural diversity in addition to the identified skill deficit. The building administrator will further ensure that all staff is familiar with the SAT procedures, the provision of appropriate interventions and the development and evaluation of instructional support plans.

Instructional support plans are to be reviewed and evaluated to determine their effectiveness and modified as necessary. Appropriate documentation of the implemented intervention strategies shall be maintained.

If a referral is made to the CSE during the course of implementing a student's instructional support plan, the CSE is obligated in accordance with law to continue its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an Individualized Education Program, if applicable.

Academic Intervention Services

Academic intervention services means additional instruction which supplements the instruction provided in the general education curriculum. The supplemental instruction assists students in meeting the State learning standards as defined in the Commissioner's Regulations and/or student support services which may include, counseling, speech improvement and other related services which are needed to improve students' academic performance.

The District has developed an academic intervention services plan outlining services offered to qualified students in grades K-12 in need of such support. The District will review and revise this plan every two years per State regulations.

As per Commissioner's Regulations, parent/legal guardian notification will be provided for students who have been determined to need academic intervention services.

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4405

Declassification of Student with Disability

The School District shall establish and implement a plan for the appropriate declassification of students with disabilities which must include:

- The regular consideration for declassifying students when appropriate;
- A reevaluation of the student prior to declassification; and
- The provision of educational and support services to the student upon declassification.

Eligibility Determinations

The School District must evaluate a student with a disability prior to determining that a student is no longer a student with a disability as defined in accordance with Commissioner's Regulations, and the student's parent. The results of any reevaluations must be addressed by the Committee on Special Education (CSE) in a meeting to review and, as appropriate, revise the student's IEP.

Prior to the reevaluation, the School District shall obtain informed written parental consent unless otherwise authorized pursuant to law and/or regulation. Parental consent need not be obtained if the District can demonstrate that it has taken reasonable measures to obtain that consent, and the student's parents fail to respond. The District must have a record of its attempts to obtain parental consent. Should the student's parents refuse consent for the reevaluation, the District may continue to pursue the reevaluation by using mediation and/or due process procedures.

The District shall take whatever action is necessary to ensure that the parent understands the proceedings at the meeting of the CSE, including arranging for an interpreter for parents with deafness or whose native language is other than English.

Graduation/Aging Out

The District is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for a free appropriate public education. However, the District must provide the student with a summary (Student Exit Summary) of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting his/her post secondary goals. Although not required to do so, the District will also provide this Student Exit Summary (www.vesid/nysed.gov/specialed/idea/studentexit.htm) to students exiting with a High School Equivalency Diploma.

In addition, the parent must receive prior written notice, in accordance with Commissioner's Regulations, before the student's graduation from high school with a local or Regent's diploma or before he/she receives an Individualized Education Program (IEP) diploma. If the student will be graduating with an IEP diploma, this prior written notice must indicate that the student continues to be eligible for a free appropriate public education until the end of the school year in which the student turns twenty-one (21) or until receipt of a regular high school diploma.

Recommendation for Declassification

If the student has been receiving special education services, but it is determined by CSE that the student no longer needs special education services and can be placed in a regular educational program on a full-time basis, the recommendation shall:

- Identify the declassification support services, if any, to be provided to the student; and/or the student's teachers; and
- Indicate the projected date of initiation of such services, the frequency of provision of such services, and the duration of these services, the frequency of provision of such services, and the duration of these services, provided that such services shall not continue for more than one (1) year after the student enters the full-time regular education program.

Declassification Support Services

When appropriate, the District shall provide declassification support services to students who have moved from special education to a full-time regular educational program in accordance with the recommendation of the CSE.

Declassification support services means those services provided by persons appropriately certified pursuant to Part 80 of Commissioner's Regulations, or holding a valid teaching license in the appropriate area of service, to a student or the student's teacher to aid in the student's move from special education to full-time regular education, including:

- For the student, psychological services, social work services, speech and language improvement services, noncareer counseling, and other appropriate support services; and
- For the student's teacher, the assistance of a teacher aide or a teaching assistant, and consultation with appropriate personnel.

Procedural Safeguards Notice

The District shall use the procedural safeguards notice prescribed by the Commissioner of Education. The District will further ensure that the procedural safeguards notice is provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the District shall take steps to ensure that the notice is translated orally or by other means to the parent in his/her native language or other mode of communication; that the parent understands the content of the notice; and that there is written evidence that all due process procedures, pursuant to law and/or regulation, have been met.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)] Individuals with Disabilities Education Act (IDEA) 20 United States Code (USC) Section 1400 et seq.

34 Code of Federal Regulations (CFR) Part 300

Education Law Sections 4401-4410-a

8 New York Code of Rules and Regulations (NYCRR)

Sections 100.1(q), 100.2(u), 200.2(b)(8), 200.4(b)(4), 200.4 (b)(5), 200.4(c)(3), 200.4(c)(4), 200.4(d)(1) and 200.5(a)

Adopted: January 8, 2007
Reaffirmed: 2008, 2009, 2010, 2011, 2012
Amended: May 28, 2013
Reaffirmed: 2014, 2015, 2016, 2017, 2018

4406 Special Education Programs and Related Services

The Board of Education recognizes its responsibility for providing special education and related services which are appropriate for the individual disabled student needs and allow the student to be involved and to progress in the general education curriculum. In an effort to achieve this goal, the Board shall determine an appropriate special education program for each disabled student upon receiving from the Committee on Special Education (CSE) recommendations for special education services. The CSE shall provide the Board with a written evaluation for each disabled student which includes:

- a) classification of a student's disabling condition;
- b) recommendations for a special education program and related services;
- c) a summary of tests or reports upon which recommendations are based.

The Board of Education shall also ensure adequate space is allocated in the District for special education program.

Adopted: January 8, 2007
Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4407 Committee on Preschool Education

The Board of Education shall provide all preschool children with disabling conditions the opportunity to participate in special education programs and services for which they may be eligible. The Board authorizes the Superintendent to establish administrative practices and procedures to carry out this responsibility. Included within the administrative practices and procedures are the following:

1. Procedures for locating and identifying all preschool children with disabling conditions who reside in the District and are eligible to attend a preschool program in accordance with the relevant provisions of the Education Law. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE).

- 2.Procedures to ensure that parents of preschool children with disabling conditions have received and understand the request for consent for evaluation of their child;
- 3.Procedures for developing an individualized education program (IEP) for each eligible preschool age child with a disabling condition
- 4.Appointing and training appropriately qualified personnel including the members of the CPSE;
- 5.Maintaining lists for the State Education Department of the number of preschool children with disabling conditions that are being served as well as those not served.
- 6.Procedures for reporting to the State Education Department the number of preschool children with disabling conditions that are being served as well as those not served.

A Committee on Preschool Special Education will be established as required under the Education Law. The CPSE shall be comprised of:

- 1.the parents of preschool child;
- 2.a regular education teacher of such child whenever the child is or may be participating in a regular education environment;
- 3.a special education teacher of the child or if appropriate, a special education provider of the child;
- 4.a CPSE chairperson;
- 5.a parent of a child with a disability residing within the Downsview Central School District or a neighboring school district and whose child is enrolled in a preschool or elementary program;
- 6.a School Psychologist;
- 7.other members that the Board of Education or Legislature require.

Further it is understood that the County may appoint a certified or licensed professional and that if the child has been serviced by an approved birth to age two agency, such agency shall designate a certified or licensed professional to attend the CPSE meetings involving the child.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4407.1 Pre-School Special Education Program - Evaluation

The Board of Education recognizes the need for educational programs for three (3) and four (4) year old children with disabilities and directs that administrative practices and procedures be developed to:

- a) Ensure the provision of special education services and programs for each preschool child with a disability residing in the District.
- b) Establish a Committee on Preschool Special Education (CPSE) which shall be comprised in accordance with applicable federal and state law and regulation.
- c) Ensure that parents have received and understand the request for consent for evaluation and re-evaluation of a preschool aged child.

Evaluations for Preschool Children with Disabilities

The District is required to collect entry assessment data in the three (3) outcome areas on all preschool children who receive an initial evaluation completed by an approved preschool evaluator(s). As currently required by Commissioner's Regulation Section 200.5, a parent must be fully informed about the proposed initial evaluation and must provide consent for an initial evaluation. This would include a description of the proposed evaluation.

The CPSE will receive entry-level assessment resulting in the three (3) outcome areas from approved preschool evaluators conducting initial evaluations on all preschool children suspected of having disabilities. The CPSE will then meet to determine the child's eligibility for preschool education programs and/or services and complete the Child Outcome Summary Form to determine the child's entry level of functioning in the three (3) outcome areas for all preschool children evaluated and found to be eligible. The form is to be kept in the student's record until the exit assessment and evaluation information is due as a way to summarize complex assessment information in a format so that the data can be aggregated and reported to the State Education Department (SED).

Individuals With Disabilities Education Act (IDEA)
20 United States Code (USC) Section 1400 et. Seq
Education Law Section 4410
8 New York Code of Rules and Regulations (NYCRR)
Section 200.2(b)(5)

Adopted: May 28, 2013
Reaffirmed: 2014, 2015, 2016, 2017, 2018

4407.1 R-1 Preschool Special Education Program – Evaluation

Once the Committee on Preschool Special Education (CPSE) receives a referral, the Committee shall immediately notify the parents/guardians that a referral has been received and that evaluative information is being sought regarding their child. Such written notice shall serve to provide parents/guardians:

- 1) Information about the need to evaluate, a description of the proposed evaluation and its intended purpose;
- 2) The opportunity for written consent for evaluation/re-evaluation to be conducted at an approved site chosen by the parents/guardians or to withhold consent at this time. Consent for initial evaluation is not construed as consent for initial provision of special education services;
- 3) Information regarding:
 - a. Due process rights;
 - b. Access to records;
 - c. The right to submit evaluative information;
 - d. The opportunity to participate in the Individualized Education Program (IEP) conference, including date, time and location of meeting.
 - e. The right to invite additional persons to the conference.

All information provided to parents/guardians will be in their dominant language or mode of communication. If parents/guardians fail to respond to a CPSE notice, a telephone call and/or on site visits will be initiated to ensure that parents/guardians have received and understand the request to consent.

In accordance with law, the District is required to collect entry assessment data in the three (3) outcome areas on all preschool children who receive an initial evaluation from approved preschool evaluators conducting initial evaluations on all preschool children suspected of having disabilities. The CPSE will then meet to determine the child's eligibility for preschool special education programs and/or services and complete the Child Outcomes Summary Form to determine the child's entry level of functioning in the three (3) outcome areas for all preschool children evaluated and found to be eligible. The form must be kept in the student's record until the exit assessment information is due. This process serves as a way to summarize complex assessment information in a format so that the data can be aggregated and reported to the State Education Department (SED). The form is not intended to provide information to guide interventions, since it does not capture the rich diversity of a child's strengths and needs.

Each year one-sixth of the school districts in the State will be required to submit exit data on the progress that preschool children made between entry into and exit from preschool special education programs and services in the three (3) outcome areas after having received preschool special education services for at least six (6) months. For each outcome area, schools will be reporting data that will enable the State to determine:

- 1) The number of children at exit who reach or maintain functioning at a level comparable to same-aged non-disabled peers;
- 2) The number of children at exit who improve functioning; and
- 3) The number of children who do not improve functioning.

Approved Preschool Evaluators and CPSEs when making their decisions should consider evidence of the following behaviors:

- 1) Positive social-emotional skills (including social relationships): Children who achieve this outcome at a level that is comparable to same-aged non-disabled children show a variety of behaviors related to having social relationships. For example they:
 - a. Demonstrate attachment with the significant caregivers in their lives;

- b. Initiate and maintain social interactions;
 - c. Behave in a way that allows them to participate in a variety of settings and situations (e.g., on a playground, at dinner, at the grocery store, in child care, etc);
 - d. Communicate wants and needs effectively;
 - e. Build and maintain relationships with children and adults;
 - f. Regulate their emotions;
 - g. Understand and follow rules; and
 - h. Solve social problems.
- 2) Acquisition and Use of Knowledge and Skills: Children who achieve this outcome at a level that is comparable to same-aged non-disabled children show a variety of behaviors related to having knowledge and skills. For example, they:
- a. Display an eagerness for learning;
 - b. Explore their environment;
 - c. Attend to people and objects;
 - d. Engage in daily learning opportunities;
 - e. Use knowledge and skills (e.g. vocabulary, complexity of language, problem-solving skills, general knowledge, etc.) in a variety of everyday routines and activities;
 - f. Acquire and use the precursor skills that will allow them to learn reading and mathematics in kindergarten; and
 - g. Show imagination and creativity in play.
- 3) Use of Appropriate Behaviors to meet his/her needs: Children who achieve this outcome at a level that is comparable to same-aged non-disabled children show a variety of appropriate behaviors to meet their needs. For example, they:
- a. Meet their self-care needs (e.g., feeding, dressing, toileting, etc.);
 - b. Use objects (e.g., spoons, pencils, crayons, clay, scissors, other devices, etc.) as tools;
 - c. Move from place to place to participate in everyday activities and routines;
 - d. Seek help when necessary to move from place to place;
 - e. Seek help when necessary to assist with basic care of other needs; and
 - f. Follow rules related to health and safety.

DATED: August 2015

4407.2 Pre-School Special Education Program – Responsibility Action

Responsibility Action

1)Committee on Preschool Special Education

- a. Receives referrals
- b. Notifies parents/guardians immediately upon receipt of referral providing information about: i. A list of approved evaluators;
- ii. A request for consent; iii. Due process rights;

2)Parents/Guardians

- a. Give written consent for evaluation/re-evaluation.

3)Committee on Preschool Special Education

- a. If consent is not provided, implements the District's procedures to ensure that parents/guardians have received and understand the request for consent. If consent is still not provided, no evaluation is conducted and the process ends.
- b. If consent to evaluate is provided, arranges for evaluation/assessment.
- c. Gathers additional evaluative information.

4)Evaluator

- a. Conducts individual evaluation and sends results, including recommendation, to all members of the CPSE and to the municipality designee.

5)Committee on Preschool Special Education

- a. Within thirty (30) school days from receipt of consent to recommendation, holds meeting and reviews information.
- b. Provides, at no cost, parents/guardians with a copy of evaluation report and documentation of determination of eligibility.
- c. If child is determined ineligible for special education, provides written notice to parents/guardians and Board of Education; or
- d. If child is determined eligible for special education, develops, in conjunction with the parents/guardian and the child's teacher, the Individualized Education Program (IEP) and provides written notice to the parents/guardians and the Board of Education. The notice shall indicate that if the parent does not provide consent for initial provision of special education services, no further action will be taken by the CPSE until consent is obtained.

4407.2 Pre-School Special Education Program – Responsibility Action (cont.)

6)Board of Education

- a. The Board of Education arranges for the appropriate special education programs and services to be provided to a student with a disability as recommended by CPSE within thirty (30) school days of the CPSE recommendation.
- b. If the Board disagrees with the recommendation of the CPSE, it shall set forth in writing a statement of its reasons and send the recommendation back to the Committee, with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board shall provide to the student's parent/ guardians a copy of the statement and notice required in accordance with Commissioner's Regulations.
- c. Within thirty (30) calendar days, notifies parents/guardians, municipality and the Commissioner of its determination.

7)Child

- a. Upon parental/guardian consent, enters recommended setting for continued assessment and development.

8)Committee on Special Education

- a. Within thirty (30) calendar days, provides special education personnel with any other relevant information.
- b. Five (5) calendar days prior, in writing, informs appropriate personnel of planning conference.
- c. Annually reviews and/or revises the IEP as appropriate.

Adopted: May 28, 2013
Reaffirmed: 2014, 2015, 2016, 2017, 2018

4408 Appointment and Training of Committee on Special Education (CSE)/Subcommittee on Special Education Members (formerly – Committee on Sp. Ed)

The Board of Education shall appoint a Committee on Special Education (CSE) whose membership shall include, but not be limited to, the following members:

- a) The parent(s) of the student. To ensure that one or both parents are present at each CSE meeting, the District and the parent(s) may agree to use alternative means of participation such as video conferences or conference phone calls.
- b) Not less than one (1) regular education teacher of such student (if the student is, or may be, participating in the regular education environment);
- c) Not less than one (1) special education teacher of the student, or, where appropriate, at least one (1) special education provider (i.e. related service provider) of such student;
- d) A representative of the School District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general education curriculum and about the availability of resources of the District;
- e) An individual who can interpret the instructional implications of evaluations results, who may be a CSE member selected from the regular education teacher, the special education teacher or provider, the school psychologist, or the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District.
- f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of knowledge or special expertise shall be made by the party (parents or School District) who invited the individual to be a member of the committee;
- g) Whenever appropriate, the student with a disability;
- h) A school psychologist;
- i) A school physician, if requested in writing at least seventy-two (72) hours prior to the meeting by the parents of the student or the School District; and
- j) An additional parent if requested in writing at least seventy-two (72) hours prior to the meeting by the parents of the student or the School District residing in the District or a neighboring school district who is a parent of a student with a disability, a parent of a student who has been declassified and is no longer eligible for an individualized education program (IEP), or a parent of a disabled child who has graduated.

4408 Appointment and Training of Committee on Special Education (CSE)/Subcommittee on Special Education Members (formerly – Committee on Sp. Ed) (cont.)

This parent member may serve for one period of five years beyond the student's declassification or graduation, provided that the parent shall not be employed by or under contract with the School District. Such parent is not a required member if the parents of the student request, in writing, that the additional parent member not participate in the meeting.

Subcommittee on Special Education Membership

The Board of Education shall appoint, as necessary, a Subcommittee on Special Education whose membership shall include, but not limited to, the following members:

- a) The parent(s) of the student;
- b) Not less than one (1) regular education teacher of such student (if the student is, or may be, participating in the regular education environment);
- c) Not less than one (1) special education teacher, of the student, or where appropriate, at least one (1) special education provider (i.e., related service provider) of such student;
- d) A representative of the School District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general education curriculum and about the availability of resources of the District;
- e) A school psychologist, whenever a new psychological evaluation is reviewed or a change to a program option with a more intensive staff/student ratio, as set forth in Section 200.6(f)(4) of the Regulations of the Commissioner, is considered;
- f) At the discretion of the parent or the Committee, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of knowledge or special expertise shall be made by the party (parents or School District) who invited the individual to be a member of the subcommittee;
- g) An individual who can interpret the instructional implications of evaluation results, who may be a member described in letters "b" through "f" of this subheading; and
- h) Whenever appropriate, the student with a disability.

Training

The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.

The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Special Education.

Individuals with Disabilities Education Act
(IDEA) 20 United States Code (USC) Section
1400 et seq.

34 Code of Federal Regulations (CFR) Part 300
Education Law Section 4402

8 New York Code of Rules and Regulations (NYCRR)
Sections 200.2(b)(3), 200.3, and 200.4(d)(4)(i)(d)

Adopted: January 8, 2007
Reaffirmed: 2008, 2009, 2010, 2011, 2012
Amended: May 28, 2013
Reaffirmed: 2014, 2015, 2016, 2017, 2018

The Administration shall develop practices and procedures to ensure that each regular education teacher, special education teacher, related service provided, and other service provider who is responsible for the implementation of a student's individualized education (IEP) program shall be provided a paper or electronic copy of the student's IEP prior to the implementation of such program, and that the contents of the IEP shall remain confidential and shall not be redisclosed to any other person. Such practices and procedures shall require the Chairperson of the Committee on Special Education (CSE) and Committee on Preschool Special

Education (CPSE) to designate, prior to the implementation of the IEP, a professional employee of the Downsville Central School District with knowledge of the student's disability and education program to inform each teacher, related service provider and other individual with IEP implementation responsibility who would not be provided a copy of the student's IEP, including but not limited to a teacher assistant, a teacher aide, and a school bus driver when special transportation is specified on the IEP, of their responsibility relating to the implementation of the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with IEP.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4409.1 Individualized Education Program (IEP): Development and Provision

Development of Individualized Education Program

The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) develops an individual education program for each child with a disability.

Such an Individualized Education Program (IEP) will be developed by the CSE and CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

Consistent with the Downsville Central School District Special Education Plan, subcommittees are utilized for most meetings as allowed pre NYS Part 200 regulations. The subcommittee may perform the functions of the CSE except when a student is considered for initial placement in:

- 1) a special class; or
- 2) a special class outside of the student's school of attendance; or
- 3) a school primarily serving students with disabilities of a school outside of the student's district.

A parent may also submit a written request for a full CSE to review any recommendation of the sub CSE concerning the identification, evaluation, educational placement or provision of a free and appropriate education.

The District shall ensure that each student with a disability has an IEP in effect at the beginning of each school year.

Amendments to the IEP after the annual review

After an IEP has been developed at the annual review meeting, a parent and the school district may agree not to convene a meeting of the CSE to make changes to a student's IEP, and instead may develop a written document to amend the student's IEP under the following circumstances:

- 1) The parent makes a request to the school district for an amendment to the IEP and the parent and the district agree in writing; or

4409.1 Individualized Education Program (IEP): Development and Provision (cont.)

- 2) The school district provides the parent with a written proposal to amend a provision or provisions of the IEP that:
 - a. Is conveyed in language understandable to the parent, and
 - b. Informs and allows the parent the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes.
- 3) The parent must agree in writing to the amendments.

The parent must be provided prior written notice (notice of recommendation) of the changes to the IEP. The parent must also receive, either a:

- rewritten IEP; or
- document that amends or modifies the IEP (or, upon parent request, a revised copy of the entire IEP with the amendments incorporated).

It is the intent of the Board of Education that all amendments that could not be made by a subcommittee of the CSE or that require substantive modification to the student's education, be made after consideration by the full CSE to ensure the right of FAPE (Free and Appropriate Education) is in place and students' services are in place. Alternatively, the Board of Education authorizes the Director of Special Education and/or the appointed designee of the District to agree to IEP amendments without a CSE meeting. If the parent or the district does not agree with the proposed change to the IEP, a subcommittee of the CSE may meet to discuss and authorize the proposed change(s) in lieu of a full CSE meeting being convened. IEPs will not be amended without a meeting if the parent or guardian does agree in writing.

The CSE must be notified of any changes made to the IEP. Amendments made to an IEP without a meeting do not affect the requirement that the CSE must review the IEP at the annual meeting, or more often if necessary.

Individual Evaluations

Parental consent must be provided for an initial evaluation. If consent is not received within 30 days of the initial request for consent, the CSE/CPSE Chairperson will document all attempts to obtain consent and, if appropriate, advise the Board of its right to utilize the due process procedures to conduct an evaluation without parental consent.

Unless a referral is withdrawn, an individual evaluation at no cost to the parent or legal guardian will be completed by the CSE/CPSE within sixty (60) calendar days, and CPSE within (30) calendar days of receiving written parental consent, unless:

- 1) A student transfers to the District after consenting to an evaluation in the student's previous school district and prior to a determination by the student's previous school district as to whether the student has a disability, provided that the District is making sufficient progress to ensure a prompt completion of the evaluation and the parent or legal guardian and the District agree to a specific timeframe for completion; or
- 2) The parent or legal guardian or student repeatedly fails or refuses to produce the student for evaluation; or The student is suspected of having a learning disability and the sixty (60) days has been extended by mutual written agreement of the student's parent or legal guardian and the CSE Chairperson because interventions are being implemented pursuant to the Response to Intervention process. No student shall be required to obtain a prescription for a drug or other substance identified as a controlled substance by the Federal Controlled Substances Act as a condition of receiving an evaluation. The individual evaluation will include a variety of assessment tools and strategies, including information provided by the parent. The purpose of the evaluation is to gather relevant functional, developmental and academic information that may assist in determining whether the student is a student with a disability and the content of the student's IEP. This shall include information relating to enabling the student to participate and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities.)

4409.1 Individualized Education Program (IEP): Development and Provision (cont.)

As part of any evaluation, a group that includes the CSE/CPSE and other qualified professionals, as appropriate, shall review existing evaluation data on the student including evaluations and information provided by the parents of the student, current classroom-based assessments, local or state assessments, classroom-based observations, and observations by teachers and related services providers.

On the basis of that review, and input from the student's parent or legal guardians, the group (therefore, not solely based on parent or legal guardian request) shall identify what additional data, if any, are needed to determine:

- 1) Whether the student has or continues to have a disability;
- 2) The present levels of academic achievement and related developmental needs of the student, including:
 - a. Academic achievement, functional performance, and learning characteristics;
 - b. Social development;
 - c. Physical development; and
 - d. Management needs.
- 3) In the case of a reevaluation of a student, whether the student continues to need special education; and
- 4) Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

If additional data is not needed, the District must notify the parents or legal guardians of that determination and the reasons for it and of the right of the parents or legal guardians to request an assessment to determine whether, for purposes of services provided in accordance with law and Commissioner's Regulations, the student continues to be a student with a disability and to determine the student's educational needs. The District is not required to conduct the assessment unless requested to do so by the student's parents or legal guardian.

Individual Re-evaluations

A Committee on Special Education (CSE/CPSE) shall arrange for an appropriate re-evaluation of each student with a disability:

- 1) If the District determines that the educational or related services needs, including improved academic achievement and functional performance of the student, warrant re-evaluation;
- 2) If the student's parent or legal guardian or teacher requests a re-evaluation; 3) At least once every three (3) years.

A re-evaluation shall not be conducted more frequently than once a year unless the parent or legal guardian and the District representative appointed to the CSE/CPSE agree otherwise.

The re-evaluation will be conducted by a multi-disciplinary team or groups of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The re-evaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any re-evaluations must be addressed by the CSE/CPSE in reviewing, and as appropriate, revising the student's IEP.

To the extent possible, the District shall encourage the consolidation of re-evaluation meetings for the student and other CSE/CPSE meetings for the student.

4409.1 Individualized Education Program (IEP): Development and Provision (cont.)

Prior Written Notice

The notice of recommendation, also known as prior written notice must be given to parents or legal guardians of a student with a disability a reasonable time before the school district proposes to or refuses to initiate or change the identification, evaluation, educational placement of the student or the provision of a free appropriate public education to the student. Prior written notices issued during the 2011-2012 school year, and thereafter, shall be on a form prescribed by the Commissioner.

Use of Recording Equipment at IEP Meetings

The Board of Education shall allow audio recording equipment to be used at meetings regarding individualized education programs for students with disabilities.

Provision of Individualized Education Program

The Board of Education directs that the Superintendent/designee(s) establish administrative practices and procedures to ensure that each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for the implementation of a student's IEP is provided a paper or electronic copy of such student's IEP (including amendments to the IEP) prior to the implementation of such program. For purposes of this

policy, "other service provider" means a representative of another public school district, charter school, Board of Cooperative Educational Services (BOCES) or school enumerated in Articles 81, 85 or 89 of the Education Law where the student receives or will receive IEP services. Further, the District, will designate at last one school official who shall be responsible for maintaining a record of the personnel who have received IEP copies for each student.

Any copy of a student's IEP shall remain confidential in compliance with the Individuals with Disabilities Education Act, the Family Educational Rights and Privacy Act, and District policy regarding confidentiality of student records; and shall not be disclosed to any other person other than the parent or legal guardian of such student, except in accordance with federal and state laws and/or regulations. Appropriate training and information will be provided to designated school personnel, as applicable, to ensure the confidentiality of such information.

Procedures will be established to ensure that copies of student's IEPs are stored in secure locations and retrieved or destroyed when such professionals are no longer responsible for implementing a student's IEP.

The Chairperson of the CSE, CSE subcommittee, or CPSE shall designate for each student one (1) or, as appropriate, more than one professional employee of the School District with knowledge of the student's disability and education program who will be responsible to, prior to the implementation of the IEP, inform each regular education teacher, special education teacher, related service provider, other service provider, supplementary school personnel (i.e., a teaching assistant or a teacher aide as defined in Commissioner's Regulations), and other provide and support staff person of his/her responsibility to implement the recommendations on a student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. In selecting the professional staff person(s), the Chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional based on the particular circumstances of the student's disability and education program.

The School District shall also ensure that teacher aides and each other provider responsible for assisting in the implementation of a student's IEP has the opportunity to review a copy of the student's IEP (including amendments) prior to the implementation of such program. Further, each teacher aide and such other provider responsible for assisting in the implementation of a student's IEP shall have ongoing access to a copy of the IEP, which may be the copy

4409.1 Individualized Education Program (IEP): Development and Provision (cont.)

provided to the student's special education teacher or the teacher or related service provider under whose direction the supplementary school personnel or other provider works. However, the District may, at its discretion, provide a copy of the IEP to teacher aides.

A copy of a student's IEP shall be provided to the student's parent or legal guardian at no cost to the student's parent or legal guardian.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 615(k)(l)]

Individuals with Disabilities Education Act (IDEA)

20 United States Code (USC) Sections 1400 et seq.

21 United States Code (USC) 812(c)

Education Law Articles 81, 85 and 89

8 New York Code of Rules and Regulations (NYCRR)

Sections 200.1 (hh), 200.2(b)(11), 200.4(b)(4), 200.4(e)(3), 200.4(f) and 200.16(e); 200.4(j)(l)

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4410 Census and Register of Students with Disabling Conditions

A census will be conducted in accordance with the provisions of Education Law in order to locate and identify all children with disabling conditions who reside in the District.

A register of such children who are entitled to attend the public schools of the Downsville Central School District or are eligible to attend a preschool program during the next school year will also be established. The register of such children and others referred to applicable Committee as possibly having a disabling condition shall be maintained and revised annually by the District Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) as appropriate.

Procedures shall be implemented to assure the availability of statistical data to readily determine the status of each student and preschool child with a disabling condition in the identification, location, evaluation, placement and program review process. Census data shall be reported by October 1 of each year to the appropriate Committee. Procedures shall be designed to record data on each student and preschool child and shall at least include the following regarding each student or preschool child:

- a) name, address, birth date;
- b) parent's name, address and the dominant language in the home;
- c) suspected disabling condition;
- d) dates of referral, evaluations, recommendations of the Committee on Special Education or the Committee on Preschool Education, actual placement and annual program reviews;
- e) site where the child is currently receiving an educational program;
- f) if the child is not receiving an appropriate public education, the reason why.

The data will be organized so that it can easily be determined whether each student or preschool child is receiving an appropriate public education.

All persons involved in the collection of data shall have received prior training and written information regarding the procedures to be followed in collecting the data. Summary reports of the student's data shall be prepared and kept on file, including numbers of children who are: a) unserved and the reasons why they are unserved; and b) served. A summary report of the children served shall be submitted to the State Education Department on prescribed forms. The register and related summary reports shall be kept on file and shall be available to the District Superintendent and other representatives of the State Education Department.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4410.1**Identification and Register of Children with Disabilities (Child Find)**

The School District is required to locate and identify all students with disabilities who reside in the District, including students who do not attend public school. Therefore, it is the policy of the Board of Education to conduct a census in order to have all children with disabilities within its jurisdiction under the age of twentyone (21) identified, located and evaluated, including children of preschool age, homeless children, children who are wards of the State as defined in Commissioner's Regulations and children in all public and private agencies and institutions.

Procedures must be established to locate, identify and evaluate all nonpublic elementary and secondary school students with disabilities, including religious-school children, to ensure the equitable participation of parentally placed private school students with disabilities and an accurate count of such students. The District will consult with representatives of private schools and representatives of parents of parentally placed private school students on the child find process. The District in which the nonpublic elementary or secondary school is located is responsible for child find, equitable provision of services and consultation requirements. Any such student suspected of having a disability is to be referred to the CSE of the student's district of residence for evaluation and possible identification as a student with disability.

Census data shall be reported by October 1 to the CSE/CPSE as appropriate. The CSE/CPSE will maintain and revise annually a register and related summary reports containing the data requirements indicated in Commissioner's Regulations including the number of students enrolled in private schools by their parents who are evaluated to determine if they are students with disabilities, the number of such students who are determined to have a disability and the number who received special education services.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 612]

Individuals with Disabilities Education Act (IDEA)

20 United States Code (USC) Sections 1400 et seq.

34 Code of Federal Regulations (CFR) Part 300

Education Law Sections 3240-3242, 3602-c(2-a) and 4402(1)(a)

8 New York Code of Rules and Regulations (NYCRR)

Sections 200.2(a) and 200.4

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4411 Disabled Student Records

Personally identifiable data, information or records pertaining to a student or a preschool child shall not be disclosed to any person other than the parent of such student or preschool child except as allowed under IDEA, Part 200 of the Commissioner's Regulations, the Family Rights and Privacy Act (FERPA), the District's FERPA policy. Notice of the policy will be given in the same manner as the District's FERPA policy.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The Downsville Central School District Board of Education is committed to -

The specific objectives of the Downsville Central School District Special Education Process are:

- 1.To identify all students with developmental, educational and emotional disabilities and provide an effective evaluation process to target each student's needs, as per the Part 200 regulations. The Committee on Special Education (CSE) will identify students who meet the criteria by assessing and discussing information attained through individual evaluations which include a health examination, a psycho-educational evaluation, classroom observation, a social history and other related services evaluations where appropriate. If a student does not qualify as a student with a disability but does meet the requirements for a 504 Accommodation Plan, they will be referred to the appropriate committee.
- 2.To provide due process rights for all identified children and their parents/guardians.
- 3.To provide a continuum of Special Education Services and determine an appropriate program while considering the Least Restrictive Environment (LRE). LRE means that placement of students with disabilities in special education classes, separate schools or other removal from the educational environment occurs only when the nature of severity of the disability is such that even with the use of supplementary aids and services, education in regular classes cannot be satisfactory achieved.
- 4.The district does not chose to coordinate with the NIMAC, but assures that it will provide instructional materials to blind persons with print disabilities in a timely manner. (as per the IDEA assurances Federal Funding Application).
- 5.To evaluate programs using evaluation instruments to measure the effectiveness of individual student programs as well as the total program.
- 6.To provide all appropriate programs, accommodations and services, including extra-curricular activities that are available to other students.

Related Services

The Downsville Central School District provides the following related services to students enrolled in both regular and special education programs. Such services are available to students in grades Kindergarten through Twelfth grade. The district contracts with DCMO BOCES for some related service providers. The school will maintain on file, a signed consent for the provision of services for the immediate school year.

- 1.**Speech/Language Therapy (District Staff):** Students who are identified as needing speech/language interventions are seen a minimum of two thirty-minute sessions per week unless otherwise recommended by the therapist. These students may have different educational disabilities but similar needs. The instructional group for students in this program shall not exceed five students and frequency of services and type of therapy are to be stated on the student's IEP or 504 Accommodation Plan. Speech Improvement services are provided for all students in the Kindergarten classroom and for students who do not meet the requirements for Speech and Language Impairment under IDEA. Every attempt shall be made to gain a prescription as required prior to having the Speech Therapist provide one.
- 2.**Occupational Therapy (BOCES Staff):** Students who are identified as need an Occupational Therapy evaluation is provided with an individual assessment by a certified occupational therapist. The occupational therapist then provides the CSE chairperson with a written report for the committee's assessment. The occupational therapist will also provide the following prescribed activities to be utilized with the student, a schedule for re-evaluation, direct therapy as needed and additional consultation as needed. A prescription is provided for the Kindergarten classrooms.
- 3.**Physical Therapy (BOCES Staff):** Students who are identified as needing physical therapy are provided with an individual assessment and subsequent therapy is provided on an individual or small group basis. A prescription shall be obtained for the delivery of services.
- 4.**Teacher of the Hearing Impaired/Interpreter:** Students who are identified as needing the services of a teacher for the deaf are provided with consultant services by an appropriately certified person in that field. Instruction and consultation with classroom teachers is provided per the recommendations on the student's IEP.
- 5.**Counseling:** Students who are identified as needing counseling as a related service are seen on a regular basis as defined on the student's IEP or 504 Plan. The school psychologist, school counselor, or a BOCES counselor may provide this service.

4413 Special Education Process and Plan (cont.)

BOCES Provided Programs

The Downsview Central School District may contract with the Board of Cooperative Education Services in Delaware County. Due to our size and location, we may need to contract with them in order to provide appropriate services for our identified students. (in order to meet specific student needs, we may contract with neighboring districts that offer appropriate programs to meet such needs.)

The programs utilized at this time are as follows:

1. Basic Educational Needs (BEN) 12:1:1
2. Special Education Needs (BEN) 12:1:1 and 6:1:1

The following pages describe the programs we provide in the Home school and other programs available for us to access as appropriate.

District 8:1:1

Age range 6 – 9

Placement will be determined by the CSE based on student needs. Having the program in the building will allow more mainstreaming as appropriate, the Least Restrictive Environment and more reasonable transportation options. Staffing will be 8 students to one teacher and aide. Upon CSE recommendation, additional staffing will be provided to meet specific student needs. The district will provide Counseling and Speech and Language Services; related services such as Occupational Therapy and Physical Therapy will be contracted through BOCES.

All students will be mainstreamed as appropriate in regular education classes with their peers.

1:1/Small Group Supplemental Academic Program

Location: Downsview Central School (elementary and high school)

Provisions for the program: Student specific needs program in small group

Age range – 5-8, 9-12, 13-16, 16-19

Program Description: The district currently provides pull out programs for students. When determining whether a pull out program is the least restrictive setting needed to meet a student's specific needs, the CSE decides if the student's disability is such that his (her) needs cannot be met in the regular classroom setting. Where special class placement is recommended, the student with an educational disability will participate in programs of and utilize facilities of the district to the maximum extent deemed appropriate and beneficial for the students' individual needs.

In accordance with the IEP, the student will receive small class reading instruction, remedial reading or life skills curriculum as appropriate. The special class may be composed of students with different educational disabilities but with similar needs. A student with an educational disability will be placed in a special class for instruction on a daily basis to the extent indicated on the student's IEP.

The chronological age range within the special classes will not exceed three years. For students in the district who previously received special class instruction, but whose chronological ages exceed the range of previously established classes, the following will occur:

1. Individual students will be evaluated based on their respective management, academic, physical and social needs. If a student's needs are substantially similar to those students currently in the special class program, then the CSE and the Board of Education will document justification for placement and apply for a variance from the Commissioner of Education.
2. If a student's needs are NOT substantially similar to the needs to the students already receiving special class instruction, then the Board of Education and the CSE will explore other possibilities.

Resource Room/Learning Lab 7-12 Grades

Location: Downsville Central School

Due to the size and scheduling situation, the district provides for a Learning Lab (LL), which is run similar to the Resource Room model. The Learning Lab is a part of the student's schedule or accessible to other students not assigned and is monitored by Special Education staff. The numbers assigned to any one class should not exceed 6 students to one certified Special Education Teacher. The function of this program is to supplement the regular classroom instruction of pupils with educational disabilities, offering an alternative testing site, modification of assignments and tests and/or teacher and student support when and if necessary.

The composition of instructional groups in Downsville's Resource Room/Learning Lab will be based on the similarity of the individual needs of the pupils according to:

1. **Levels of academic or education achievement and learning characteristics:** This includes performance in developmental skills, intellectual functioning, and rate of progress and learning styles.
2. **Levels of social development:** This includes student's self-concept and interaction and relationships with peers, adults, family and environment.
3. **Levels of physical development:** This includes age, size, mobility, vision, hearing, health, and vitality level.
4. **Management needs of student in the classroom:** This includes student needs for supervision, support and environmental adaptation.

An instructional group that includes students with educational disabilities shall not exceed 6 students. The students requiring a Learning Lab will not spend more than 50% of their time during the day in the program.

Additionally, students recommended for Academic Intervention Services including RTI will not be excluded because of their identification through the CSE.

Resource Room/Learning Lab 5-6 Grades

Location: Downsville Central School

Due to the size and scheduling situation, the district provides for a Resource Room/Learning Lab, which is run similar to the Resource

Room model. The Learning Lab is part of the student's schedule or accessible to other students not assigned and is monitored by Special Education staff. The numbers assigned to any one class should not exceed 6 students per one Certified Special Education Teacher. The function of this program is to supplement the regular classroom instruction of pupils with educational disabilities, offering an alternative testing site, modification of assignments and tests and/or teacher and student support when and if necessary.

The composition of instructional groups in Downsville's Resource Room/Learning Lab will be based on the similarity of the individual needs of the pupils according to:

1. **Levels of academic or educational achievement and learning characteristics:** This includes performance in development skills, intellectual functioning, and rate of progress and learning styles.
2. **Levels of social development:** This includes student's self-concept and interaction and relationships with peers, adults, family and environment.
3. **Levels of physical development:** This includes age, size, mobility, vision, hearing, health and vitality level.
4. **Management needs of the student in the classroom:** This includes student needs for supervision, support and environmental adaptation.

An instructional group that includes students with educational disabilities shall not exceed 6 students. The students requiring a Learning Lab will not spend more than 50% of their time during the day in the program.

Additionally, students recommended for Academic Intervention Services/RTI will not be excluded because of their identification through the CSE.

Direct Consultant Teacher Services

The district currently provides an inclusive service at all grade levels. This program allows for students with a variety of disabilities to participate in the general education setting with peers if it is determined to be the Least Restrictive Environment. During the day, the Special Education Teacher works with the Regular Education Teacher, directly upon request, in the classroom, and indirectly, as a consultant during planning time. Students may also be involved out of the general education setting for related services, test modifications, or reinforcement of skills necessary for them to be successful. These services may be met in the Resource Room/ Learning Lab.

In some cases, students may require support at a level where the Regular Education Teacher works with the Special Education Teacher to enable the student to be more successful in the classroom with direct support.

Special education support for each student is based on their individual needs and is directly related to the amount of time it takes to achieve the goals and objectives contained in their IEP.

Transitional Services

If upon evaluation, the CSE recommends a discontinuation of special services or a change to a less restrictive environment the committee shall recommend Transitional services for at least one school year unless it is deemed unnecessary by the committee, the student's parent(s) and the student. The student will continue to have an IEP or a 504 Accommodation Plan as recommended.

Upon recommendation for Transitional Services, Regular Education Teachers and related service personnel shall consult a minimum of 15 minutes to a maximum of 2 hours a week with a Special Education Teacher. If a student is moved out of a self-contained setting, then the Regular Education Teacher will receive support from the Special Education staff with knowledge of the student. Consultations shall address the student's progress, possible problems and their resolutions and overall academic performance. In addition to consultation time provided for the student's teachers, the student shall remain eligible for testing and curriculum modifications, related services and specialized equipment as noted on their IEP or 504 Plan.

Indirect Consultant Teacher

The district shall provide Indirect Consultant Teacher services based on the student's individual management, academic, physical and social needs. This service is available grades K-12th. The consultant teacher shall be a Special Education Teacher and consult with the Regular Education Teacher for a minimum of 2 hours weekly directly while indirectly monitoring the student's program. Curriculum shall be modified as a collaborative effort and modifications administered as recommended on the student's IEP/504 Plan.

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4415 District-Wide Assessment

It is the policy of the Board of Education that students with disabilities receive appropriate accommodations necessary to measure the academic achievement and functional performance of the disabled student in the administration of District-wide assessments. To the extent feasible, the universal design principles will be utilized in developing and administering any District-wide assessment programs.

4415 District-Wide Assessment (cont.)

In designing and administering District-wide assessment programs, it is the responsibility of the Superintendent or his designee to:

1. Appropriately train all staff participating in developing District-wide assessments in the principles of universal design. Those principles include, but are not limited to:
 - a) Development of instructional and assessment materials that are varied and diverse.
 - b) Development of tests that do more than accommodate physical, sensory, or cognitive disabilities.
 - c) Development of tests that are flexible and promote alternatives.
 - d) Development of tests that are inclusive.
2. Ensure that the Committee on Special Education routinely considers each individual student with disabilities particular access issues in developing an individualized education plan.
3. Create a classroom environment that respects and values diversity.
4. Employ a variety of curriculum delivery methods.
5. Make information accessible by all students so as to allow each student to fully participate in the District's curriculum.
6. Encourage different methods of communication from students to teachers and students to students so each student may fully participate in the District's curriculum.
7. provide multiple ways for students to demonstrate learned knowledge by fully including disabled students in the District-wide assessment program in respect to both access and scoring.

The Board of Education directs the Superintendent or his designee to provide an annual report to the Board of Education regarding the success in implementing universal design principles in the District's District-wide assessment program.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4415.1 Special Education: District Plan

Special Education: District Plan

A District Plan shall be developed and updated every year describing the Special Education program in the Downsville Central School District. The plan shall include the following:

A description of the nature and scope of special education programs and services currently available to students residing in the District, including, but not limited to descriptions of the District's resource room programs and each special class program provided by the District in terms of group size and composition.

- Identification of the number, age span of students to be served by type of disability and recommended setting.
- A description of the policies and practices of the Board of Education to ensure the allocation of appropriate space within the District for special education programs that meet the needs of students and preschool children with disabilities.
- A description of the policies and practices of the Board of Education to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by the Boards of Cooperative Education Services.
- The District will ensure that all instructional materials to be used in the District will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to non-disabled students. The Alternative Format must meet the National Instructional Materials Accessibility Standard as defined in Federal Law.
- The estimated budget to support such plan.
- The date on which such plan was adopted by the Board of Education.

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4419 Twelve Month Special Services and/or Programs

The School District shall provide, directly or by contract, special services and/or programs during July and August to those students whose disabilities are severe enough to exhibit the need for a structured learning environment of twelve (12) months duration in order to prevent substantial regression as determined by the CSE/CPSE. Written consent of the parent is required prior to initial provision of special education services in a twelve-month special service and/or program.

For students eligible for twelve (12) month service and/or program, the IEP shall indicate the identify of the provider of services during the months of July and August, and for preschool students determined by the CPSE to require a structured learning environment of twelve (12) months duration to prevent substantial regression, a statement of the reasons for such recommendation.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)]
Individuals with Disabilities Education Act (IDEA) 20 United States Code (USC) Sections 1400 et seq.
34 Code of Federal Regulations (CFR) Part 300
8 New York Code of Rules and Regulations (NYCRR)
Sections 200.1(qq), 200.4(d)(2)(x), 200.5(b)(1)(iii), 200.6(j) and 200.16(h)(3)(v)

Adopted: May 28, 2013
Reaffirmed: 2014, 2015, 2016, 2017, 2018

4420 Student With Educational Disabilities

The School Board recognizes the importance and responsibility for providing education for children with disabilities. Such children within the District will have available a public education which includes special education and related services to meet their unique needs, and will have available to them the variety of programs and services that are available to all children.

Students who have been evaluated, identified by the Committee on Special Education, or the §504 Team as having a disability and approved for special education services by the Board of Education or a §504 plan are placed in either a District operated or alternate program with appropriate services. Preschool students with special needs are screened by a state approved outside evaluator and reviewed by the CPSE.

The Board of Education will provide disabled students with instructional materials in alternative formats appropriate to their individual needs. Should the students move into the District with specific needs that require supplemental instructional materials, the District will purchase those instructional materials.

Amended: February 27, 1995
Amended: July 26, 1999
Amended: December 23, 2003
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Each student with an educational disability shall have access to the full range of programs and services of this school district to the extent that such programs and services are appropriate to the student's special educational needs to enable the student to be involved in and progress in the general education curriculum.

Such programs and services include but are not limited to:

1. All courses required for a high school graduation.
2. Required state achievement and competency tests.
3. Regents and accelerated courses.
4. Remedial instruction.
5. Second language instruction.
6. Computer instruction and usage.
7. Occupational education.
8. High school equivalency programs.
9. Guidance and career education.

Adopted: February 27, 1995
 Amended: July 26, 1999
 Amended: July 10, 2006
 Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012
 Amended: May 28, 2013
 Reaffirmed: 2014, 2015, 2016, 2017, 2018

4422 Special Education

Each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for the implementation of a student's individualized education program (IEP) shall be given a copy of the student's IEP prior to the implementation of such program. The contents of the IEP shall remain confidential and shall not be redisclosed to any other person. The Chairperson of the Committee on Special Education (CSE) shall designate, prior to the implementation of the IEP, a professional employee of the School District with knowledge of the student's disability and education program who shall inform each teacher, assistant and support staff person of their responsibility relating to the implementation of the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP.

Adopted: December 23, 2002
 Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4423 Independent Educational Evaluations

An "Independent Educational Evaluation " (IEE) of a student, who has or is thought to have a disability, is an evaluation conducted by a qualified examiner who is not employed by the School District responsible for the education of the child.

"Public Expense" means that the District either pays for the cost of the IEE or ensures that it is otherwise provided at no cost to the parent or legal guardian.

The District's evaluations include psycho educational evaluations, educational evaluations, speech/ language evaluations, occupational, physical therapy evaluations and any other educational evaluations required to develop an Individualized Education Plan as approved by the Committee on Special Education. If a parent or legal guardian disagrees with an evaluation conducted by the District, the parent or legal guardian may request an independent educational evaluation at public expense.

The District must either ensure that the IEE is provided at public expense or file a due process complaint to initiate an impartial hearing to show that its evaluation is appropriate. If the hearing officer determines that the District's evaluation is appropriate, the parent or legal guardian has the right to an IEE, but not a public expense.

Procedures

1) If a parent or legal guardian disagrees with an evaluation obtained by the District and wishes to obtain District agreement to pay for an independent educational evaluation, he/she must submit a written request that the District fund the IEE. The District may request that the parent or legal guardian specify the areas of disagreement with the District's evaluation. However, if the parent does not specify the area of disagreement, the District may not refuse to pay for an IEE or unreasonably delay either paying for the IEE or initiating an impartial hearing to defend its evaluation.

2) In response to a request for an IEE at public expense, the District may initiate an impartial due process hearing to show that its evaluation is appropriate and/or that there are other reasons why it is not responsible for the cost of the IEE. If the final decision is that the District's evaluation is appropriate, the parent or legal guardian still has the right to an IEE, but not that public expense.

3) To be at public expense, the IEE must meet the criteria that the District uses for an evaluation, including the cost of the evaluation, the location of the evaluation and the qualifications of the examiner; to the extent those criteria are consistent with the parent or legal guardian's right to an IEE. A parent or legal guardian will be provided the opportunity to demonstrate that their child's unique circumstances justify an IEE outside of the District's criteria. If the total cost of an IEE obtained by the parent or legal guardian exceeds the District's cost criteria and there is no justification for the excess cost, the IEE will be publicly funded only to the extent of the District's maximum allowable charge. Where appropriate, parents will be encouraged to access their private health insurance benefits for the evaluation, provided that it does not affect the parents or legal guardians' right to an IEE at public expense.

4) If requested by the parent, the School District shall provide the parent or legal guardian with information about where an IEE may be obtained and the School District's criteria for IEEs. These criteria, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria the School District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE. Parents or legal guardians are encouraged but not required, to submit the evaluation invoice to their health insurance carrier for payment. Such criteria are as follows:

- a. Location – an evaluation must be conducted within ninety (90) miles of the School District. A parent or legal guardian will have the opportunity to demonstrate that his or her child's unique circumstances justify an IEE that exceeds the School District's location criterion;
- b. Qualifications – The examiner must possess, at a minimum, a current license or certification from the New York State Education Department in the area of evaluation; and
- c. Reasonable Cost – The School District may refuse to pay, or provide reimbursement for, any evaluation which exceeds \$1,800. The specified amount is based on a review of fees charged by providers of such testing within the Southern Tier Region.

The District has established a comprehensive list of qualified professionals in private practice or employees of other public agencies who meet the District's location and qualification criteria to whom parents or legal guardians may go to secure an independent evaluation. This list will be provided to parents or legal guardians upon request. If the District's list is not exhaustive in terms of those minimally qualified to evaluate the specific needs of all students in the District, parents or legal guardians are free to select an evaluator of their own choosing, as long as the evaluator meets the District's geographic, qualification and reasonable cost criteria.

5) Whenever an independent educational evaluation has been obtained by the parent or legal guardian, the results of the evaluation must be considered by the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) when making any decision with respect to the provision of a free appropriate public education to the child, provided that the qualifications of the evaluator meet the District's criteria. In addition, the results of an IEE may be presented as evidence at an impartial hearing.

6) Parents or legal guardians, in selecting an independent evaluator, should request that the evaluator contact school officials to make arrangements for payment, classroom observations and/or discussion with the child's teachers.

7) If an impartial hearing officer requests an IEE as part of an impartial hearing, the cost of the evaluation must be at public expense.

4423 Independent Educational Evaluations (cont.)

Further Information

The District has developed a policy and regulation on independent evaluations in order to ensure that the District is meeting its responsibility to provide independent evaluations at public expense. Parents or legal guardians can obtain further information on independent evaluations by contacting the Chairperson of the Committee on Special Education or the Committee on Preschool Education at the District.

Exceptions to the District's established geographic, qualification and reasonable cost criteria will be made only when the parent/guardian can demonstrate that unique circumstances justify an independent evaluation that does not fall within the District guidelines.

8 New York Code of Rules and Regulations (NYCCR) Section 200.5G

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4424 Parental Involvement

The DCS Board of Education encourages participation of parents of students eligible for Title I services in all aspects of their child's education. In order to facilitate parental participation, the District will:

1. Involve parents in the joint development of the DCS Title I plan. If the plan is not satisfactory to the parents of children participating in Title I programs, the District will submit any parent comments to the State Education Department at the time the Title I plan is filed;
2. Provide necessary coordination, technical assistance, or other support needed to assist DCS in planning and implementing effective parental involvement activities in each building to improve student academic achievement and school performance;
3. Build DCS's and parent's capacity for strong parental involvement through implementing and encouraging participation in appropriate parental involvement activities;
4. Coordinate and integrate parental involvement strategies with parental involvement strategies under other programs including but not limited to the Headstart Program, Reading First Program, Early Reading First Program, Reading Recovery, Even Start Program, Parents as Teachers Program, and Home Instruction Program for Preschool Youngsters and state run preschool programs;
5. Conduct, in conjunction with parents, an annual evaluation meeting of the content and effectiveness of the parental involvement policy in improving the academic quality of DCS. The evaluation shall include identifying barriers to greater participation by parents in the District and using the findings of the evaluation to improve and to revise the parental involvement policies of the District;
6. Involve parents in school activities of DCS;
7. Involve parents of children in Title I programs in decisions regarding how funds designated for parental involvement activities are to be spent.
8. DCS developed jointly with parents a written parent involvement plan for our one-building district, which will be distributed to parents annually in an understandable format and in a language parents can understand when possible.
9. Make all parental involvement policies and plans available to the local community via the monthly DCS newsletter and update them periodically to meet the changing needs of schools and parents. Updates are to be done jointly with parents;
10. Assist parents of children in DCS in understanding such topics as the state's academic content, student achievement standards, state and local academic assessments, Title I requirements and how to monitor a child's progress and work with educators to improve the achievement of their children;
11. Provide materials and training to help parents of children in DCS to work with their children to improve their children's academic achievement, such as literacy training and using technology as appropriate to foster parental involvement;
12. Educate teachers, pupil services personnel, principals and other staff in DCS with the assistance of parents about the value and use of parent contributions and in how to reach out, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and school;
13. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities in DCS with Headstart, Reading First, Early Reading First, Even Start, the Home Instruction Program for Preschool Youngsters, the Parents as Teachers Program and public preschool and other programs;
14. Conduct other activities in DCS such as parent resource centers that encourage and support parents in more fully participating in the education of their children.

4424 Parental Involvement (cont.)

The Board of Education hereby directs the building principal of DCS to ensure that a building level parental involvement plan is generated with the participation of DCS parents. In addition to those goals stated above, each such building level plan will describe the details for:

1. Inviting all parents to the annual Spring Informational Meeting of Title I parents to explain the Title I requirements and the rights of parents relating to Title I.
2. Offering a flexible number of meetings including morning or evening. The building level plan may provide, with funds available under Title I, for transportation, child care, or home visits as such services relate to parental involvement;
3. Involving parents in an organized, ongoing and timely way in the planning, review and improvement of Title I programs including the planning, review and improvement of the school's parent involvement policy;
4. Providing parents of participating children with timely information about programs, a description and explanation of the curriculum in use in Title I programs, the forms of academic assessment used to measure student progress, the proficiency levels the students are expected to meet, and if requested by parents, opportunities for regular meetings to formulate suggestions and to participate as appropriate in decisions relating to the education of their children or respond to any such suggestions as soon as practicable;
5. Developing a school-parent compact jointly with parents that outlines how the parents, school staff and students will share responsibility for improved student academic achievement and detailing the means by which the school and parents will build and develop a partnership to help all children achieve the state's standards.

Said compact must:

- a) describe the school's responsibility to provide high quality learning curriculum and instruction in a supportive and effective learning environment that enables children served in Title I schools to meet the State's student academic achievement standards;
- b) describe the ways in which each parent will be responsible for supporting their child's learning such as monitoring attendance, homework completion, television watching, volunteering in their child's classroom and participating as appropriate in decisions relating to the education of their child and the positive use of extracurricular time;
- c) address the importance of communication between teachers and parents on an ongoing basis including, but not limited to, annual parent teacher conferences including a discussion of how the compact relates to the individual child's achievement, frequent reports to parents on their child's progress, reasonable access to staff, opportunities to volunteer and participate in the child's class, and observation of classroom activities.

Adopted: May 24, 1984

Amended: February 27, 1995

Amended: September 23, 2003

Reaffirmed: 1999, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4424.1 Parent Involvement for Children with Disabilities

The Board of Education recognizes the rights of the parent/guardian to be fully informed of all information relevant to the identification, or change in identification, evaluation and educational placement of a child with a disability.

All due process procedures for parents/guardians and children in the Commissioner's Regulations shall be observed by the School District.

Definition of Parent

Parent means a birth or adoptive parent, a guardian, a person in parental relationship to the child as defined in Education Law section 3212, an individual designated as a person in parental relation pursuant to Title 15-A of the General Obligations Law including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent, stepparent or other relative with whom the child resides), or a surrogate parent who has been appointed in accordance with section 200.5(n) of Commissioner's Regulations. The term does not include the State if the student is a ward of the State.

A foster parent may act as a parent unless State law, regulations or contractual obligations with a State or local entity prohibit the foster parent from acting as a parent.

4424.1 Parent Involvement for Children with Disabilities (cont.)

Unless a judicial decree identifies a specific person(s) to act as the parent or make educational decisions for the student, if one or more parties is qualified to act as a parent, the birth or adoptive parent is presumed to be the parent unless they do not have the legal authority to do so.

Surrogate Parents

It is the duty of the School District to determine whether a child needs a surrogate parent and to assign a surrogate parent in the manner permitted under New York State law. This determination shall be completed within a reasonable time following the receipt of a referral for an initial evaluation or re-evaluation.

In the event that no parent or guardian for a child with a disability can be identified; or after reasonable efforts the whereabouts of the parent or guardian cannot be determined; or the student is an unaccompanied homeless youth; or the child with a disability is a ward of the State and does not have a "parent" as defined above; or the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law; the Board shall assign an individual to act as a surrogate for the parents or guardians.

Alternatively, the surrogate parent may be appointed by a judge overseeing the child's case.

The person selected as a surrogate shall have no interest that conflicts with the interest of the child he/she represents, and shall have knowledge and skills that ensure adequate representation of the child.

Prior Written Notice

Prior written notice must be given to parents of a student with a disability a reasonable time before the District proposes to, or refuses to, initiate or change the identification, evaluation, educational placement of the student or the provision of a free appropriate public education to the student. Prior written notice must also be provided informing the parents when no additional data is required to determine the student's educational needs, the reasons for this determination and their right to request an assessment.

If the prior written notice relates to a proposed action that also requires parental consent, the District must give notice at the same time it requests parental consent. The prior written notice will contain all elements required by Commissioner's Regulations.

A parent may elect to receive prior written notice and other required notifications by electronic mail (e-mail) communication if the District makes this option available.

Parental Consent

In accordance with due process, a parent or guardian of a special education student or a student suspected of having a disability must provide informed consent before the School District can take certain actions.

Consent for Evaluations

The parent or guardian must provide informed consent to the initial evaluation, or reevaluations in accordance with law and/or regulations. If a parent does not provide consent for an initial evaluation, the School District *may* pursue the evaluation by commencing a due process hearing to override the refusal to provide consent.

Parental consent for a reevaluation is not needed if the District can demonstrate that it has taken reasonable measures to obtain consent, but the parents or guardians have failed to respond.

Consent for the Initial Provision of Services

Parental consent is also required for the initial provision of special education services. Consent for an initial evaluation does not constitute consent for the initial provision of services. If a parent does not provide consent for the initial provision of services, the School District shall not provide the special education program and services to the student

4424.1 Parent Involvement for Children with Disabilities (cont.)

and *shall not* use the due process procedures to challenge the parent's refusal to consent. The School District shall not be considered to be in violation of the requirements to provide a free appropriate public education (FAPE), shall not be required to convene a meeting of the committee on special education or develop and IEP.

Consent for Other Actions

Prior written consent must also be provided:

- a) Prior to releasing any personally identifiable information; and
- b) Prior to each time the District proposes to access a parent's private insurance.

Consent for an Unaccompanied Homeless Youth

Consent may be provided by a surrogate parent. However, until a surrogate parent is appointed, consent may be provided on a temporary basis by an employee of a temporary housing facility operated or approved by a local social services district or a residential facility for runaway and homeless youth.

Consent for a Ward of the State

A ward of the State means a child or youth under the age of twenty-one (21):

- a) Who has been placed or remanded pursuant to Social Services Law or the Family Court Act or freed for adoption pursuant to Social Services Law; or
- b) Who is in the custody of the Commissioner of Social Services or the Office of Children and Family Services; or
- c) Who is a destitute child under Social Services Law.

In the event that a child is a ward of the State, the School District shall make reasonable efforts to obtain the informed consent from the parent of the child for an initial evaluation to determine whether the child is a child with a disability.

The School District is not required to obtain informed consent if:

- a) Despite reasonable efforts to do so, the School District cannot discover the whereabouts of the parent of the student, including consulting with the agency responsible for the care of the student; or
- b) The rights of the parents of the student have been terminated in accordance with State Law; or
- c) The rights of the parent make educational decisions have been subrogated by a judge in accordance with State Law.

Procedural Safeguards Notice

The School District will provide the procedural safeguards notice prescribed by the Commissioner of Education to the parents of a student with a disability at least one time per year and also;

- a) Upon initial referral or parental request for evaluation;
- b) Upon the first filing of a due process compliant notice to request mediation or an impartial hearing; and
- c) Upon request by a parent.

Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446) Section 614(a) Individuals with Disabilities Education Act (IDEA) 20 United States Code (USC) Section 1400 et seq.

34 Code of Federal Regulations (CFR) Part 300

Education Law Sections 3212, 4005, 4202, 4401 and 4402

8 New York Code of Rules and Regulations (NYCRR) Sections 200.1 and 200

Adopted: May 28, 2013

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4425 Education of Homeless Children and Youth

The No Child Left Behind Act of 2001 and Commissioner's Regulations allow a homeless child or, a person in a parental relationship to a homeless child or, when the homeless child is living in a shelter for runaway or homeless use, the Director of the shelter to designate the Downsville Central School District as the District of attendance for the homeless child when this District is either the School District of current location, the School District of origin or is a School District participating in a Regional Placement Plan.

A homeless child or youth is defined in accordance with the No Child Left Behind Act and Commissioner's Regulations §100.2 (x).

Homeless child and youth shall be entitled to access to Downsville Central School District programs on the same basis as all other District students. Homeless student and youth shall be, to the extent possible, integrated with non-homeless children.

The Downsville Central School District designates the Director of Guidance as the Local Educational Liaison for Homeless Children and Youth for the District. In addition to any other duties required by law, this person shall be responsible for reporting to the Board of Education on an annual basis the number of homeless children in the District, the placement of these children, and any suggestions for lowering any barriers to enrollment, attendance, school success and retention of homeless children and youth in the District.

The Downsville Central School District designates the Superintendent or his or her designee to make, on behalf of the Board, determinations regarding homelessness. The Superintendent or Superintendent's designee shall develop procedures and practices to ensure that transportation of homeless students and unaccompanied youth is provided in accordance with the Commissioner's Regulations.

Dispute Resolution

Where the Downsville Central School District receives a completed State Education Department form designating the District as the school of attendance for a child and the District disputes issues relating to school enrollment or school selection of that student, the following shall occur:

1. The student shall be immediately enrolled in the designated school;
2. Prior to making a final determination on the disputed issue, the Superintendent or Superintendent's designee shall
3. afford the student or person in a parental relation to the student an opportunity to submit information to the District
4. addressing the disputed issue;
5. The Superintendent or Superintendent's designee shall render a decision in writing and provide a copy to the student
6. or person in parental relation.

A written decision shall include an explanation of the school's decision, the name, address and phone number of the Homeless Liaison, and a statement regarding the right to appeal the decision to the Commissioner of Education as required by law.

The Homeless Liaison shall assist in any appeal of the District's determination as required by law. The School District will collect and transmit to the Commissioner of Education in accordance with the Commissioner's rules, a report containing information the Commissioner determines necessary to assess the educational needs of homeless children and youth.

Adopted: May 8, 2006

Reaffirmed: 2014, 2015, 2016, 2017, 2018

4450 Student In Need of Remediation

Any student of the Downsville Central School demonstrating a need for remediation based on his/her scores on the state assessments in English Language Arts and/or mathematics shall be offered such remediation. The remediation program will be appropriate to the individual student's tested level of achievement. All State recommendations for administrative action shall be adhered to as the student's score is compared to the State Reference Point. Furthermore, any student, based on test performance, to be in potential danger of failure shall be eligible for an appropriate remediation schedule. This can occur even though such remediation is not mandated.

Adopted: March 12, 1981
Amended: February 27, 1995
Amended: July 26, 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4451 Limited English Proficiency Instruction

The Board of Education believes that students who, by reason of foreign birth or ancestry, have limited English proficiency will be more effective learners of both the language and curriculum if they receive instruction in both their native language and English. The District will make effort to ensure that limited English proficiency (LEP) students are provided with an appropriate program of transitional bilingual education on free-standing English as a second language program.

Pursuant to this policy and Regulations of the Commissioner of Education, the Superintendent is directed to develop appropriate administrative regulations to ensure that LEP students are:

1. Diagnostically screened for limited English proficiency, in accordance with Part 117 of the Commissioner's Regulations. Those students who according to their scores are identified as LEP will be annually evaluated. Included in the evaluations shall be each student's performance in content areas to measure academic progress;
2. Assured of access to appropriate instructional and support services, including guidance programs; and
3. Assured of having equal opportunities to participate in all school programs and extracurricular activities as non-LEP students.

The Superintendent shall be responsible for ensuring that the Commissioner is provided with all information required under the Commissioner's Regulations and that the District provides appropriate school-related information to the parents of LEP students in English or when necessary, in the language they understand. In addition, the Superintendent shall ensure that all teachers employed for any bilingual or ESL program are properly certified in accordance with New York State Law and Regulation.

Adopted: January 8, 2007
Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4460 Marital Status and Pregnant Students

Marital, maternal or paternal status shall not affect the rights and privileges of students to receive a public education or to take part in any extra-curricular activity offered by the School District.

Adopted: February 27, 1995
Reaffirmed: 1999
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4512 Challenging Regents Examinations

The School Board of the Downsville Central School recognizes that some students may possess the necessary prerequisite skills and abilities to challenge the Regents examinations in certain subjects. Challenging an exam means taking it without having taken the class work that precedes it.

The State Board of Regents has sanctioned the challenging of these exams based upon the discretion of the Building Principal.

The Downsville Board of Education officially supports this concept and directs the Superintendent to develop the necessary implementation guidelines and grants the decision making power to the Building Principal as to who ultimately may challenge the Regents examinations and in which subject areas.

Adopted: February 23, 1984

Amended: February 27, 1995

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4520 Gifted and Talented Students

The School Board recognizes its responsibility to provide the best education possible for all students and recognizes that the gifted and talented require a special educational program. Therefore, the Downsville Central School Board supports the establishment of classroom practices to meet the needs of those students who are identified as gifted and talented.

Adopted: June 26, 1980

Amended: February 27, 1995

Reaffirmed: 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4521 Promoting Academic Success

The Board of Education directs the Superintendent or Superintendent's designee to create a program to promote academic success at the District.

Adopted: September 25, 1996

Amended: December 14, 1998

Reaffirmed: 1999

Amended: October 23, 2000

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

4700 Safety Instruction

Safety instruction for students shall include: fire prevention, accident prevention including bicycle safety, emergency procedures, and any other safety problems relevant to students. Instruction in courses in industrial arts, science, homemaking, art and physical education, health, and safety shall include and emphasize safety and accident prevention.

Safety instruction shall precede the use of materials and equipment by students in applicable units of work in the courses listed above, and instructors shall teach and enforce all safety rules set up for the particular courses. These shall include the wearing of protective eye devices in appropriate activities.

Amended: February 27, 1995

Reaffirmed: 1999, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5011 Protection of Pupil Rights

The Board of Education recognizes that student surveys are a valuable tool in determining student's needs for educational services. Parents have the right to inspect all instructional materials that will be used for a survey analysis or evaluation as part of a US Department of Education – funded program. In addition, no minor student may, without parental consent, take part in a survey analysis or evaluation funded in whole or in part by the United States Department of Education that reveals information concerning:

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

Parents have the right to inspect upon their request any instructional material which is used as part of the educational curriculum. Instructional material is defined by the Board of Education as instructional content that is provided to a student regardless of format including printed or representational materials, audiovisual materials, materials in electronic or digital formats (such as materials accessible through the internet). It does not include tests or academic assessments.

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

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

Parents shall also have the option upon provision of written notice to the district to opt the student out of any non-emergency, invasive physical examination or screening of their student which is required as a condition of attendance administered by the school or school personnel. The term invasive physical examination mean any medical examination that involves exposure of private body parts or any act during such examination that includes incision, insertion or injecting into the body but does not include a hearing, vision or scoliosis screening. Further, it does not include any examination necessary to protect the immediate health or safety of the student or other students.

5011 Protection of Pupil Rights (cont.)

Parents and eligible students shall be notified of the policy at least annually at the beginning of the school year and when enrolling students for the first time in school.

Adopted: January 8, 2007
Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5131 Kindergarten Entrance Age

A child must be five years old on or before December 1 of the school year to be admitted to kindergarten in September.

Adopted: May 23, 1994
Reaffirmed: 1999
Amended: July 10, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5133 Non-Resident Student Policy

The Board of Education of the Downsville Central School District affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal district residents and who are of legal age to attend school. Therefore, effective September 1, 2013, non-resident students will **not** be permitted to attend the Downsville Central School District **except** as specified below.

Eligible Students:

1. Children of All District Employees.
2. Students who are enrolled as non-resident students for the 2012-2013 school year at the tuition rate set by the BOE.
 - Student(s) upon approval may attend each year until graduation. A request in writing for each year must be given by July 1st to the Superintendent.
 - Tuition must be paid or arrangements made for payment must be made by August 15.
 - If a student's right to attend are revoked due to non-payment or misconduct, the District will not be obligated to refund any portion of the paid tuition.
3. Resident students who, due to family circumstances, become non-resident students during a given school year may continue tuition free for that year only.

Guidelines for Admission:

There is sufficient space to accommodate the non-resident student;

1. No increase in the size of faculty or staff will be necessary to accommodate them;
2. The District accepts no responsibility for transportation of non-resident students, but if bus space allows will transport student if he/she is delivered to an agreed upon location on an existing bus route.

The Superintendent or designee will terminate the student's Status at the Downsville Central School if, at anytime, it is decided that the student is not following the code of student conduct or is not achieving academically up to his/her ability level. Unacceptable behavior will lead to the end of the student's status in the school district. The failure of a student, in the opinion of the Superintendent, to reach his academic potential, may lead to the student's status being revoked. Once revoked, for any reason, the student will not be reconsidered for re-admittance.

Adopted:	August 26, 1996	Amended:	May 28, 2013
Effective:	Immediately	Reaffirmed:	2014
Amended:	November 22, 1999	Amended:	September 25, 2014
Amended:	July 10, 2006	Reaffirmed:	July 2015, 2016, 2017, 2018
Reaffirmed:	2007, 2008, 2009, 2010, 2011, 2012		

5133.3 Veterans As Students

Veterans who have received other than a dishonorable discharge may attend the schools of the district including the local BOCES program as per the same rules, regulations, requirements, and policies governing non-resident students.

A veteran who has not received a high school diploma will not be charged tuition.

Transportation will only be provided on a space-available basis on bus runs established for the school year.

Ed. Law 3202; Comm. Reg. 174.2; DCS Board of Education Policy 5133

Adopted: September 25, 1995

Reaffirmed: 1999

Amended: 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5140 Comprehensive Attendance

A. Objectives

The objectives of the Comprehensive Attendance Policy are:

- to accurately track the attendance, absence, tardiness and early departure of student to and from the school;
- to ensure sufficient pupil attendance of classes so that pupils may achieve State-mandated education standards;
- to track student location for safety reasons and to account to parents regarding the location of children during school hours.

B. Definitions

Whenever used within the Comprehensive Attendance Policy, the following terms shall mean:

1. Scheduled instruction: Every period that a pupil is scheduled to attend instructional or supervised study activities during the course of a school day during the school year.
2. Absent: The pupil is not present for the entire period of the pupil's scheduled instruction.
3. Tardy: The pupil arrives later than the starting time of the pupil's scheduled instruction.
4. Early departure: The pupil leaves prior to the end of the pupil's scheduled instruction.
5. Excused: Any absence, tardiness, or early departure for which the pupil has a valid school approved excuse. Such excused non appearance shall include: personal illness, illness or death in the family, religious observance, quarantine, required court appearances, attendance at health clinics or other medical visits, approved college visits, military obligations, absences approved in advance by the Principal, and other reasons as may be approved by the Commissioner of Education.
6. Unexcused: Any absence, tardiness or early departure for which the pupil has no valid school approved excuse. Such unexcused non appearance shall include shopping trips, family vacation, oversleeping, skipping class, and any other absence that is not excused.
7. Half Semester Course: Half semester courses include but are not limited to the following: home economics courses, health, physical education, technology courses, participation in government, music courses, driver education, and other electives.
8. Full Semester Course: Full semester courses include but are not limited to the following: math, science, English, and social studies core courses, business courses, band, chorus, and some elective courses.
9. Full Year Course: Include, but are not limited to, any course offered everyday in our 40 minute block throughout the school year.

C. Coding System

The following coding system shall be used to indicate the nature and reason for a pupil's missing all or part of scheduled instruction:

AE = Absence excused	AEMD = Absence excused medical
AU = Absence unexcused	AEDN = Absence excused dentist
AEYE = Absence excused - eye	AEWT = Absence excused with tutor
TEDN = Tardy excused dentist	DEDN = Dismissed excused dentist
DEMD = Dismissed excused medical	DE = Dismissed excused
DEYE = Dismissed excused	DU = Dismissed unexcused
E1 = Entry code	FT = Field Trip
DEHS - Dismissed excused home sick	N = Non member
R = Returned	SEWT - Suspended external with tutor
SE = Suspended external	TEMD = Tardy excused medical
TE = Tardy excused	TEYE = Tardy excused eye
TU = Tardy unexcused	W1 = Withdrawl code

The time that the pupil arrived or departed will be recorded next to the entry code describing the nature and reason for the student missing all or part of scheduled instruction.

For example, if a student left at 11:30 AM for a doctor's appointment, the code would read: DEMD:11:30 AM.

D. In order to encourage student attendance, the following strategies and incentives shall apply: 1. Minimum

Attendance for Course Credit

- a. A student must be noted as present at 92% of a course's scheduled classes in order earn credit for the course. Any excused absence, for which the student has completed assigned makeup work, will not be counted as an absence for the purposes of determining whether the student has attended sufficient classes to receive course credit under this provision.
 - i. For purposes of minimum attendance requirements, a student shall not be counted as present for a class if the student misses more than 20 minutes of class, whether through tardiness or early departure.
 - ii. Students of compulsory attendance age suspended from school instruction may not be marked as absent unless they fail to attend scheduled alternative education on that day. Tutors need to turn attendance into Attendance Officer.
 - iii. Students over compulsory attendance age suspended from school instruction will be marked absent unless they have been assigned alternative education. If alternative education has been assigned, only failure to attend scheduled alternative education shall count as an absence. Tutors need to turn attendance into Attendance Officer.

In order to prevent loss of credit for failure to attend, the district will take the following steps:

- i. when a student has been marked absent for 3% of a course's classes (3 days during 1/2 semester and 6 days during full year course), the district shall notify the student and his/her parent(s) or persons in parental relation that the student is approaching the limit of absences for losing course credit for failure to attend class. The notice will include the school's attendance for credit policy, the actual number of classes the student may miss before forfeiting the right to earn credit, and the actual number of classes missed to date;
- ii. a student and his parent(s) or persons in parental relation will be advised one month before the completion of the course if the student is in jeopardy of losing credit for failure to attend, The notice will include the school's attendance for credit policy, the actual number of classes missed to date;
- iii. teachers will provide makeup work and upon request so that students who are in jeopardy of forfeiting class credits due to excused absences have the opportunity to earn credit for the course;
- iv. where a student is in jeopardy of losing credit for excessive absences, the Building Principal shall be responsible for reviewing attendance records, determining eligibility for makeup work for excused absences, and arranging student makeup opportunities with teachers, including deadlines.
- v. if a student is sick and has a medical excuse of 3 days or more to stay home from school, Downsview Central School will provide a tutor to the student. The request for the tutor must come from the child's parent/guardian to the Guidance Office. The tutor can be sent to the home during the time absent or time can be made up after school. Medically excused absences can be made up within two weeks of the date of the absence. No medically excused absences can be made up if more than two weeks has passed since the absence occurred. (example: a medically excused absence in November cannot be made up in January).

Sample Time Line:

- a. Student A is absent for 3 days by doctor's orders (has a doctor's note).
- b. Parents of Student A call the guidance office and request a tutor.
- c. Parents of Student A bring the doctor's note to the health office.
- d. The guidance office lines up a tutor, and the absence must be made up with in two weeks of absence.

2. Notices of Absences

The Pupil's parent(s) or person in parental relation shall be notified of a pupil's unexcused absence, tardiness or early departure according the following:

- a. where a pupil has not been marked as present for the first period of scheduled instruction and the school has not been previously notified of the absence, the district shall attempt to contact the pupil's parent(s) or person in parental relation to learn the nature of the pupil's absence and notify the parent that the pupil has not arrived at school;
- b. for every 3 unexcused absences, tardies, early departures, or any combination thereof, the pupil's parent(s) or persons in parental relation shall receive a notice containing the dates, times, and the nature of the pupil's unexcused nonpresence.

3. Disciplinary Procedures

The pupil may be subject to disciplinary procedures for unexcused absence, tardiness, or early departure, including verbal and written warnings, detentions, in-school suspensions, and loss of extracurricular privileges, as described in the Code of Conduct.

4. Incentives

District teachers shall work with the Building Principal and Attendance Supervision Officer to create and implement classroom based incentive programs for excellent attendance, including but not limited to extra credit and additional privileges.

5140 Comprehensive Attendance (cont)

5. Intervention Strategy Development

The Building Principal shall meet each marking period with the Attendance Supervision Officer and other administrators and teachers as the Principal determines necessary to review student attendance records, address identified patterns of unexcused pupil absence, tardiness and early departure, and review current intervention methods. The Principal shall notify the Board of Education prior to its annual review of the building's attendance records, of both insufficient practices and any proposed changes needing Board approval to implement.

6. Counseling

The District shall provide consistent counseling to students with chronic attendance problems.

E. Attendance Supervision Officer

The Board shall designate a person as the Attendance Supervision Officer. The Attendance Supervision Officer is responsible for reviewing pupil attendance records and initiating appropriate action to address unexcused pupil absence, tardiness and early departure consistent with the Comprehensive Attendance Policy.

Adopted: May 13, 2002

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5141 BOCES Occupational Education Attendance

Consistent student attendance in BOCES Occupational Education programs is an integral part of the learning process. The nature of the BOCES Program demands consistent attendance because the students' course of study is closely related to the world of work. Therefore, attendance policy 5140.1 includes BOCES.

Adopted: June 13, 1997

Amended: 1999

Amended: July 10, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5152 Religious Instruction

The District will release students for religious instruction according to Commissioner's Regulations.

Commissioner's Regulations Section 109.2

Adopted: June 13, 1994

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5210 Student Organizations and Activities

In order to be recognized by the District as a co-curricular or extracurricular program, all extra classroom activities shall be approved by the Board. The Superintendent shall maintain an up-to-date register of all extra classroom activities that are approved or discontinued.

Every extra classroom activity shall have a president, vice president, secretary and treasurer. These officers shall be elected annually. A faculty advisor shall be designated by the Superintendent to assist these officers and insure that they operate on a sound financial basis. The faculty advisor shall attend all meetings of the extra classroom activity.

Membership to any organization or club cannot be denied because of race, color, creed, national origin, religion, gender or sexual orientation or disability.

Amended: June 13, 1994, November 22, 1999, November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5252 Student Activities Fees

The District shall not charge students fees for activities except authorized school related activities used for fund raising.

The District may require deposits to ensure proper treatment of equipment. The District may rent or sell textbooks supplied to students and rent musical instruments. Students will not pay fees or tuition if they participate in instructional courses that are part of the curriculum. This includes drivers' education courses and instrumental music courses.

Adopted: June 13, 1994

Reaffirmed: 1999

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5260 Extra Classroom Activity Funds

The Board of Education recognizes that extra classroom activities are an essential part of the educational experiences available to students. The control of extra classroom activity funds by students provides valuable experiences in business management.

The District Treasurer shall meet with all extracurricular club advisors and student treasurers at least annually. As prescribed by the State of New York, he/she will advise them on the proper handling of extra classroom activity funds.

Proper books will be kept and all moneys deposited in appropriate accounts as set up by the Board of Education. These accounts shall be subject to audit. All transactions involving extraclassroom funds shall be invested in accordance with the Board of Education's Fiscal Management Policy on the "Investment of District Funds".

The District Treasurer shall oversee the extra classroom activity funds and ensure that they are handled within State established rules, regulations and procedures and in compliance with generally accepted accounting principles.

Funds of discontinued extraclassroom activities and of graduating classes shall revert to the account of the general student organization or student council and shall be expended in accordance with the organization's constitution.

At its Reorganization Meeting the Board shall appoint a Central Extra classroom Activity Fund Treasurer.

Amended: June 13, 1994

Reaffirmed: 1999

Amended: November 13, 2006, August 24, 2009

Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

I. Introduction

The Board of Education ("board") is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal. The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

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

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

II. Definitions

For purposes of this code, the following definitions apply.

"Disruptive student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom or interferes with a bus driver's ability to safely operate a school bus.

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

"Employee" means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such persons involve direct student contact (Education Law §§11[4] and 1125[3]).

"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, or in or on a school bus (Education Law § 11[1]).

"School Bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

"School function" means any school-sponsored extra-curricular event or activity (Education §11[2]).

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

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

"Weapons" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

"Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

"Harassment" means the creation of a hostile environment by conduct, with or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; the harassing behavior may be based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (identity or expression) (Education Law §11[7]).

"Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality (Education Law §11[5]).

"Gender" means actual or perceived sex and shall include a person's gender identity or expression (Education Law §11[6]).

"Hazing" is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of or causes emotional, physical, psychological harm to a person, in order for the student to be initiated or affiliated with a student or other organization, or for any other purpose. Consent or acquiescence is no defense to hazing: i.e., the implied or expressed consent of a person or persons to hazing shall not be a defense to discipline under this policy.

"Bullying" is a form of harassment that consists of inappropriate and often persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and or badgering of others.

Bullying occurs when someone purposely says or does mean or hurtful things to another person who has a hard time defending oneself or is in an otherwise vulnerable position.

"Cyber-bullying" refers to any harassment/bullying, on or off school property, which occurs via the internet, cell phones or other electronic devices.

"Sexting" refers to an act of sending sexually explicit photos, images, text messages, or e-mails by using a cell phone or other electronic device.

III. Dignity Act Coordinators

At least one employee in every school shall be designated as a Dignity Act Coordinator and instructed in the provisions of this subdivision and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

1. The designation of each Dignity Act Coordinator shall be approved by the Downsville Central School District Board of Education.
2. The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information of each Dignity Act Coordinator by:
 - a. Listing such information in the code of conduct and updates posted on the Internet web site of the Downsville Central School District.
 - b. Including such information in the plain language summary of the code of conduct provided to all persons in parental relation to students before the beginning of each school year, pursuant to 8 NYCRR 100.2(1)(2)(iii)(b)(3);
 - c. Include such information in at least one district or school mailing per school year to parents and persons of parental relation and, if such information changes, in at least one subsequent district or school mailing as soon as practicable thereafter;
 - d. Posting such information in highly-visible areas of school buildings; and
 - e. Making such information available at the district and school-level administrative offices.

3. In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the applicable governing body as set forth in subparagraph (i) of this paragraph within 30 days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as Coordinator, pending return of the previous Coordinator to his or her duties as Coordinator.

IV. Dignity for All Training

Commencing in the 2012-13 school year and continuing in each school year thereafter, the following Dignity for All school employee training program regulations are to be implement in effort to promote a positive school environment that is free from discrimination and harassment and to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function.

1. Training is to be conducted for all instructional and non-instructional employees of the Downsview Central School District
2. Training is to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students by students or school employees on school property or at school functions; including by not limited to, discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex.
3. Training is to raise awareness and sensitivity to potential acts of discrimination and harassment through cyberbullying/texting.
4. Training is to enable employees to prevent and respond to incidents of discrimination and harassment
5. Training is to include guidelines relating to the development of nondiscriminatory instructional and counseling methods.
6. Training is to be conducted as needed and may be implemented and conducted in conjunction with existing professional development.

V. Students Rights and Responsibilities (former III)

A. Student Bill of Rights (former Student Rights)

The district is committed to safeguarding the rights given to all students under state and federal law and to provide students with a safe school climate focused on positive behavior. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the right to:

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

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class on time and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.
12. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship. (former 13)

VI. Essential Partners

A. Parents

All parents are expected to:

1. Recognize that the education of their children is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with all school personnel, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.

C. Cafeteria Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Create and maintain a kitchen/dining area that is clean and safe.
3. Provide a selection of food that will encourage the students to eat a healthy and nutritious meal.
4. Encourage students to conduct themselves in such a manner that will produce an atmosphere that is appropriate for dining.
5. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

D. Transportation/Custodial Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Provide a clean and healthy environment for the entire school community in all buildings, buses and on school property.
3. Maintain and promote safety in all areas of their jurisdiction.
4. Inform supervisors and/or administrators of any area of concern that might jeopardize the health and safety of any student or staff member.
5. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

E. Support Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Assist in maintaining a climate that is conducive to teaching and learning.
3. Provide support and assistance to the staff that will enable them to do their job more efficiently and effectively.
4. Provide support and assistance to the students that will enable them to obtain the maximum benefits from their educational program.
5. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

F. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - i Course objectives and requirements
 - ii Marking/grading procedures
 - iii Assignment deadlines
 - iv Expectations for students
 - v Classroom discipline plan
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

G. School Counselors/Social Workers/Psychologists

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

H. Building Level Administrators

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

I. District Level Administrators

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Review with other administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Work with other administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

J. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

VII. Student Dress Code

We recognize that the school has the responsibility to maintain a safe and orderly environment conducive to learning. Furthermore, we recognize that part of one's education is learning when, where, how and why appropriate dress is important.

All students must be dressed in appropriate clothing and protective equipment as required for the various learning environments. Students and their parents have the primary responsibility for appropriate dress and appearance. The district personnel will exemplify and support students in understanding of appropriate clothing based on the various learning environments.

A student's dress, grooming and appearance shall be safe, appropriate and not disrupt or interfere with the educational process. This includes the wearing of appropriate and safe footwear. Wearing of hats is left to teacher discretion unless medical or religious purposes determine necessity. Articles of clothing or jewelry that in any way reference vulgarity, obscenities, stereotyping, discrimination (to race, color, religion, gender or disability), sex, sexual orientation, violence and drug related inferences including alcohol and tobacco will not be permitted. Additionally, all clothing must cover cleavage, midriff and buttocks.

Students will be expected to dress respectfully and appropriately when on a field trip and all other related events in which they are representing our school. Students are encouraged to wear sports uniforms or school apparel to emphasize school spirit.

If district personnel request that a student change due to a concern of safety or appropriateness, students are expected to respectfully comply with the request; remain compliant for the remainder of the school day and not wear the item again to avoid reoccurrence. Failure or refusal to comply will result in a referral for insubordination.

VIII. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment.

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

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

A. Prohibited Conduct

A student may be subject to disciplinary action when he/she behaves in a manner which is:

1. disorderly, that is:
 - a. fighting, assaulting or behaving violently,
 - b. threatening another with bodily harm,
 - c. harassment, bullying, or intimidating students or school personnel (see also Anti-Bullying/Harassment, Hazing and Sexual Harassment policies),

- d. making unreasonable noise,
- e. being untruthful with school personnel or making false reports,
- f. possessing electronic devices such as, but not limited to: video/audio players & recorders, remote controls, electronic games, beepers, pagers, cellular phones,
- g. obstructing vehicular or pedestrian traffic,
- h. driving recklessly,
- i. creating a hazardous or physically offensive condition by an act which serves no legitimate purpose,
- j. loitering or trespassing
- k. being present on or entering into any school property, function or vehicle without authorization,
- l. disrupts or is reasonably likely to disrupt the educational process or school operations; or is
- 2. insubordinate, that is, failing to comply with the lawful directions of teachers, school administrators or other school employees in charge of the student; bus drivers, bus monitors and bus aides, law enforcement officers or
- 3. engages in any of the following forms of academic misconduct: a. tardiness,
 - a. missing or leaving school or class without permission or excuse,
 - b. cheating, plagiarism, copyright/trademark violations or assisting another in such conduct
 - c. improperly altering documents or records.
- 4. endangers the safety, health, morals, or welfare of themselves or others by any act, including but not limited to:
 - a. fighting, assaulting or behaving violently, threatening another with bodily harm,
 - b. harassment or illegal discrimination, which includes the use of race, color, weight, creed, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation or disability as a basis for treating another in a negative manner.
 (Reference Policies #5310 and #5352)
 - c. bullying
 - d. cyber-bullying
 - e. sexting
 - f. making unreasonable noise,
 - g. possession, use, distribution, transfer or sale of tobacco or tobacco products, alcohol, drugs or other controlled substances, drug paraphernalia or synthetic cannabinoid products including but not limited to incense herbal mixture potpourri ,
 - h. possession, use, or sale of weapons, fireworks, or other dangerous or prohibited objects or contraband. Dangerous objects include, but are not limited to: guns, starter pistols, knives of any kind (including all types of pocket knives), razors, box cutters, clubs, metal knuckles, nunchucks, Kung Fu stars, explosives, and any instrument, article or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or other serious physical injury. Any object that resembles a dangerous object (such as a fake gun) will be considered a prohibited object.
 - i. using obscene, profane, lewd, vulgar or abusive language or behavior,
 - j. possession, sale, distribution, transfer or use of lewd or obscene materials, k. gambling,
 - l. hazing,
 - m. extortion,
 - n. theft,
 - o. vandalism, willfully defacing, damaging or destroying school property or vehicles used by entities under contract with the district to provide services for the district. Willfully defacing, vandalizing, damaging or destroying the property of others on school premises, at school functions or on school buses under contract to the district, or
 - p. misuse of school information technology or other school property.
- 5. engages in conduct that violates Board's rules and regulations for the maintenance of public order on school property in Section XV below or Federal, State or local laws.

Off campus & non-school day misconduct- Students may be disciplined for violations of school district policies and the Code of Conduct when there is a connection to or impact, effect on school students, personnel, activities, functions or property.

Examples of misconduct include but are not limited to: cyber-bullying, sexting, threatening or harassing students or school personnel through the use of electronic devices.

IX. Reporting Violations

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

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

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

All students are expected to promptly report instances of bullying (verbal, physical, cyber-bullying), harassment, discrimination or hazing on school property or at a school function immediately to proper school personnel.

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

X. Disciplinary Penalties, Procedures and Referrals

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

Depending on the nature of the violation, it is the Board's desire that student discipline be progressive, i.e., a student's first violation may merit a lighter penalty than subsequent violations. It is also the Board's desire that staff take into account all other relevant factors in determining an appropriate penalty. The following penalties may be imposed either alone or in combination. Based upon the circumstances, it is at the discretion of school staff to determine the penalty warranted by a particular violation.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior caused by or had a direct and substantial relationship to the disability or if the conduct was a direct result of the district's failure to implement the IEP.

A. Penalties

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination.

1. Oral Warning
2. Written warning
3. Written notification to parent
4. Detention
5. Suspension from transportation
6. Suspension from athletic participation
7. Suspension from social or extracurricular activities
8. Suspension of other privileges
9. In-school suspension or exclusion from a particular class.
10. Removal from classroom by teacher or principal.
11. Short-term (five days or less) suspension from school
12. Long-term (more than five days) suspension from school
13. Permanent suspension from school

B. Disciplinary and Remedial Consequences

The district emphasizes the creation and maintenance of a positive learning environment for all students. Measured, balanced, and age-appropriate responses to the discrimination and harassment of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education is needed to maintain the desired learning climate. Remedial responses which may be utilized include:

1. Peer support groups; corrective instruction or other relevant learning or service experience;
2. Supportive intervention;
3. Behavioral assessment or evaluation;
4. Behavioral management plans, with benchmarks that are closely monitored;
5. Student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be an important tool to prevent discrimination and harassment. Environmental remediation strategies may include:

1. Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
2. School and community surveys or other strategies for determining the conditions.
3. Adoption of research-based, systemic harassment prevention programs;
4. Adjustment in hallway traffic and other student routes of travel;
5. Targeted use of monitors;
6. Staff professional development;
7. Parent conferences;
8. Involvement of parent-teacher organizations; and
9. Peer support groups

C. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate to the extent necessary, the facts surround the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

1. Detention

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

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

3. Suspension from athletic participation, extracurricular activities and other privileges.

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

4. In-school suspension

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in “in-school suspension.”

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

5. Teacher Disciplinary removal of disruptive students

A student’s behavior can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. Such practices may include, but are not limited to: (1) short term “time out” in an elementary classroom or in an administrator’s office; (2) sending a student into the hallway briefly; (3) sending a student to the principal’s office for the remainder of the class time only; or (4) sending a student to a counselor or other district staff member for counseling. Time-honored classroom management techniques do not constitute disciplinary removals for purposes of this code.

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

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

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

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

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

Within 24 hours after the student’s removal, the principal or another district administrator designated by the principal must notify the student’s parents by telephone, followed by a letter stating that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request to meet informally with the principal or the principal’s designee to discuss the reasons for the removal.

The notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student’s removal. The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

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

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

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

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class. Removal of a student with a disability, under certain circumstances may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school

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

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principal.

All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All referrals shall be made in writing unless the conditions underlying the referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member making the referral.

The superintendent or principal, upon receiving a referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short-term (5 days or less) suspension from school

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law Section 3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents by calling them on the telephone, followed by a written notice within 24 hours of the decision to propose suspension.

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

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 3 business days of the date of the superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school

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

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

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 20 business days of the date of the superintendent's decision, unless the parents can show extraordinary circumstances precluding them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

c. Permanent suspension

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

d. Minimum Periods of Suspension

1. Students who bring a weapon to school

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

- a. The student's age
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The superintendent's belief that other forms of discipline may be more effective
- e. Input from parents, teachers and /or others.
- f. Other extenuating circumstances.

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

2. Student who commit violent acts other than bringing a weapon to school.

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

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

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

E. Referrals

1. Counseling

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

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

XI. Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law Section 3214, the district will take immediate steps to provide alternative means of instruction for the student.

XII. Discipline of Students With Disabilities

The board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removal of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.

A “suspension” means a suspension pursuant to Education Law Section 3214.

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - 1) “Weapon” means the same definition as “Weapon” was previously defined in this Code of Conduct.
 - 2) “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy
 - 3) “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days, or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals, if the CSE has determined that the behavior was not a manifestation of the student’s disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district’s Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:

- 1) conducted an individual evaluation and determined that the student is not a student with a disability, or,
- 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations 3) the parent refused special education services.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.

5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.

6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:

a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.

b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.

2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XIII. Student Searches and Interrogations

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

Lockers (even if the student owns the lock), desks, cubbyholes, etc., are the property of the school and subject to inspection *without cause*, at any time, *without notice or the student's or parent's permission or presence*. Students should take this policy into account when deciding whether to store personal belongings in such places.

In addition, the board authorizes the superintendent, building principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

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

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

Searches of student's person includes any search that involves physical contact with the student's body, including clothing worn by the student, or the requirement that the student remove clothing, with the exception of outer garments such as coats, jackets, sweatshirts, sweaters, vests, etc. Removal of clothing shall be limited to removal of socks and shoes and articles of clothing that will not expose the student's undergarments and private areas. These searches also include, but are not limited to pat-down searches, hand held metal detectors, alcohol sensing equipment, and the sniffing of a student by police search dogs.

Searches of the student's person should be performed or witnessed by at least one school employee who is the same gender as the student searched.

These searches will only be undertaken if the school superintendent, building principal, assistant/associate principal or other administrator is present and if the administrator has reasonable grounds for suspecting that the search will uncover evidence that the student has violated or is violating the law or the rules of the school.

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

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

XIV. Visitors to the Schools

Parents and other citizens of the District are encouraged to visit the schools to better understand the process of education.

In order to avoid disruption of the educational process, visitors are expected to comply with this policy, and other applicable District policies.

All visitors must report to the school office or other designated individual to request a visitor's pass to be allowed further access to the building unless previously invited to a classroom or assembly program.

Members of the School District staff will treat parents and other members of the public with respect and expect the same in return. The District must keep schools and administrative offices free from disruptions and prevent unauthorized persons from entering school/district grounds.

Accordingly, this policy promotes mutual respect, civility, and orderly conduct among the District employees, parents, and the public. We do not intend this policy to deprive any persons of his or her right to freedom of expression. Rather, we seek to maintain, to the extent possible and reasonable, a safe, productive and harassment-free environment for our students and staff. In the interest of presenting teachers and other employees as positive role models, we encourage positive communication and discourage volatile, hostile, or aggressive actions. This District seeks public cooperation with this endeavor.

1. Disruptive Individual Must Leave School Grounds. Any individual who disrupts or threatens to disrupt school/ office operations/events, threatens the health and safety of students or staff, willfully causes property damage, uses loud and/or offensive language that could provoke a violent reaction, or who has otherwise established a continued pattern of unauthorized entry on School District property, will be directed by the school's principal or other person in charge to leave school, School District property, or event promptly. If the person does not comply it will be considered a trespass and law enforcement authorities will be called. Future access to school property or events may be restricted.
2. Directions to Staff in Dealing with Abusive Individual. If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely warn the speaker to communicate civilly and that a failure to do so could result in a request to leave or end the contact. If the individual does not stop the abusive behavior, the District employee will verbally notify the individual that the meeting, conference, or telephone conversation is terminated. If the individual is on District premises or at a District event, the administrator, custodian or other person in charge, may request the abusive individual to leave promptly or law enforcement authorities will be called.
3. Provide Policy and Report Incident. When a staff member determines that a member of the public is in the process of violating the provisions of this policy, the staff member should direct the person to the building administrator, or other school official in charge, who should provide a written copy of this policy at the time of occurrence.

The staff member will provide a written report of the incident to his or her supervisor.

This policy should be posted in each school building main entrance area, main office and other conspicuous places.

XV. Public Conduct on School Property

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

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

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

A. Prohibited Conduct

No person, either singly or in concert with others, shall:

1. Willfully cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do, or do any act which he has a lawful right not to do.
2. Physically restrain or detain any other person, or remove such person from any place where he is authorized to remain.
3. Willfully damage or destroy property of the district or of the school personnel or students, or remove or use such property without authorization.
4. Without permission, express or implied, enter into any private office of an administrative officer, faculty member or staff member.
5. Other than student, employee or Board member, enter a classroom or the building beyond the administrative office without written permission of the superintendent or his designee.
6. Enter upon and remain in any building or facility for any purpose other than for authorized uses, or in such manner as to obstruct its authorized use by others.
7. Without authorization, remain in any building or facility after it is normally closed.
8. Refuse to leave any building or facility after being requested to do so by an authorized administrator.
9. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, school programs, school activities, lectures and meetings, or deliberately interfere with any person who desires to express his views, including invited speakers.
10. Have in his possession upon any premises to which these rules apply, any knife, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the superintendent, whether or not a license to possess the same has been issued to such person.
11. Smoke tobacco, possess, consume or exchange or be under the influence of alcoholic beverages, drugs or narcotics on school properties.
12. Distribute or post any written material, pamphlet or poster without the prior written approval of the superintendent.
13. Urge or incite others to commit any of the acts herein prohibited.
14. Violate the traffic laws, regulations or other restrictions on vehicles.
15. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

B. Penalties

A person who shall violate any of the provisions of these rules shall:

1. If he is a licensee or invitee, have his authorization to remain upon the district property withdrawn, and shall be directed to leave the premises. In the event of his failure or refusal to do so, he shall be subject to ejection and arrest.
2. If he is a trespasser or visitor without specific license or invitation, be subject to ejection and arrest.
3. If he is a student, be subject to suspension or such lesser disciplinary action as the facts of the case may warrant.
4. If he is a faculty member, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.
5. If he is a staff member entitled to the benefits of Civil Service Law Section 75, be guilty of misconduct and subject to the penalties prescribed in said section.
6. If he is a staff member, not entitled to the benefits of Civil Service Law Section 75, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

C. Procedure

In case of a violation of this section:

1. The superintendent, building principal or designee shall inform any licensee or invitee, who shall violate any provision of these rules, that his license or invitation is withdrawn and shall direct him to leave the district grounds. In the event of his failure or refusal to do so, the superintendent or designee shall cause his ejection from such property.
2. In the case of any other violator who is neither a student nor faculty nor other staff member, the superintendent or designee shall inform the violator that he is not authorized to remain on the property of the district, and direct him to leave such premises. In the event of his failure or refusal to do so, the superintendent or designee shall cause his ejection from such property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation, or to affect his liability to prosecution for trespassing or loitering as prescribed in the Penal Law.
3. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in Section 3214(3) of the Education Law.
4. In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with Section 3020-a of the Education Law.
5. In the case of a faculty member not having tenure, the superintendent will attend to the violation as agreed upon within the terms of the collective bargaining agreement.
6. In the case of any staff member who holds a position in the classified Civil Service as described in Section 75 of the Civil Service Law or is covered by Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
7. In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the superintendent attend to the violation as agreed upon within the terms of the collective bargaining agreement.

D. Enforcement Program

The responsibility for enforcement is as follows:

1. The superintendent shall be responsible for the enforcement of these rules, and he shall designate other administrative officers who are authorized, including but not limited to building principals, to take action in accordance with such rules when required or appropriate.
2. The superintendent or designee may apply to the public authorities for any aid which he deems necessary in causing the ejection of any violator of these rules, and he may request the school attorney to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules.
3. The superintendent or his designee shall be promptly notified each time civil authorities are called on for this purpose by the person requesting assistance.

E. Application of Rules

These rules shall apply to all school property and school functions of the district and shall govern the conduct of students, teachers, staff members, as well as visitors and other licensees and invitees.

XVI. Dissemination and Review

A. Dissemination of Code of Conduct

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

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members via website and at each school office.

The board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The board will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

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

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

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Adopted:	5/27/03	Amended:	July 9, 2018
Reaffirmed:	7/1/04		
Amended:	8/13/07		
Reaffirmed:	2008, 2009, 2010, 2011, 2012		
Amended:	August 13, 2012		
Reaffirmed:	2013, 2014, 2015, 2016, 2017		

Bullying/Harassment Prevention and Intervention

The Board of Education affirms its commitment to maintaining both educational and work settings which support respect, dignity and equality. Further, the Board of Education also recognizes its responsibility to provide an environment that is free of harassment, hazing, and/or bullying. The Board of Education recognizes that these acts are counter to the mission of the district and the goals of the Board of Education. By disrupting the learning environment, these behaviors affect all concerned with the educational mission: those bullied, those doing the bullying, and bystanders.

As a result, the Board of Education forbids all forms of harassment, hazing, and bullying on any district property, school buses, or school-sponsored event – both on and off school grounds that either substantially disrupts the learning environment or negatively affects the rights of others.

Definitions**Harassment**

For purposes of this policy, the term “harassment” is defined as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression).

Bullying

For purposes of this policy, the term “bullying” (which is subsumed under the term “harassment”) is defined, in general, as a variety of hostile activities which harms or induces fear through the threat of further aggression and/or creates terror. “Bullying” is a form of harassment that consists of inappropriate and often persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and/or badgering of others. Bullying can take at least three forms:

- *Physical* (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- *Verbal* (including, but not limited to, taunting, malicious teasing, name calling, making threats); and
- *Psychological* (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).

Bullying is characterized by:

- *Power Imbalance* – occurs when a bully uses his/her physical or social power over a target
 - *Intent to Harm* – the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity
 - *Threat of Further Aggression* – the bully and the target believe the bullying will continue
 - *Terror* – when the bullying increases it becomes “systematic violence or harassment used to intimidate and maintain dominance.”
- Barbara Coloroso, *The Bully, The Bullied & The Bystander*

Hazing

“Hazing” is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of emotional, physical or psychological harm to a person, in order for the student to be initiated into or affiliated with a student or other organization, or for any other purpose. The fact that a victim may consent to the act does not excuse the behavior or lessen the offense.

5310 Bullying/Harassment Prevention and Intervention (cont)

Cyberbullying

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of electronic devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including blogs).

Cyberbullying has the effect of:

- a) Physically, emotionally or mentally harming a student;
- b) Placing a student in reasonable fear of physical, emotional or mental harm;
- c) Placing a student in reasonable fear of damage to or loss of personal property; and
- d) Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

Also, cyberbullying that occurs off-campus, which endangers the health and safety of students or staff within the school or can be reasonably forecast to cause a material or substantial disruption to the educational process, is prohibited. Such conduct could also be subject to appropriate disciplinary action in accordance with the *District Code of Conduct* and possible referral to local law enforcement authorities.

Prevention and Intervention

The school learning environment provides an opportunity for both students and staff to gain an appreciation in a key district value: the importance of respect and working positively with others. The District recognizes that by requiring the implementation of an anti-bullying program, through both direct student instruction and professional development for staff, both students and staff will learn key elements about bullying prevention: the warning signs of bullying and everyone's responsibility to take an active role in preventing bullying before overt acts of bullying happen. Personnel at all levels are responsible for taking corrective action to prevent bullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor.

The District recognizes the importance of eliminating unacceptable student conduct and works proactively to prevent these behaviors. School personnel who become aware of harassment shall act promptly to address the harassment, with the goal of preventing it from recurring. Where appropriate, school personnel will address the effects on the student who was harassed. Remedial measures will generally include counseling of persons(s) who have been harmed by harassment and person(s) who have been responsible for the harassment of others and implementing monitoring programs to follow up on addressed issues of harassment.

Prevention and intervention techniques within the District to prevent against bullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies/participants, victims and their parents to help ensure that the bullying stops.

Although the focus of this policy is prevention, it is recognized that acts of bullying and harassment may still transpire. In such instances, disciplinary action may occur in accordance with the District's Code of Conduct. Consequences shall depend upon the specific circumstances surrounding the incident, the developmental level of the student, their disciplinary history, and must be consistent with the District's Code of Conduct.

Rules against bullying shall be publicized District-wide and shall be disseminated as appropriate to staff, students and parents.

Training

Staff training shall be provided to raise awareness of the problem of bullying within the schools and to facilitate staff identification of and response to such bullying behavior among students. Training will be provided to employees in conjunction with the District's existing professional development in order to:

- raise awareness and understanding of the school district's Code of Conduct;
- raise awareness and sensitivity to potential acts of discrimination or harassment directed at students that are committed by students or school employees on school property or at school functions; including, but not limited to, discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex;
- enable employees to prevent and respond to incidents of discrimination and harassment.

Dignity Act Coordinator

At least one employee in every school shall be designated as a Dignity Act Coordinator and instructed in the provisions of the proposed rule and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

The designation of each Dignity Act Coordinator shall be approved by the board of education annually.

The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation. This shall be done by:

- including in District Code of Conduct
- posting on District website
- included in at least one district or school mailing per school year
- posted in highly-visible areas of school buildings
- made available at the district and school level administrative offices

In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the Board of Education within 30 days of the date the position was vacated. In the event a Dignity Act Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as the Dignity Act Coordinator, pending return of the previous Dignity Act Coordinator to his or her duties as Dignity Act Coordinator.

Complaint Procedures

Students, or a parent(s) or legal guardian(s) who believe his/her student has been subjected to harassment by another student, teacher, administrator or other school personnel should report the incident(s) immediately to the Dignity Act Coordinator or another school administrator, teacher or counselor. If the student, parent(s) and/or legal guardian(s) desires further assistance regarding the complaint, the Superintendent may be contacted.

Complaints can be filed by completing a "Downsville Central School District Rights Bully Prevention Form".

These forms are located in the school library, the guidance office and in the building's main and principal's office. Forms can also be accessed and completed online on the District's homepage: www.dcseagles.org Forms can be turned into the Main, Guidance or Principal's Office. Online forms can be e-mailed directly to the appropriate building administrator. All inquiries and harassment complaints filed with the District are confidential to the extent possible as described below. Confidentiality also applies to the investigative process.

Investigation Procedures and Decision of Investigator

Upon receipt of a report or complaint alleging harassment, the appropriate building administrator shall undertake or authorize an investigation. The investigation may be conducted by school administrators or by the Office of Special Programs.

The investigation will be completed as soon as practicable. The investigation will, at a minimum, consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint.

Upon a finding that harassment has occurred, an appropriate response shall be fashioned by the appropriate administrator. Building principals addressing violations of this policy by students and the superintendent addressing violations of this policy by employees and/or students should consider the surrounding circumstances, the nature of the behavior, past incidents or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred.

Steps may be taken by the appropriate administrator to protect the complainant, pupils, teachers, administrators or other personnel participating in the investigation pending completion of an investigation of alleged harassment.

Retaliation

Retaliation means some type of adverse action taken against an individual or individuals as a result of filing a complaint or participating in the complaint process.

Retaliation or intimidation for participating in the complaint process is prohibited. Retaliation against any student seeking assistance at their school, filing a complaint, or participating in the investigative process is grounds for a subsequent retaliation/harassment complaint and potential discipline.

Confidentiality

Downsville Central School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed and the witnesses as much as possible, consistent with our legal obligations to investigate, take appropriate action, and conform to any legal discovery or disclosure obligations.

Legal Compliance

Dignity for All Students – Education Law Article 2

NOTE:	Refer also to Policies:	#5300 - Code of Conduct
		#5351 – Anti-Discrimination
		#5352 – Sexual Harassment

Adopted:	August 13, 2012
Reaffirmed:	2013, 2014, 2015, 2016, 2017, 2018

5320 Student Conduct on School Buses

Parents have the responsibility for providing supervision of their children until the children board the school bus in the morning, and after the children leave the school bus upon their return. Once a student boards the school bus, and only at that time, does the student become the responsibility of the School District. Such responsibility ends when the student is delivered to the regular bus stop at the close of the school day.

Adopted: August 24, 1978
Amended: August 25, 1982, 1994, September 28, 1998
Reaffirmed: 1999
Amended: July 10, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5330 Hearing Officer Travel Reimbursement

The maximum compensation rate for impartial hearing officers is \$100 per hour. There is no maximum per diem on the number of hours for compensation.

The activities associated with impartial hearings which are reimbursable under this compensation rate are:

- prehearing activities such as scheduling the hearing and determining the location, conducting prehearing conference calls, arranging for interpreters, witnesses subpoenas and a stenographer and writing letters to the parties involved in the hearing;
- hearing activities such as conducting the hearing, handling settlement agreements placed on the record and arranging for subsequent hearing dates;
- posthearing activities such as researching information pertinent to the hearing issue(s) and writing the decision.

In addition, travel reimbursement is not considered to be an activity associated with the compensation rate set by the Commissioner. Accordingly, in addition to the compensation rate, the School District agrees to reimburse an impartial hearing officer for travel at the IRS per mile rate for travel, as well as reimbursement for reasonable overnight and meal expenses upon timely presentation of appropriate receipts for such expenses.

Adopted: May 13, 2002
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5351 Anti-Discrimination

The Downsview Central School District does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 1211 et. Seq. known as the Americans With Disabilities Act or §504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and the Boy Scouts of America Equal Access Act of 2001.

Grievance Procedure

Section 1

If any person believes that the District or any of the District's staff has failed to apply or has inadequately applied the principles or regulations of (1) Title VII of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) " 504 of the Rehabilitation Act of 1973, or (4) The Boy Scouts of America Equal Access Act of 2001, that person may bring forward a complaint, which shall be referred to as a grievance, to the District's compliance officer.

Section 2Step (a):

The complainant shall discuss the grievance informally with the compliance officer, or may file a written complaint with the compliance officer. The compliance officer will then investigate the substance of the complaint in a thorough and impartial manner. The compliance officer will reply to the complainant in writing within seven (7) days of the initiation of the complaint.

Step (b):

If the complainant wishes to appeal the decision of the compliance officer, the complainant may submit a signed statement of appeal to the Superintendent within seven days after receipt of the compliance officer's response. The Superintendent shall meet with the complainant and any representative and make such other inquiries which the Superintendent deems appropriate. Thereafter, the Superintendent shall set forth a conclusion and respond in writing to the complainant within 14 days.

Step (c):

If the complainant is not satisfied with the conclusion of the Superintendent, the complainant may appeal through a signed, written statement to the Board within seven days of receipt of the Superintendent's response in Step (b). In an attempt to resolve the grievance, the Board shall meet with the complainant and any representative within 30 days of receipt of such an appeal. The Board's written disposition of the appeal shall be sent to the complainant within ten days of this meeting.

Step (d):

If the grievance has not been satisfactorily settled at Step (c), further appeal may be made to the Office of Civil Rights, Department of Education, Washington, D.C. 20201.

Section 3

The compliance officer, on request, will provide a copy of the District's grievance procedure to any employee or student of the District.

A copy of each of the acts and regulations upon which this notice is based will be made available upon written request directed to the District's compliance officer.

When used in this policy *days* shall mean calendar days. The words *person* and *complainant* shall include an employee as well as a student of the District.

Inquiries concerning the anti-discriminatory policy may be made to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.

5351 **Anti-Discrimination (cont.)**

Publication

The School District shall promulgate this policy and sexual harassment policy as follows:

- A copy of this policy and the sexual harassment policy shall be inserted in the first pay envelope of each employee every school year. In relation to an employee hired during the school year, these policies shall be inserted in the first paycheck paid to the employee.
- These policies shall be published as part of the District's student handbook.
- These policies shall be published annually in the official newspaper of the District.
- These policies shall be provided annually to the president of each bargaining unit.

Annual publications shall contain the name, business address and telephone number of the District's compliance officer.

Employment Application

Each employment application of the District shall contain the following language:

- The district does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et. seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973 and New York State Human Rights Law and The Boy Scouts of America Equal Access Act of 2001.

Adopted: July 28, 1997
Amended: February 8, 2000 and January 26, 2004
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014
Amended: August 7, 2014
Reaffirmed: 2015, 2016, 2017, 2018

5352 **Sexual Harassment**

It is policy of the district that all employees and students have a right to work or study in an environment free of discrimination on the basis of sex or sexual orientation, which encompasses freedom from sexual harassment. The district strongly disapproves of sexual harassment of its employees or students in any form, and states that all employees as well as student at all levels of the district must avoid offensive or inappropriate sexual or sexually harassing behavior at school on school grounds, school functions, and on school transportation and will be held responsible for ensuring that such workplace is free from sexual harassment. Specifically, the district prohibits the following:

- Unwelcome sexual advances,
- Requests for sexual favors, whether or not accompanied by promises or threats with regard to the student-teacher, studentstudent or employment relationship,
- Other verbal or physical conduct of a sexual nature made to any employee or student that may threaten or insinuate either explicitly or implicitly that any person's submission to or rejection of sexual advances will in any way influence any decision regarding that person's employment, evaluation, wages, advancement, assigned duties, shifts, academic performance, or any other condition of employment, academic or career development,
- Any verbal or physical conduct that has the purpose or effect of substantially interfering with a person's ability to perform the individual's duties,
- Any verbal or physical conduct that has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment.

5352 Sexual Harassment (cont.)

Such conduct may result in disciplinary action up to and including dismissal or suspension upon instruction.

Other sexually harassing conduct in the workplace, whether physical or verbal, committed by supervisors or non-supervisory personnel or students is also prohibited. This behavior includes but is not limited to, commentary about an individual's body, sexually degrading words to describe an individual, offensive comments, off-color language or jokes, innuendoes, and sexually suggestive objects, books, magazines, photographs, cartoons or pictures.

Employees or students who have complaints of sexual harassment by anyone in the school environment, including any supervisors, co-employees, students, or visitors are urged to report such conduct to the compliance officer, or if the person for any reason is uncomfortable in dealing with the compliance officer, the employee or student may go to the superintendent or a person appointed by the superintendent to handle the complaint.

The district will endeavor to investigate all complaints as expeditiously and as professionally as possible. Where investigations confirm the allegations, appropriate corrective action will be taken.

The district will endeavor to maintain the information provided to it in the complaint and investigation process as confidentially as possible, consistent with the laws of the State and, if applicable, the collective negotiations agreement.

There will be no retaliation against employees or students for reporting sexual harassment or assisting the district in the investigation of a complaint. However, if after investigating any complaint of harassment or unlawful discrimination, the district learns that the complaint is not in good faith or that an employee or student has provided false information regarding the complaint, disciplinary action may be taken against the individual who provided the false information.

The procedure to investigate any complaint shall be consistent with the Anti-Discrimination Policy #5351.

Adopted: August 8, 1994
Amended: February 8, 2000
Amended: January 26, 2004
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5353 Employee's Personally Identifiable Information

The District shall not, unless otherwise required by law, publicly post or display an employee's Social Security number, print a Social Security number on any identification badge or card, including any time card, place a Social Security number in files with unrestricted access, or communicate an employee's personally identifying information to the general public. For purposes of this section, personal identifying information shall include Social Security number, home address or telephone number, personal electronic mail (e-mail) address, Internet identification name or password, parent's surname prior to marriage or driver's license number.

Reference: New York State Labor Law §203-d

Adopted: June 14, 2010
Reaffirmed: 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5410 Local Wellness Policy

It is the policy of the Board of Education, pursuant to the National School Lunch Act and the Child Nutrition Act of 1966, that:

- a. Nutrition education shall be integrated into the district health curriculum at all academic levels consistent with the State's health education standards. The curriculum shall include the following goals:
 1. Increase students' nutritional knowledge, including, but not limited to, the benefits of healthy eating, essential nutrition, weight management, safe food preparation, handling and storage.
 2. Increase students' understanding of food labels, nutritional information and misinformation as well as commercial food advertising.
- b. The benefits of physical activity shall be integrated into the district physical education curriculum and health curriculum at all levels and implemented within the school on a regular basis to meet the following goals:
 1. Time in the elementary school day for supervised recess.
 2. Opportunities and encouragement for students to voluntarily participate in the before and after school physical activity programs.
- c. The district shall provide food to students in accordance with State and Federal nutritional guidelines and include:
 1. A food service program that employs well prepared staff who serve appealing choices of nutritious food.
 2. Opportunities for staff to model healthy eating habits.
 3. A clean, safe, enjoyable meal environment for students.
- d. The school district guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9 (f)(1) and 17 (a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758 (f)(1), 1766 (a)0), as applied to school.
- e. A plan for measuring implementation of this policy shall be created and monitored by the Superintendent or designee and the Board further designates the responsibility of ensuring the school district meets the criteria of this policy to the Superintendent. The plan shall include the following:
 1. Methods of reporting on program implementation;
 2. Methods for collection and evaluation of results of the program;
 3. Strategies for identifying weak areas of the program and means for improving those areas;
 4. Means for ensuring various components of the program are integrated within the basic operation of the district and are designed to reinforce one another and present consistent messages to student learning.
- f. Local Wellness Plan and Procedures shall be developed in conjunction with parents, students, representatives of the school food authority, representatives of the school administration, and members of the public.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016

Amended: July 2017

Reaffirmed: 2018

5420 Health

The School Board recognizes that good student health is vital to successful learning and realizes its responsibility, along with that of parents, to protect and foster a safe and healthy environment for students.

The School District shall work closely with students' families to provide detection and preventive health services. According to law and State health guidelines, the School District shall provide vision, hearing, and scoliosis screening. Problems shall be referred to the parents or legal guardians who shall be encouraged to have their family physician provide appropriate care.

The School District shall make provisions for emergency care for students if necessary.

The Superintendent shall develop comprehensive regulations and procedures governing student health services. These regulations shall include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for administering medication to students according the State guidelines.

Adopted: August 8, 1994

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5423 HIV & AIDS

The School Board recognizes the public concern about the instruction of HIV infected individuals, those persons whom either have no symptoms of infection, or those who have the symptoms and/or suffer from AIDS.

The School Board also recognizes its dual responsibilities to provide a safe and healthy environment in the district's schools and to protect the rights of HIV infected individuals to confidentiality and to continued education, where possible. The School board also recognizes that current law and regulation strictly limit the disclosure of confidential HIV-related information without an authorized consent form or court order.

At least once annually, or as new knowledge and progress in research on AIDS is gained, this policy and related policies shall be reviewed and revised accordingly.

The premises upon which the School Board's policy is based include:

- A. Available medical evidence establishing that the HIV Associated with AIDS is not transmitted through casual, close social contact;
- B. Extensive research shows that the HIV is primarily transmitted through sexual intercourse and through the sharing of contaminated needles and drug paraphernalia. Infected mothers may also pass the virus to their infants through pregnancy, birth or breast-feeding. Some people may become infected through the receipt of HIV infected blood, blood products and organ donations.
- C. An HIV infected person is entitled to the same rights, privileges and services provided to any other person.

It is School Board policy that no student's right to an education shall be interrupted or curtailed solely because of HIV infection. The school district shall provide appropriate educational opportunities for such students who are enrolled in the district, and who are between the ages of five and twenty-one.

Such students shall not be subjected to any form of discrimination. A student with AIDS or another human immunodeficiency virus (HIV) related illness shall not be denied the opportunity to attend school, continue their education, or take part in school related activities solely because of contracting AIDS or becoming infected with HIV. Automatic exclusion of such students violates their rights under federal law.

5423 HIV & AIDS (cont)

HIV related information about an individual is confidential and may only be released as defined by law or court order. All medical information, written documentation of discussions, telephone conversation, proceedings and meeting will be kept by the Superintendent or designee locked in a file. Access to that file will only be granted to individuals listed on the Authorization for Release form or court order.

Any school staff member privileged with HIV-related information is bound by confidentiality regulations with any breach of confidentiality subject to penalties of law besides disciplinary procedures. To avoid an inadvertent disclosure of the identity of an HIV infected individual district staff or officials shall neither confirm nor deny the presence of such individual.

Students who suspect that they are infected with or at risk of contracting the HIV virus are encouraged to contact the New York State AIDS Hotline (1-800-462-1884), the AIDS Task Force of Central New York Hotline (1-315-475-AIDS) or to report to the county health department or a personal physician.

Appropriate procedures that follow law and state guidelines will be developed by the district administration that respond to providing appropriate educational opportunities for students infected with HIV.

Federal Rehabilitation Act of 1973

Education for all Handicapped Children's Act of 1975

Americans with Disabilities Act of 1990

Public Health Law Art. 27-F Education

Law Sec. 903, 913 Executive Law Sec.

290 et. Seq.

Commissioner's Regulations Sec. 135.3, 200

Adopted: August 8, 1994

Reaffirmed: 2000, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5424 Anaphylaxis

Background: The incidence of severe allergic reactions has been rising at an alarming rate, especially with regard to food. Other common causes of anaphylaxis include allergies to latex, medications, and insect stings.

Pathophysiology and treatment: Anaphylaxis can affect almost any part of the body and cause various symptoms. The most dangerous symptoms include breathing difficulties and a drop in blood pressure or shock, which are potentially fatal.

Treatment of anaphylaxis is centered on treating the rapidly progressing effects of the histamine release in the body with epinephrine. The allergen should also be removed immediately.

Creating an Allergen-Safe School Environment:

- Protecting a student from exposure to offending allergens is the most important way to prevent life-threatening anaphylaxis.
- Avoidance of exposure to allergens is the key to preventing a reaction.
- The risk of exposure to allergens for a student is reduced when the school personnel, medical provider and parent/guardian work together to develop a management plan for the student.
- Educating the entire school community about life-threatening allergies is important in keeping students with life-threatening allergies safe.

Identifying the School Team:

- School District Administration
- School Nurse
- School Medical Director
- Teachers
- Food Service Personnel
- Coaches, Athletic Director and After School Volunteers
- Transportation Personnel
- Support Staff
- Superintendent of Building & Grounds
- Action Steps for Anaphylaxis Management:
 - Providing necessary precautions and general training for staff in transportation, classrooms, the cafeteria, or the gymnasium;
 - Training by licensed medical personnel/registered professional nurses for all adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students;
 - Creating Individual Health Care Plans (IHP), Emergency Care Plans (ECP), 504 Plans, or Individual Education Plans (IEP) as indicated;
 - Having standing emergency medical protocols for nursing staff;
 - Maintaining stock supplies of life saving emergency medications, as allowed by the laws of NYS, such as EpiPens, in all health office for use in first time emergencies;
 - Allowing self-directed students as assessed by the school nurse to carry life saving medication with prior approval by the medical provider and according to health practice and procedures, as long as duplicate life saving medication is also maintained in the health office in the event the self-carrying student misplaces their medicines; and
 - Assuring appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.
- Anaphylaxis Management Algorithm.

Resources:

- Health History
- Care Plan (IHP or ECP)
- Online training course
- Available at www.schoolhealthservicesny.com

Adopted: December 12, 2008

Reaffirmed: 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Preventing and Reporting Child Abuse

In accordance with Education Law 3209-1, the Board of Education directs the Superintendent to develop a set of procedures detailing the District's responsibilities pursuant to Article Six of the Social Services Law pertaining to abused and maltreated children. Those procedures shall specify the procedures to be followed regarding:

1. Mandatory reporting requirements of suspected child abuse or neglect;
2. Procedures for reporting child abuse and neglect including which District personnel are required to report;
3. Provisions for taking a child into protective custody;
4. Mandatory reporting of deaths;
5. Immunity from liability and penalties for failure to report; and
6. Obligations for provisions of services and procedures necessary to safeguard the life of a child.

The District shall establish and implement a training program for all District personnel regarding the policies and procedures for reporting child abuse and neglect.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Student Records

A. The School Board of the Downsville Central School District has provided the following policy to comply with the mandates of the Family Educational Rights and Privacy Act.

B. Definitions:

1. Student - Any person who attends or has attended Downsville Central School.
2. Eligible Student - A student or former student who has reached the age of 18 or is attending post secondary school.
3. Parent - Either natural parent of a student unless his or her rights under the FERPA (Family Educational Rights and Privacy Act) has been removed by a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights, a guardian, or an individual acting as parent or guardian in the absence of the student's parent or guardian.
4. Educational Record - Any records (in handwriting, print, tape, film, microfilm, microfiche, or other medium) maintained by the school district, an employee of the district, or an agent of the district which is related to a student except:
 - (1) Any personal records kept by a school or staff member which meet the following tests:
 - (a) It was made as a personal memory aid;
 - (b) It is in the personal possession of the individual who made it;
 - (c) Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute.
 - (2) Employment records which are used only in relation to a student's employment by the school district. (Employment for this purpose does not include activities for which a student receives a grade or credit in a course).
5. Personal Identifiable Information - Any data or information that makes the subject of the records known. This includes the student's name, the student's parents' or other family member's name, the student's address, the student's social security number, a list of personal characteristics, or any other information which would make the student's identity known.

C. The Downsville Central School District will publish a notice to parents and eligible students of their rights under the FERPA and this policy each year in the district newsletter or calendar. The district will also provide a copy of the policy to all students new to the district upon enrollment.

D. The notice will include:

1. The right of a student's parents and an eligible student to inspect and review the student's records.
2. The intent of the school district to limit the disclosure of information contained in a student's education records except: (a) by the prior written consent of the student's parent or an eligible student, (b) as directory information, or (c) under certain limited circumstances, as permitted by the FERPA.
3. The right of a student's parents or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of the student's rights. These rights include the right to a hearing to present evidence that the records should be changed if the district decides not to alter such records according to the parent or an eligible student's request.
4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA.
5. The procedure that a student's parents or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translation of this notice to non-English speaking parents in their native language.

Statement of Rights

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act and this policy: 1. The right to inspect and review the student's education records;

2. The rights to exercise a limited control over other people's access to the student's education records;
3. The right to seek to correct the student's education records in a hearing if necessary; 4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the students when the student reaches age 18 or enrolls in a post-secondary school. The student then becomes an eligible student.

A. Location of Education Records:

<u>TYPES</u>	<u>LOCATION</u>	<u>CUSTODIAN</u>
Cumulative School Records	Office of School Principal	School Principal – PO Box J, Downsville, NY 13755
Cumulative School Records (Former Students)	Office of Superintendent	Superintendent – PO Box J, Downsville, NY 13755
Health Records	Office of School Principal	School Principal – PO Box J, Downsville, NY 13755
Speech Therapy Records And Psychological Records	Office of Special Education	Chairman of Committee on Special Education - PO Box J, Downsville, NY 13755
School Transportation Records	School Bus Garage	Director of Pupil Transportation PO Box J, Downsville, NY 13755
Special Test Records	Office of School Principal	School Principal – PO Box J, Downsville, NY
Occasional Records (Student Education Records not identified above such as those in the superintendent's office, in the school attorney's office, or the personal possession of teachers)	Student's School (Principal will collect and and make available)	School Principal – PO Box J, Downsville, NY

B. Procedure to Inspect Education Records

Parents of students and eligible students may inspect and review the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies.

5500 Student Records (cont.)

Since a student's records may be maintained in several locations, the school principal will offer to collect copies of records or the records themselves from locations other than a student's school, so that these records may be inspected at one site. However, if parents and eligible students wish to inspect records where they are maintained, school principals will accommodate their wishes.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or other custodian of records) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other custodian of records) will make the needed arrangements as promptly as possible and notify a parent or an eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If, for any valid reason such as working hours, distance between records location sites, or health, a parent or an eligible student cannot personally inspect and review a student's education records, the school district will arrange for a parent or an eligible student to obtain copies of the records. See below for information regarding fees for copies of records.

When the records contain information about students other than the child or the eligible student involved, a parent or an eligible student may not inspect and review the records of the other students.

C. The district will make copies of the record for parents and/or eligible students at a cost of 25 cents per page. If the fee is a hardship, an alternative may be worked out.

The FERPA requires a school district to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or an eligible student;
2. At the request of a parent or an eligible student when the school district has provided the records to third parties by the prior consent of the parent or an eligible student; or
3. At the request of a parent or an eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. This fee will be from no cost to 25 cents per page.

The fee for all other copies such as copies of records forwarded to third parties with prior consent to those provided to parents as a convenience will be 25 cents per page plus postage if mailing is involved.

D. The school district proposes to designate the following personally identifiable information contained in the student's education records as directory information, and it will disclose that information without prior consent. This includes information classified as directory information which may be placed on the school district's web pages appearing on the world wide web.

1. The student's name;
2. The student's address;
3. The student's telephone listing;
4. The student's date and place of birth;
5. The student's class designation (e.g., first grade, tenth grade, and the like);
6. The student's participation in officially recognized activities and sports;

5500 Student Records (cont.)

7. The student's achievement awards or honors;
8. The student's weight and height if a member of an athletic team;
9. Dates of attendance; and
10. The student's photograph; and
11. The most recent educational institution attended before the student enrolled in the school district.

After yearly notification of the policy parents and/or eligible students will have two (2) weeks to notify the school, in writing, of any directory information they refuse to permit the district to designate as directory information about the student.

At the end of the two-week period, each student's records will be appropriately marked by the records custodians to indicate the items the district will designate as directory information about that student. This designation will remain in effect until it is modified by written direction of a student's parents or an eligible student.

The district may disclose directory information about former students without following the procedures specified in the paragraph.

E. The Downsview Central School Board designates that the following people may review students records in carrying out their responsibilities for legitimate educational purpose: 1. Duly elected board member.

2. School district employee in an administrative or supervisory role.
3. A person employed in the district as a teacher or working in pupil personnel.
4. A person employed by the district in a temporary position as a teacher, supervisor, and or administrator.
and/or administrator.
5. A person employed by or under appointment to the school board to perform a special task such as a secretary, a clerk, the school Board attorney, or auditor for the period of that person's performance as an employee or contractor.

School official who meet the criteria listed above will have access to student's records if they have a legitimate educational interest in doing so. A legitimate educational interest is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

Records may not be disclosed to other people without written consent of parents and/or eligible student.

However, the Superintendent may without consent disclose information of the following:

1. When federal or state officials need information to audit federally or state supported programs.
2. To comply with a judicial order or lawful subpoena. The district will make a reasonable effort to notify the parent.
3. In a health and/or safety emergency.
4. When a student seeks or intends to enroll in another school district or in a post-secondary school. The district will not further notify parents or eligible students prior to such a transfer of records. Parents and students have a right to obtain copies of records transferred under this provision.
5. To parties who provide or may provide financial aid to a student to:
 - (a) Establish the student's eligibility for the aid;
 - (b) Determine the amount of financial aid;
 - (c) Establish the conditions for the receipt of financial aid;
 - (d) Enforce the agreement between the provider and the receiver of financial aid; be disclosed in
6. If a State law adopted before November 19, 1974 required certain specific items of information to personally identifiable form from student records to State or local officials.
7. When the school district has entered into a written agreement or contact for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction. Such study may not permit personal identifiable information of parents or students by individuals other than representatives of the organization. Such information must be destroyed when no longer needed.
8. To accrediting organizations to carry out their accrediting functions.

9. To parents of eligible students if the parents claim the student as a dependent as defined by the Internal Revenue Code.
10. If the disclosure is an item of directory information and the student's parents or an eligible student has not refused to allow the district to designate that item as directory information for that student.
10. Disclosure to a parent of a student who is not an eligible student or the student.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. The official deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
2. The information is necessary and needed to protect the health and safety of the student or other individuals;
3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; and
4. Time is an important and limiting factor in dealing with the emergency. (The health or safety exception shall be strictly construed).

School district officials may release information from student's education records if the student's parents or the eligible student gives his prior written consent for disclosure. The written consent must include at least:

1. A specification of the records to be released;
2. The reasons for the disclosure;
3. The person or the organization or the class of persons or organizations to whom the disclosure is to be made;
4. A parent or an eligible student's signature; and
5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parents or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will not release information contained in student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be redisclosed without the parents or eligible student's prior written consent.

F. Records of Requests for Access and Disclosure Made From Education Records

The school district will maintain an accurate record of all requests for it to disclose information from or to permit access to a student's education records and of information it discloses and access it permits with some exceptions listed below. These records will be kept with, but will not be a part of, each student's Cumulative School Records. It will be available only to the record custodian, the eligible student, the parents of the student or to Federal, State, or local officials for the purpose of auditing or enforcing federally supported educational programs.

The records will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain these records as long as it maintains the student's educational records. Such records may be inspected by the parent or eligible student or the school official or that person's assistant responsible for the custody of the records.

These records will not include requests for access or access granted to parents of the student or to an eligible student, requests for access or access granted to officials of the school district who have a legitimate educational interest in the student, request for, or disclosure of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent of the student or an eligible student or the disclosure is authorized by such prior consent, or for requests for, or disclosures of, directory information designated for that student.

G. Procedure to Seek Correct Education Records

Parents of students and eligible students have a right to seek to change any part of the student's records they believe is inaccurate, misleading or in violation of the student's rights. (NOTE: Under the FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course).

For the purpose of outlining the procedures to seek to correct education records, the term incorrect will be used to describe records that are inaccurate, not misleading, and not in violation of the student's rights. Also, in this section, the term requester will be used to describe a parent of a student or an eligible student who is asking the school district to correct the records.

To establish an orderly process to review and correct education records for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision – When a parent of a student or an eligible student finds an item in the student's educational records which he or she believes is inaccurate, misleading, or in violation of student rights, the parent immediately should ask the record custodian to correct it. If the records are incorrect because of an obvious error, and it is a simple matter to make the record change at this level, the records custodian will make the correction. However, if the records are changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the records to the requester's satisfaction, or the records do not appear to be obviously incorrect, the custodian will:

Provide the requester a copy of the questioned records at no cost; Ask the requester to initiate a written request for the change; and Follow the procedure for a second level decision.

Second Level Decision – The written request to correct a student's education records through the procedure at this level should specify the correction the requester wishes the district to make. It should at least identify the item the requester believes is incorrect and state whether the requester believes the item:

1. Is inaccurate and why;
2. Is misleading and why; or
3. Violates the students rights and why.

The request will be dated by the requester.

Within two weeks after the record custodian receives a written request, the custodian will:

1. Study the request;
2. Discuss it with other school officials (the person who made the records or those who may have a professional concern about the district's response to the request);
3. Make a decision to comply or decline to comply with the request; and
4. Complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the records should be corrected, the custodian will effect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education records to make certain the records are in order and the correction is satisfactory.

If the custodian decides the records are correct, the custodian will make a written summary of any discussions with other officials and of the custodian's findings in the matter. The custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision – The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney or the School Board (in executive session). The Superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it will take longer, the Superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the Superintendent decides the records are incorrect and should be changed, the Superintendent will advise the record custodian to make the change. The record custodian will advise the requester of the change as the custodian would if the change had been made at the second level.

If the Superintendent decides the records are incorrect, the Superintendent will advise the record custodian to make the change. The record custodian will advise the requester of the change as the custodian if the change had been made at the second level.

If the Superintendent decides the records are correct, the superintendent will prepare a letter to the requester which will include:

1. The school district's decision that the records are correct and the basis for the decision.
2. A notice to the requester that the requester has a right to ask for a hearing to present evidence that the records are incorrect and that the district will grant such a hearing.
3. Instructions for the requester to contact the Superintendent, or an official designated by the Superintendent, to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The district will not be bound by the requester's positions on these items but will, so far as possible, arrange the hearing as the requester wishes).
4. That the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth Level Decision – After the requester has submitted (orally or in writing) that person's wishes concerning the hearing officer and the time and place for the hearing, the Superintendent will, within a week, notify the requester when and where the district will hold the hearing and whom the Superintendent has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records are incorrect as shown in the requester's written request for a change in the records (second level).

The School Superintendent will prepare the district's decision within three weeks of the hearing. That decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The district's decision will be based solely on the evidence presented at the hearing. The Superintendent may overrule the hearing officer if the Superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the Superintendent will take one of the following actions:

1. If the decision is that the district will change the records, the Superintendent will instruct the record custodian to correct the records. The record custodian will correct the records and notify the requester as at the second level decision.
2. If the decision is that the district will not change the records, the Superintendent will prepare a written notice to the requester which will include:
 - (a) The school district's decision that the records are correct and will not be changed.
 - (b) A copy of the summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision.
 - (c) A statement advising the requester that the requester may place an explanatory statement which states the reasons the requester disagrees with the school district's decision or the reasons the requester believes the records are incorrect in the student's education records.

Final Administrative Step in the Procedure – When the school district receives an explanatory statement from a requester after a hearing, it will maintain the questioned part of the records. The statement will be attached to the

5500 Student Records (cont.)

questioned part of the records and, whenever the questioned part of the records are disclosed, the explanatory statement also will be disclosed.

Adopted by the School Board, the Board authorizes officials of the District to implement the policy. Family Educational Rights and Privacy Act of 1974

Adopted: May 24, 1984
Amended: August 8, 1994
Amended: July 28, 1997
Amended: January 26, 2000
Amended: January 28, 2002
Amended: January 8, 2007
Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

5600 Sports and Athletic Programs

General Principles and Eligibility

Athletics are an integral part of a well-balanced educational program. The District's interscholastic athletic program will conform with the Commissioner's regulations, as well as the established rules of the New York State Public High School Athletic Association and the State Education Department.

Athletic eligibility requires that the student:

- a) Provide written parental/guardian consent. The consent form must contain information regarding mild traumatic brain injuries (concussions) as specified in the Commissioner's regulations.
- b) Obtain medical clearance from the school physician/nurse practitioner or the student's personal physician. The school physician/nurse practitioner retains final approval on any physicals performed by a student's personal physician.
- c) Meet the requirements for interscholastic competition as set forth by the Commissioner's regulations and the New York State Public High School Athletic Association.
- d) Comply with all District rules, codes, and standards applicable to athletic participation.

Title IX Compliance

The Board supports equal athletic opportunities for members of both sexes through interscholastic and intramural activities. To ensure equal athletic opportunities for its students, the District will consider:

- a) Its accommodation of athletic interests and abilities (the nature and extent of sports offered, including levels of competition, team competition, and team performance);
- b) Equipment and supplies;
- c) Scheduling of games and practice time;
- d) Travel costs and opportunities for travel;
- e) Assignment and compensation of coaches;
- f) Locker rooms, practice, and competitive facilities;
- g) Available medical and training facilities and services; and
- h) The nature and extent of support, publicity, and promotion, including cheerleading, bands, programs distributed at games, and booster club activities.

The District may consider other pertinent factors as well. Each of the factors will be assessed by comparing availability, quality, type of benefits, kind of opportunities, and form of treatment. Identical benefits, opportunities, or treatment are not required.

The District's Civil Rights Compliance Officer will coordinate the District's efforts to comply with and carry out its responsibilities under Title IX. This person will be appropriately trained and possess comprehensive knowledge about applicable federal and state laws, regulations, and policies. To the extent possible, the District will not designate an employee whose other job duties may create a conflict of interest, such as the athletic director.

Booster Clubs

The District has a responsibility under Title IX to ensure that boys' and girls' programs are provided with equivalent benefits, treatment, services, and opportunities regardless of their source. When determining equivalency, therefore, benefits, services, and opportunities attained through private funds-including donations, fundraising, and booster clubs-must be considered in combination with all benefits, services, and opportunities.

Athletic Placement Process for Interschool Athletic Programs (APP)*

The APP is a method for evaluating students who want to participate in sports at higher or lower levels, consistent with their physical and emotional maturity, size, fitness level, and skills. The Board approves the use of the APP for all secondary school interscholastic team members. The Superintendent will implement procedures for the APP, and will direct the athletic director to maintain records of students who have successfully completed the APP.

Student Athletic Injuries

No injured student will be allowed to practice or play in an athletic contest. An appropriate medical professional should diagnose and treat an athlete's injuries. The coach should ensure that any player injured while under his or her care receives prompt and appropriate medical attention, and that all of the medical professional's treatment instructions are followed. The injured student has an obligation to promptly inform his or her coach of all injuries. No student will be allowed to practice or compete if there is a question whether he/she is in adequate physical condition. A physician's certification may be required before an athlete is permitted to return to practice or competition.

Athletic Program-Safety

The District will take reasonable steps to minimize physical risks posed to students participating in the interscholastic athletic program by:

- a) Requiring timely medical examinations of participants;
- b) Employing certified or licensed staff to coach all varsity, junior varsity, and modified practices and games;
- c) Providing or requiring certified or licensed officials to officiate all competitions;
- d) Ensuring that its players' equipment is safe and operates within the applicable manufacturers guidelines;
- e) Ensuring that all home fields, courts, pools, tracks, and other areas where athletes practice, warm-up, or compete are safe and appropriate for use; and
- f) Providing professional development and training opportunities for all coaching staff.

Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.

45 CFR Part 86

8 NYCRR Sections 135 and 136

NOTE: Refer also to Policies #5351 Anti-Discrimination and #5352 Sexual Harassment

Adopted: July 27, 2015

Reaffirmed: 2016, 2017, 2018

5600R-1 (Regulation) Athletic Placement Process for Interscholastic Athletics (APP)

The APP is a program for evaluating students who want to participate in sports at higher or lower levels, consistent with their physical and emotional maturity, size, fitness level, and skills compared to other students at that level. If students successfully complete the APP, the Board will allow:

- 1) Students in 7th grade to compete on freshmen, junior varsity, and varsity athletic teams.
- 2) Students in 8th grade to compete on freshmen, junior varsity, and varsity athletic teams.

The APP process requires:

- 1) Administrative approval: physical education teachers, coaches, students, or parents/ guardians may ask the athletic director to evaluate a student under the APP, or the athletic director (AD) may do so on his/her own accord. The student must be academically, socially, emotionally, and physically ready to proceed as determined by the personnel involved in the processing.
- 2) Parent/guardian consent: written permission must be granted before any evaluation may begin.
- 3) Medical clearance: physical maturity will be determined by the District medical director or the student's private physician in accordance with State Education Department guidelines. The medical director or private physician will take into account the height, weight, muscle mass, and Tanner rating of the student compared to other athletes he or she would compete against.
- 4) Skill evaluation: the coach may rely on past personal observations, information from former coaches, or his/her own observations of the student in a physical education class.
- 5) Physical fitness test: A certified physical education teacher who is not the student's coach will administer the President's Physical Fitness Test. The student must meet the 85th percentile level for their age in four out of five parts. Students trying out for junior varsity or varsity golf or bowling are exempt from the physical fitness tests.
- 6) AD determination: the AD will evaluate the medical, skills, and physical fitness test results.

Students who pass all APP components will then be permitted to try out for the sport and level requested.

Records

The AD will maintain all records related to the successful student's APP processing. This includes: parent/guardian permission form, medical clearance form, skill evaluation, and fitness testing.

After the try-out period ends, the AD will send a notice to the physical education director/athletic director of competitor districts and to the athletic governing board or section office of all athletes who have successfully completed the APP.

Waivers for Students With Disabilities

A student with a disability who has not yet graduated from high school may be eligible to participate in a high school non-contact athletic competition for an additional year under limited conditions. Non-contact sports are swimming and diving, golf, track and field, cross country, rifle, bowling, gymnastics, skiing, and archery.

The student must apply for and be granted a waiver to the age requirement and four-year-participation limitation. The Superintendent will grant a waiver if he/she determines that the student's participation will not adversely affect the opportunity of other students competing in the sport to successfully participate and the student:

- 1) Has not graduated from high school as a result of his/her disability delaying his/her education for one year or more;

- 2) Is otherwise qualified to compete in the athletic competition for which he/she is applying;
- 3) Was selected for the same competition in the past; and
- 4) Obtains medical clearance after a physical evaluation confirming that he/she has the appropriate level of physical development and maturity and his/her participation will not present a safety or health concern for the student.

The student's participation in the additional season of athletic competition will not be scored for purposes of the competition.

The Superintendent should send a copy of his/her waiver decision to the local section of the New York State Public High School Athletic Association (NYSPHSAA).

Education Law Sections 310, 3208-a, 4401

8 NYCRR Sections 135.4(c)(7)(ii)(a)(4), 135.4(d)

Developed: July 27, 2015

6020 Employment

In order to meet personnel goals the administration is charged with the following regulations and procedures:

1. All positions must be clearly defined so that all personnel know their jobs; to whom they are responsible; the authority that goes with the job; the relationship of the job to other jobs in the organizations; and the channels of communication.
2. Opportunity for transfer and promotions will be provided to make full use of demonstrated skills and abilities. Well-qualified staff will be given full consideration in filling vacancies.
3. Adequate staff recruitment sources will be developed and maintained.
4. Each position shall be filled on a merit basis by selecting the candidate best qualified. Qualifications will be assessed according to the requirements of the particular position.
5. Inservice training will be provided whenever it is appropriate and advantageous to obtain improvement or to introduce new skills.
6. Self-improvement will be encouraged. Supervisory staff shall advise those supervised where improvement is desirable and necessary.

Adopted: October 24, 1994

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6021 Authority for Establishing Positions and Hiring

The School Board shall establish all new positions after considering the Superintendent's recommendations. Subject to the approval of the School Board, the Superintendent shall recommend all personnel. The Superintendent shall insure that building personnel are given the opportunity for interviewing candidates for Building Principal and other administrative positions.

Adopted: October 24, 1994

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Equal Employment Opportunity & Affirmative Action

The School Board recognizes equal employment opportunity for all persons, regardless of race, creed, color, sex, national origin, disability, marital status, or age, as a fundamental value of our society. It recognizes equal opportunity as a legal, economic, and educational necessity for the school district.

The School Board wants to eliminate discriminatory hiring and promotion practices and to overcome the effects of past discrimination. The School board acknowledges its responsibility to the community to provide teachers and other staff who possess the competencies which best meet the needs of students. Our public schools have a major responsibility for preparing students for active and constructive participation in a society which is very diverse.

Diversity means a variety of persons with regard to sex, race, ethnic background, social background, and religious beliefs. Therefore, the School District must provide students with:

1. a school staffing environment which supports diversity and demonstrates its importance; and
2. instructional programs which explain the value of and show respect for diversity in the world.

Further, the School Board affirms the policy that guarantees equal employment opportunity in the recruitment, selection, retention, and promotion processes without discrimination. The School Board recognizes, however, that such a policy by itself, may unintentionally serve to maintain the status quo of the school system. Therefore, the School Board directs the following affirmative action:

1. The School District will develop a program of positive steps to obtain, retain and promote a qualified staff that contains a diversity of personal backgrounds. This includes recruiting from a wide area to obtain the largest pool of qualified candidates for vacant or new positions.
2. The School District will develop programs to increase among staff, as well as students, an awareness of the existence and positive value of diversity within our society.
3. The School District will implement informational and educational programs to help the community recognize the value of diversity in school programs and staff.
4. The Superintendent is charged with the responsibility for developing the programs called for in this policy.

Adopted: October 24, 1994

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Conditional Appointments

The Administrator in charge of the program in which the conditional hire or emergency conditional hire is employed shall take such steps as are prudent and necessary to insure the protection of children in the charge of the conditional appointee or emergency conditional appointee.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The Downsville Central School Board believes that the success of educational programs and goals depends on the growth and effectiveness of the entire staff. The Board encourages staff development through goal setting, budgetary commitments, and monitoring of staff development activities.

To support these beliefs the School Board endorses the establishment and maintenance of a staff development school committee to formulate plans to address the staff development needs of the Downsville Central School District. The Board will review the plans. The plans become effective upon board approval.

The Superintendent will have the authority to approve release time and expenses for individual staff member attendance at professional conferences, in-service courses, etc., within budgetary constraints.

Negotiable aspects of professional development will be adopted and implemented in conformity with the Taylor Law and agreements negotiated with the individual bargaining units representing staff.

Adopted: October 24, 1994

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The School board is committed to avoiding any situation in which there is an appearance of conflict of interest. Therefore:

No person employed by the School district shall hire, evaluate, promote, review or discipline any other employee who is a member of the same family. If marriage, promotion or reorganization results in a situation not in compliance with the above policy, the persons will be reassigned or transferred. This corrective action will be taken according to applicable collective bargaining agreements.

See also Section 2200 Code of Ethics for School officers and Employees and 6100 Staff Ethics.

Adopted: October 24, 1994

Amended: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

It is the policy of the Downsville Central School District to maintain a drug-free workplace for all programs that receive federal funds. Employees of the District are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on school property. Controlled substance means a controlled substance in schedules 1 through 5 of Federal Regulations as defined in 21 CFR §1308.11 through 1303.15.

The Board of Education directs the administration to develop regulations to comply with this policy, and further supports such action and activities of the administration as shall be required to maintain a drug-free workplace.

41 USC §701 etc.

Adopted: October 24, 1994

Amended: January 16, 2000

Amended: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6210 Evaluation of Instructional Staff

The administration of the Downsview Central School will evaluate the instructional staff as per the negotiated agreement between the District and the Downsview Teacher's Association.

Adopted: November 18, 1982
Amended: October 24, 1994
Amended: April 26, 2000
Amended: November 13, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6211 Public Complaints About Instructional Staff

Whenever possible, complaints and grievances shall be handled and resolved as close to their origin as possible.

Although no community member shall be denied the right to petition the School Board for a grievance remedy, complaints may be referred back through the proper administrative channels for solution before investigation or action by the School Board. Exceptions are complaints that concern School Board actions or operations.

Adopted: October 24, 1994
Reaffirmed: 2000
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6231 Research & Publishing

Through this policy, the School Board wishes to encourage educational creativity and to define the rights of the District and District employees.

A District employee who develops materials which may be copyrighted is required to cooperate with the School District in defining and establishing rights to the materials. This obligation extends to any materials made on District time or using District facilities. When materials have been generated, the employee will promptly provide the Superintendent with a statement describing the circumstances under which the materials were produced.

Materials or programs created as part of the employee's professional responsibilities will be the property of the School District. The School District will patent or copyright all such materials in its own name; however, such items must bear the name of their creator. All royalties from the production of this material or program will be returned to the school. The School Board will agree to distribute forty-nine percent (49%) of the royalties to the innovator and producer of the material or programs. If the employee has developed the materials on his/her own time, but while using school facilities, the employee shall permit the School District to use the material without royalty payment. If funds are used under the auspices of a grant program, rules governing that program must also be followed.

When the materials or programs are created solely by the employee at the author's expense on his/her own time, the copyright will be the property of the individual employee but may be sold to the District at the cost of production and handling if used in District classes. The Superintendent shall establish regulations to administer this policy.

Adopted: October 24, 1994
Reaffirmed: 2000
Amended: November 13, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6411 Bargaining Meeting

Bargaining meetings between the District and the Downsville Teachers' Association will be held as per the agreement between the District and the Downsville Teachers' Association.

Adopted: October 24, 1994
Amended: April 26, 2000
Amended: November 13, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6602 Jury Duty

The Downsville Central School District provides paid leave for an employee to serve as a juror. The employee must submit any compensation paid to him/her, except for mileage reimbursement.

Adopted: October 24, 1994
Reaffirmed: 2000
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6604 Student Teachers and Interns

The School Board recognizes its responsibility to improve the quality of teacher training and the contributions student teachers can make to the Downsville School. Therefore, it encourages and authorizes the Superintendent to approve a reasonable number of student teachers or interns in the Downsville School each year.

The importance of the teacher training function to the future of education and the need to assure high quality performance in our school, requires student teachers to be placed with experienced teachers of demonstrated competence. No staff members of the school district will be required to supervise practice teachers, but professionally interested teachers will volunteer to do so. Generally teachers new to the district and those having three years or less of teaching experience will not be asked to undertake such responsibilities.

Recognizing the special skills and expertise of the teacher training institutions and their staff, the School Board authorizes the Superintendent to honor reasonable rules, regulations and the training guidelines the teacher training institution suggests.

The teacher training institution is expected to provide liaison personnel. These will discuss with the liaisons, Principal and with the teacher to whom the student is assigned the broad objectives which the institution supports for the student teacher or intern. Such liaisons are free to sit in the classrooms to observe the student teacher or intern at work.

It is expected that the teacher training institution will arrange the schedule of the student teacher or intern to provide sufficient time in the classroom so that a continuity of experience for the student teacher or intern and the classroom students is insured.

Adopted: January 12, 1994
Amended: October 24, 1994
Amended: April 26, 2000
Reaffirm: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6606 Health Insurance Portability and Accountability Act (HIPAA)

In order to comply with the provisions of the Health Insurance Portability and Accountability Act (HIPAA) and to assure the privacy of Downsville Central School employee medical records, the Downsville Central School shall provide that all identifiable medical records will be maintained in a secure and confidential fashion. Medical records under this policy shall include health and/or dental health related reimbursement procedure or documents. Medical records maintained for other purposes for the personnel function are exempt from coverage under HIPAA, though it is understood that such records are also confidential in nature.

The Board shall, on a yearly basis, appoint a Privacy Officer to review procedures and practices relating to the confidentiality of employee medical records.

All employees of the Downsville Central School who have access to covered identifiable medical records will be required to attend training regarding HIPAA regulations and will be expected to maintain such information in accordance with the regulations provided for under HIPAA and Downsville Central School policy. Failure to do so may result in disciplinary action being taken against the employee.

Business Associate Agreements and letters of compliance will be developed and distributed in accordance with the Act.

A Notice of Compliance will be developed in accordance with the provisions of the Act and distributed to all plan participants, posted in Downsville Central School buildings and posted on the Downsville Central School Web site.

The District Superintendent is authorized to develop regulations relating to the maintenance and confidentiality of Downsville Central School employee medical information as may be required.

Adopted: March 24, 2003

Amended: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

6607 Employee Use of District Facilities, Equipment and Supplies

The facilities, equipment and supplies of the Downsville Central School District are purchased with public funds and are the property of the District for use under the direction of the Board of Education. Some facilities and equipment of the District may be used by District employees within regulations established by the Superintendent.

Employees must receive prior written approval from an administrator before using any of the facilities, equipment and/or supplies of the District for reasons not directly related to their regular job functions. Employees may NOT use any facilities, equipment and/or supplies of the District for personal profit.

An employee using District facilities, equipment and/or supplies, not directly related to his/her regular job functions, without the prior written approval of an administrator, is in violation of this policy and the employee assumes full personal and legal liability for any incident, accident or action resulting from that unauthorized use.

Adopted: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7200 School Food Service Program (Lunch and Breakfast)

I. Purpose

The goal of the Downsville Central School is to provide student access to nutritious no- or low-cost meals each school day.

However, unpaid charges place a large financial burden on our school. The purpose of this policy is to insure compliance with federal requirements for the USDA Child Nutrition Program, and to provide oversight and accountability for the collection of outstanding student meal balances.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the Downsville Central School. The provisions of this policy pertain to regular priced school breakfast, lunch and snack (if applicable) meals only. The Downsville Central School provides this policy as a courtesy to those students in the event that they forget or lose their lunch money. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

II. Policy

- Free Meal Benefit - Free eligible students will be allowed to receive a free breakfast and lunch each day. A la carte purchases must be paid/prepaid.
- Reduced Meal Benefit - Reduced eligible students will be allowed to receive a breakfast for maximum \$.25 and lunch for \$.25 each day. A student will be allowed to charge a maximum of 5 meals to their account after the balance reaches zero. The charge meals offered to students will be reimbursable meals that are available to all students.
- Full Pay Students – Students will pay for meals at the school’s published paid meal rate each day. If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child if applicable. A student will be allowed to charge a maximum of 5 meals to their account after the balance reaches zero. The charge meals offered to students will be reimbursable meals that are available to all students.
- Parents/Guardians are responsible for meal payment to the food service program. Discreet notices of low or deficit balances will be sent to parents/guardians at regular intervals during the school year. Parents will be given notice of the negative balance on their student's accounts with weekly auto-calls and negative balance letters. They will also be advised that an alternative meal will be provided for their student until the account is in good standing.
- Students/Parents/Guardians may pay for meals in advance via www.myschoolbucks.com or with a check payable to Downsville School Lunch Fund Further details are available on our webpage at www.downsvillecsd.org. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student may/will be carried over to the next school year.
- Alternate Meals -After the charge limit is reached a student will be provided alternate meals. The alternate meal for lunch will be a Cheese or Peanut Butter & Jelly, fruit choice, vegetable choice, and a carton of whole milk. For breakfast a cold cereal, fruit juice and a carton of white milk.
- Surplus Balances- Surplus balances will be rolled over for the student's benefit for the following school year.
- Refunds for withdrawn, and graduating students; a written or e-mailed request for a refund of any money remaining in their account must be submitted. Students who are graduating at the end of the year will be given the option to transfer to a sibling’s account with a written request.
- Unclaimed Funds must be requested within one school year. Unclaimed funds will then become the property of the Downsville Central School Food Service Program.

7200 School Food Service Program (Lunch and Breakfast) (cont.)

- Balances Owed collection of owed balances will follow the policies and procedures set by the school.

If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child if applicable.

Annual Notification- The school district will provide notice to all parents on an annual basis prior to the opening day of school, outlining the requirements of this policy. This policy shall also be published in an appropriate school-based publication. The Superintendent and his/her staff will develop rules and regulations concerning meal charges

Adopted: August 24, 2009
Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016
Amended: August 28, 2017
Reaffirmed: 2018

7240 Investment

1. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

2. OBJECTIVES

The primary objectives of the School District's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and ☉ to obtain a reasonable rate of return (yield).

3. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

4. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the School District to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

5. DIVERSIFICATION

It is the policy of the School District to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

6. INTERNAL CONTROLS

It is the policy of the School District for all moneys collected by any officer or employee of the government to transfer those funds to the treasurer within five business days of deposit, or within the time period specified in law, whichever is shorter.

The treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

7. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are the Wilber National Bank with a maximum amount of \$6,000,000.00.

8. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law 10, all deposits of School District including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- a. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
- b. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

9. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by depository or a third party bank or trust company subject to security and custodial agreements as determined by the treasurer.

The security agreement shall provide that eligible securities are being pledged to secure the school district deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the school district to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the school district, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the school district or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the school district will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of the securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the school district a perfected interest in the securities.

10. PERMITTED INVESTMENTS

As authorized by General Municipal Law 11, the school district authorizes the Superintendent to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Money market deposit accounts
- Interest bearing checking accounts
- Special Time Deposit accounts
- Certificates of Deposit
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America ☉ Obligations of the State of New York
- Obligations issues pursuant to LFL 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district corporation other than the school district
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments
- Certificates of Participation (COPs) issued pursuant to GML 109-b
- Obligations of this school district, but only with any moneys in a reserve fund established pursuant to GML 6-d, 6-j, 6-m or 6-n

All investment obligations shall be payable or redeemable at the option of the School District within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the school district within two years of the date of purchase.

11. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The School District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the school district conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the school district. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with a bank shall be required with the New York Federal Reserve Bank, as primary dealers. The treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

12. PURCHASE OF INVESTMENTS

The treasurer is authorized to contract for the purchase of investments:

- a. Directly, including through a repurchase agreement, from an authorized trading partner.
- b. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
- c. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the School District, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the School District by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law §10.

The custodial agreement shall provide the securities held by the bank or trust company, as agent of a custodian for, the School District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the School District a perfected interest in the securities.

13. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Original: December 12, 1994

Revised: July 24, 1995

Adopted: August 24, 1998

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

APPENDIX A

Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- (iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (iv) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized rating organization.
- (v) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

The Board of Education will designate and appoint an internal claims auditor to be responsible for overseeing the audit of all claims to the District according to local procedures and requirements of New York State and federal laws and regulations, and general auditing and accounting practices. The internal claims auditor shall serve at the pleasure of the Board and shall report directly to the Board. The internal claims auditor cannot be a school Board member, Superintendent, Clerk of the Board, Treasurer, official responsible for business management, purchasing agent or staff directly involved in accounting and purchasing functions. Delegation for claims auditor services may be through inter-municipal cooperative agreements, shared services through BOCES or an independent contractor. The claims auditor need not be a District resident.

The internal claims auditor shall be responsible for formally examining, allowing or rejecting all accounts, charges, claims or demands against the School District. The auditing process shall determine:

1. that the proposed payment is for a valid and legal purpose;
2. that the obligation was incurred by an authorized District official;
3. that the items for which payment is claimed were in fact received or, in the case of services, that were actually rendered;
4. that the obligation does not exceed the available appropriation; and
5. that the submitted voucher is in proper form, mathematically correct, does not include previously paid charges, and is in agreement with the purchase order or contract upon which it is based.

The internal claims auditor will certify all claims as ready for payment directly to the Treasurer. All claims shall be presented to and approved by the internal claims auditor prior to payment. The internal claims auditor and the Treasurer shall develop appropriate procedures for the auditing of District claims by the internal claims auditor.

Adopted: December 12, 1994

Reaffirmed: 2000

Amended: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

The Downsview Central School District will issue a credit card in its name to the Purchasing Agent and designated Account Clerk for the use of its officers and designated employees for authorized expenses. However, authorized personnel must submit purchase orders for those related expenses, prior to the use of the credit card.

This credit card will only be for the 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 District Superintendent prior to use.

Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. The credit cards shall be locked in a secure place in the District Office.

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

Adopted: November 13, 2006

Amended: August 24, 2009

Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7312 Cell Phone Use

District owned cell phones are for business use only. Personal calls made using district phones shall be reimbursed to the district at the rate of five cents per minute. When a contracted employee's job duties require the use of a cell phone, the district may enter into an agreement with the employee to compensate the individual for the business use of their personal cell phone.

Adopted: November 13, 2009
Amended: August 24, 2009
Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7320 Conference/Travel Expense Reimbursement

Conference travel shall be for official business and shall be made utilizing a cost-effective and reasonable method of travel.

All conference travel must have a completed Conference Request Form on file which has been approved by the Superintendent or designee.

New York State sales taxes for lodging and meals cannot be reimbursed. 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.

All conference reimbursement requests must be submitted using a claim form referencing conference title and dates.

Adopted: August 24, 2009
Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7321 Reimbursement for Meals/Refreshments

Travel Outside of District/Emergency Meetings

School District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, it is the position of the New York State Comptroller's Office that meals of public officers and employees generally should not be reimbursed or paid by the municipal entity unless the officer or employee is traveling outside his/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/Board Meetings and District Events

However, the Board of Education 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/designee must be obtained for food and beverages provided at meetings or activities which will be charged to the District.

7321 Reimbursement for Meals/Refreshments (cont.)

Any such expenditures must be appropriately documented with an itemized receipt and information showing the date and purpose of the meeting, food served and who attended the meetings. 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 School District official. In no case will the costs for meals exceed the current Federal per diem meal rates for the geographic area.

Adopted: August 24, 2009
Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7400 Purchasing

The Downsville Central School District purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board of Education. The purchasing process should enhance school operations and educational programs through the procurement of goods and services deemed necessary to meet District needs.

The School Board views purchasing as serving the educational program by providing necessary supplies, equipment and related services. The educational welfare of the students is the foremost consideration in making any purchase.

Purchasing will be centralized in the business office under the general supervision of a purchasing agent designated by the School Board.

Competitive Bids and Quotations

As required by law, the Superintendent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year, (similarly for public works-construction, repair, etc.) and in such other cases that seem to be to the financial advantage of the School District.

A bid bond may be required if considered advisable.

No bid for supplies shall be accepted that does not conform to the specifications furnished unless specifications are waived by Board action. Contracts shall be awarded to the lowest responsible bidder who meets specifications. However, the Board may choose to reject any bid.

Rules shall be developed by the administration for the competitive purchasing of goods and services.

The Superintendent may authorize purchases within the approved budget without bidding if required by emergencies and are legally permitted.

The Superintendent is authorized to enter into cooperative bidding for various needs of the School District.

Request for Proposal Process for the Independent Auditor

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

Procurement of Goods and Services

The Board of Education 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 requirement. These goods and services must be procured in a manner so as to:

- a. Assure the prudent and economical use of public moneys in the best interest 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 shall 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 (purchases pursuant to General Municipal Law, Article 5-A; State Finance Law, Section 162; State Correction Law, Section 184; or those circumstances or types of procurements set forth in (f) of this section), provide that alternative proposals or quotations for goods and services shall 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;
- 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. Such information shall be updated biennially.

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

The Board of Education shall solicit comments concerning the District's policies and procedures from those employees involved in the procurement process. All policies and procedures regarding the procurement of goods and services shall be reviewed annually by the Board.

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 School 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.

District Plan

As required by federal law and New York State 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. To facilitate this process, the District will participate in the National Instructional Materials Access Center (NIMAC) and will require that all contracts with publishers for textbooks and other printed core materials executed after December 2006 include a provision requiring the publisher to produce NIMAS files and send them to NIMAC.

Environmentally Sensitive Cleaning and Maintenance Products

In accordance with Commissioner's Regulations, State Finance Law and Education Law, effective with the 200607 school year, the District shall follow guidelines, specifications and sample lists when purchasing cleaning and maintenance products for use in its facilities. Such facilities include any building or facility used for instructional purposes and the surrounding grounds or other sites used for playgrounds, athletics or other instruction.

Environmentally sensitive cleaning maintenance products are those which minimize adverse impacts on health and the environment. Such products reduce as much as possible exposures of children and school staff to potentially harmful chemicals and substances used in the cleaning and maintenance of school facilities. The District shall identify and procure environmentally sensitive cleaning and maintenance products which are available in the form, function and utility generally used. Coordinated procurement of such products as specified by the Office of General Services (OGS) may be done through central state purchasing contracts to ensure that the District can procure these products on a competitive basis.

The District shall notify their personnel of the availability of such guidelines, specifications and sample product lists.

Apparel and Sports Equipment Purchases and Competitive Bidding Purchases

The Board of Education will only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel or sports equipment, is not a "responsible bidder" shall be based upon either or both of the following considerations:

- a. The labor standards applicable to the manufacture of the apparel or sports equipment including, but not limited to, employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
- b. The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

Non-Competitive Bidding Purchases

The Board's internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to competitive bidding requirements, shall prohibit the purchase of apparel or sports equipment, from any vendor based upon either or both of the following considerations:

- a. The labor standards applicable to the manufacture of the apparel or sports equipment including, but not limited to, employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
- b. The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

Contracts for Goods and Services

No contracts for goods and services shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.

No Board member or employee of the School District shall have an interest in any contract entered into by the Board or the School District unless publicly disclosed at a board meeting prior to the entering into the contract.

Upon the adoption of a resolution by a vote of at least three-fifths (3/5) of all Board members stating that for reasons of efficiency or economy there is need for standardization, purchase contracts for a particular type or kind of equipment, materials or supplies of more than ten thousand dollars may be awarded by the Board to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided by law.

Adopted: December 12, 1994
Reviewed and Adopted: August 4, 1998
Reaffirmed: 2000
Amended: November 13, 2006
Amended: August 24, 2009
Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Gifts and Donations For Educational Projects

The purpose of this policy is to establish parameters for acceptance of gifts and donations to the District and employees of the District.

The Board of Education recognizes that teachers and employees of the District, in pursuit of supplies and educational projects may pursue funding through projects that include but are not limited to: GoFundMe and DonorsChoose.

To protect the educational interests of the District, all educational projects requiring or soliciting donations or gifts must be submitted in writing and approved by the Superintendent. Upon the Superintendent's approval, he or she will submit the project to the Board of Education for review and approval. No project will be permitted without the approval of the Superintendent and the Board of Education.

All gifts and donations become the property of the District. The District will apply the gift or donation, or the interest or proceeds of the gift or donation, according to the instructions of the project and donors. However, no gift or donation will be accepted that imposes conditions that are contrary to law or District policy.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of the District and the ownership of which would tend to adversely affect the District.

Any gift accepted by the Board shall become the property of the District, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the District. The District shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

The Board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to utilize any gift it accepts in the best interest of the educational program of the District.

In no case shall acceptance of a gift be considered to be an endorsement of a commercial product or business enterprise or institution of learning.

Gifts and donations can be goods, services, or moneys offered by a donor. If an item is donated without restrictions and subsequently repaired for purposes of sale, the Superintendent shall determine the method of sale most likely to generate the greatest purchase price for the District. Board of Education members and District Administration shall be excluded as potential purchasers of such items.

The Board of Education will receive an annual written report of gifts and donations from the Superintendent of Schools and may on occasion offer a public acknowledgement of generous donors.

Adopted: June 26, 2017

Reaffirmed: 2018

Use of the School Purchasing System for Personal Gain

Neither employees nor any other person shall use the Downsview Central School District purchasing system to order and/or receive any item or service except as authorized by New York State Law.

The District's purchasing system is to be used only by Board authorized personnel, for legally valid purposes. Use of the District's purchasing system for personal convenience, to avoid the payment of State sales tax, to receive discounts available to the District, or for any other tangential illegal reason is prohibited. Any violation of this policy shall be reported to the Superintendent.

Adopted: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

Purpose

The Downsville Central School District recognizes the need to implement the required accounting and financial reporting standards promulgated by the Governmental Accounting Standards Board (GASB). GASB Statement 34 was issued to provide new and additional information to the diverse users of the District's financial statements.

A fixed asset or capital asset is defined as a physical commodity (i.e., land, buildings, machinery, vehicles, equipment and furnishings) having an estimated period of usefulness in excess of one year and an estimated value of at least \$500.

The Downsville Central School District is committed to fostering proper management of the District's assets.

Guidelines

1. The disposal of all fixed assets shall be recorded and approved for disposition by the Board.
2. Obsolete or surplus items shall be kept to the lowest levels.
3. The Board shall designate a person who will be responsible for safeguarding all fixed assets.
4. Generally, capital assets should be considered for disposal when they can be identified with one or more of the following:
 - a. Obsolete: An asset which is no longer suitable for its original purpose and which is incapable of being modified to achieve an acceptable level of operation, with little or no resale value.
 - b. Not Repairable: An asset which cannot be repaired or restored to an acceptable level of operation, or where the cost of repair in relation to replacement cost is not economically justifiable.
 - c. Surplus: An asset may become surplus if it is in excess of estimated requirements or if the purpose for which it was originally acquired no longer exists.

Fixed assets with a minimum value established by Board that have a useful life of one (1) year or more physical characteristics not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis. Fixed assets shall include land, buildings, equipment and materials.

The Board shall establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. Such threshold shall ensure that at least eighty percent (80%) of the value of all assets is reported. However, it is recommended that such threshold shall not be greater than five thousand dollars (\$5,000). A standardized depreciation method and averaging convention shall also be established for depreciation calculations.

Fixed assets acquired having a value equal to or greater than the established threshold are considered depreciable assets and shall be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the New York State Comptroller's Office or the Internal Revenue Service (IRS).

Assets shall be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets shall be recorded at estimated fair value at the time of the gift. A property record will be maintained for each asset and will contain, where possible, the following information:

- a. Date of acquisition;
- b. Description;
- c. Cost or value;
- d. Location;
- e. Asset type;
- f. Estimated useful life;
- g. Replacement;
- h. Current value;
- i. Salvage value;
- j. Date and method of disposition; and
- k. Responsible official.

7511 Fixed Assets (cont.)

Physical Inventory of Fixed Assets

Inventories are physical reviews and confirmations of the District's assets. A periodic evaluation of the inventory will ensure the integrity of the amounts in the District's financial statements, maintain current insurance valuations and assist in loss detection.

Inventories shall be conducted as follows: Land and Buildings – every five years; Machinery, Equipment, Vehicles and Furnishings – every year; All other Fixed Assets – at least annually.

Any assets not accounted for must be immediately brought to the attention of the Board.

Transfer of Fixed Assets

The transfer of an asset from its original location must be specified in the Register by date, the new location, the purpose of the transfer and the person(s) responsible for the transfer.

Disposal of District Equipment and Supplies

Building Principals and Middle Managers are responsible for identifying obsolete or surplus equipment and supplies within their area(s) of responsibility. Each year a determination shall be made of equipment, supplies and/or materials that are obsolete and cannot be salvaged or utilized effectively or economically by the District. Such equipment, supplies and/or materials shall be sold through bid procedures, if possible, for the highest possible price. The Superintendent shall be authorized to dispose of obsolete or surplus equipment and supplies in the following manner:

1. reassign the items, as needed, to other locations within the School District;
2. centralize the storage of items of potential usefulness;
3. discard or sell as surplus those items determined to be of no further use or worthless following approval by the BOE

Following approval by the Board of Education, items may be sold. In the event of a public sale, notice of availability of such equipment, supplies and/or materials and requests for bids shall be disseminated through announcements in local newspapers and such other appropriate means. Items shall be offered for sale to the general public except that no Board member or officer of the District shall be eligible to bid on the equipment, supplies and/or materials. Sell remaining items as scrap for the best obtainable amount or discard in the safest, least expensive manner.

Disposal of District Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or useable, the procedures for disposal shall 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 School District; then
- b. Donations to charitable organizations; or
- c. Disposal as trash.

Adopted: December 12, 1994

Reaffirmed: 2000

Amended: November 13, 2006

Amended: August 24, 2009

Reaffirmed: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7512 Petty Cash Funds

The Board of Education recognizes the necessity of petty cash funds for payment of properly itemized and receipted bills for postage, materials, supplies and services under conditions calling for immediate payment.

The Board may establish petty cash funds whenever appropriate.

At the annual District meeting the Board shall review all petty cash funds and appoint a custodian for each fund.

The District Treasurer is directed to establish rules, regulations and procedures for petty cash funds and oversee the recordkeeping of these funds. Operation of such funds must be in accordance with generally accepted accounting principles and the Commissioner's Regulations, Section 170.4.

Adopted: November 13, 2006

Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7514 Cash in School Building

Under no circumstances shall cash be left in classroom areas or desks. The school district shall not be responsible for funds left unprotected.

All funds, whether school district or extra classroom funds, shall be deposited prior to close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the main office vault.

Adopted: December 12, 1994

Reaffirmed: 2000

Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

7550 Medicaid Compliance

It is the policy of the Board of Education that all School District's practices regarding Medicaid claims for services be in compliance with all applicable Federal and State laws and regulations. To prevent, detect, and report incidents of Medicaid fraud and abuse, the School District is required to develop and implement an effective Compliance Program. The Administration shall develop such a program to meet the requirements of applicable law and regulations.

*Reference: New York State Public Health Law §32;
New York State Social Services Law §363-d;
New York State Regulations 18 NYCRR §521.3*

Adopted: June 14, 2010

Reaffirmed: 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

8410 Security

One School Board objective is to maintain a safe educational environment. Inadequate security poses the possibility of vandalism and threatens the safety and well being of students, staff, and anyone else on school ground. The Superintendent has the primary responsibility for developing and implementing necessary security measures. This is done in coordination with the Superintendent of Buildings and Grounds.

Procedures for locking rooms and distributing keys shall be decided by the Superintendent. Students should not be given keys unless employed by the district.

Adopted: October 24, 1994
Amended: March 22, 1999
Reaffirmed: 2000
Amended: November 13, 2006
Reaffirmed: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

8420 Safety

It is the responsibility of the Superintendent to establish and carry out written safety regulations which:

1. Identify staff members responsible for effective administration of the safety regulations;
2. Provide staff time and other necessary resources for effective administration of the regulations;
3. Establish periodic reviews to insure compliance with laws and regulations;
4. Provide for an on-going process for review of safety and security concerns of students, staff, and affected public; and
5. Provide for periodic reports to the School Board regarding school district safety and security.

Adopted: October 24, 1994
Reaffirmed: 2000
Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

8430 Pest Management

Structural and landscape pests can pose significant problems for people and property. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of Downsview Central School District to incorporate integrated pest management (IPM) procedures for control of structural and landscape pests. The objective of this program is to provide necessary pest control while minimizing pesticide use.

Pest Management Plan

The Downsview Central School District will manage pests to:

1. Reduce any potential human health hazard or threat to public safety.
2. Prevent loss or damage to school structures or property.
3. Prevent pests from spreading into the community, or to plant and animal populations beyond the site.
4. Enhance the quality of life for students, staff and others.

8430 Pest Management (cont.)

The IPM plan will address each of these goals. The IPM program will specifically address strategies for pest identification, preventive actions, establishment of tolerance threshold levels, monitoring, response actions, public notification, education, and record keeping.

IPM Coordinator

An IPM coordinator will be appointed by the Board of Education. The coordinator will be responsible for implementing the IPM policy and drafting and implementing the IPM plan. The coordinator's responsibilities will include, but not be limited to, the following: 1. Drafting an IPM Plan. 2. Implementing the IPM Plan.

3. Assuring notifications comply with applicable State laws and regulations, specifically Education Law §409-h and this policy.
4. Recording all pesticide use in accordance with Education Law §409-h and other applicable State laws and regulations.
5. Recording all pest sightings by staff, students and parents.
6. Meeting with pesticide applicators to share information on what pest problems are present in the school.
7. Assuring that all of the PCR's recommendations on maintenance and sanitation are carried out where feasible.
8. Assuring that any pesticide use is done when school is not in session or when the areas can be completely secured against access by school staff or students.
9. Maintaining the District's 48 hour notification list.
10. Evaluating the school's progress on the IPM plan.
11. Assuring that all individuals employing the use of pesticides are properly trained and certified in the use of such pesticide
12. Any other duties required by State Law or Regulation or the Board of Education pertaining to pest control or IPM Policy.

Pesticide Applicators

Pesticide applications may only be performed by individuals currently certified by the New York State DEC as pesticide applicators or by a certified pesticide technician or an apprentice working under the direct on-site supervision of a certified applicator pursuant to the DEC Regulation Part 325.7. Further, pesticide applicators must be over the age of 21 as recommended by the DEC.

Selection of Pesticides

The IPM plan shall include the use of mechanical, biological and physical treatments for pest control to be implemented prior to the use of specific toxic pesticides. When pesticide use is necessary, the Board of Education, Superintendent, or IPM coordinator must approve the pesticide for school use. The school's preferred pesticide for use would be pesticide baits and pesticide sprays with the single word CAUTION as a warning.

Notification

The school shall provide written notification to all staff and persons in parental relation at the beginning of each school year. Such notices shall contain the following information:

- a. A statement that pesticide products may be used periodically throughout the school year.
- b. A statement that schools are required to maintain a list of staff and persons in parental relationship who wish to receive 48 hours prior written notification of pesticide applications at relevant facilities, and instructions on how to register with the school to be on such list for notification; the name of the school representative and contact number to obtain further information.
- c. If a child enrolls after the beginning of the school year, such notification shall be provided to that child within one week of enrollment.
- d. The School shall also provide notification within ten days of the end of the school year and within two school days of the end of the winter recess and spring recess and within two days of the end of the summer school. Such notification shall provide written notice to all staff and persons in parental relationship listing the date, location and product used for each application which required prior notification and each emergency application made at relevant facilities during the period of time since the previous notice. Such notification shall also include a statement that schools are required to maintain a list of staff and persons in parental relationship who wish to receive 48 hours prior written notification of pesticide applications and instructions on how to obtain further information about the products being applied including warnings that appear on the labels of pesticides that are pertinent to the protection of humans, animals or the environment and the name of a school representative or contact number for additional information.

8430 Pest Management (cont.)

e. All individuals requesting written notification 48 hours in advance of pesticide application shall be given such notice within a minimum of 48 hours prior to any such pesticide application. Such notification shall include the following information: The specific date and location of the application at the facility. If the application is an outdoor application, the notice will provide two alternative dates for application in case weather prohibits application on the first date of application. Further, such notice shall provide the product name and pesticide registration number assigned by the United States Environmental Protection Agency. The following statement shall also be contained within the 48 hour notice:

This notice is to inform you of a pending pesticide application to a school facility. You may wish to discuss with the designated school representative what precautions are being taken to protect your child from exposure to these pesticides. Further information about the product(s) being applied, including any warnings that appear on the label of the pesticide(s) that are pertinent to the protection of humans, animals or the environment, can be obtained by calling the National Pesticide Telecommunications Network Information phone number 1-800-8587378 or the New York State Department of Health Center for Environmental Health Info Line at 1-800-4581158.

Finally, this notice shall contain the name of the school representative and contact number for additional information.

Emergency Applications

In the case of an emergency application of a pesticide to protect against imminent threat to human health, IPM coordinator shall make a good faith effort to supply written notice required pursuant to this section. Further, upon making such emergency application, the IPM coordinator shall notify the Commissioner of the Department of Health on the appropriate form of the pesticide applied and the reason for such application.

Education

Staff, students, pest managers, parents and the public will be informed about potential school pest problems, the IPM policies, procedures and their respective roles in achieving the desired pest management objectives.

The Board of Education shall review the IPM plan and pest control policy on an annual basis to ensure compliance with §409-h of the Education Law.

Adopted: January 8, 2007

Reaffirmed: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018

9110 Transportation

The transportation of eligible students is the responsibility of the Superintendent and Board of Education. The Board of Education endeavors to provide safe and reliable transportation within the confines of the budget.

I. Eligibility - All students K-12 within the district and more than 1 mile from the school building are eligible to be transported to and from school by bus. Students within the 1 mile limit and who, in order to walk to school, must walk in a hazardous environment may also be transported by school bus. Hazardous environments may be, but are not limited to being forced to walk in streets with no sidewalks and in heavy traffic, or crossing a busy unguarded street or intersection. Such circumstances are determined by the Board of Education and approved by the voters. Eligible Pre-K students who use district transportation and are under the age of 4 will be required to ride in an approved car seat until such time as they reach the age of 4.

II. Child Care Locations - The Board of Education at its discretion, may provide transportation to and from school and a child care location (within the district and outside the 1-mile limit) for students in K-6. Request for transportation to and from a childcare location must be submitted in writing to the transportation supervisor by the parent or guardian prior to the beginning of the school year. Where a child becomes a resident of the School District after the beginning of the school year, the parent or guardian of the child may submit a written request within 30 days after the child becomes a resident for transportation to or from the child care location. Request for change in drop off/pick up locations may be approved by administration based on available space.

9110 Transportation (cont.)

- III. **Bus Stops** – Safety will be the main consideration when bus stops are determined.
- Bus stops/routes will be reviewed annually by the transportation supervisor who will make recommendations to the board for approval.
 - Students outside the 1-mile limit can be required to walk up to 1 mile to a safe pick-up point as determined by the district.
 - Stops will be arranged so that students will not have to cross the road, if practical.
 - Students in grades PK – 2 will be required to have a responsible person assist in getting them on and off the school bus.
 - Buses will only travel on roads that are maintained in good safe condition.
 - Buses will not travel on dead end roads unless there is a safety reason that students on that road cannot be picked up on the main road.
 - Busses will not travel on private roads except under special circumstances as determined by the Board of Education.
- IV. **Bus Capacity** - The posted bus capacity is for three per seat. No standees will be permitted.
- V. **Non-student Passengers** - Residents of the school district and non-residents deemed appropriate by administration may be granted permission to ride a bus by the Superintendent. Non-students attending a BOCES program may be granted permission to ride the BOCES bus upon a written request submitted to the Board of Education. Transportation will only be provided between BOCES and the school building. Transportation to and from the school building will not be provided. There shall be no cost to ride to and from a BOCES program at the BOCES Harrold Campus. Available space will also be considered.
- VI. **Non-Emergency Extra Passengers** – Students will be transported to alternate stops on established bus routes based on safe bus capacity. Parents hosting an event such as birthday parties, etc. must submit a written request to the transportation supervisor one week prior to the day of the event.

Adopted: March 26, 2001
Amended: November 13, 2006
Reaffirmed: 2007, 2008, 2009
Amended: January 24, 2011
Reaffirmed: July 2011, 2012, 2013, 2014
Amended: July 27, 2015, 2016, 2017, 2018

9110 R-1 (Regulation) Transportation

Emergency Closure or Delay

In the event the school needs to be closed or delayed due to any emergency prior to the beginning of the school day, the following procedure will be used:

- By approximately 5:20 AM, the Transportation Supervisor will contact the Towns of Colchester, Hamden and Hancock Highway Supervisors as needed to determine their ability to maintain safe road conditions for the District.
- In the event that the Transportation Supervisor is not available, the Head Mechanic will act as the Designee and fulfill these duties on this matter.
- By around 5:35 AM, or once the above has been determined, the Transportation Supervisor or designee will contact the School Superintendent and inform them of the Town Highway's decision, as well as the preparedness of the fleet to meet the current or predicted conditions.
- If the School Superintendent is not available or cannot be contacted, the Principal will be contacted for a decision.
- If the Principal is not available or cannot be reached, the Transportation Supervisor or designee will make the decision on closing or delaying school.
- The final decision on closing school should be determined by about 5:35 AM.

- The person making the decision will facilitate contact to the All-Call System and set up a message for school closure as well as facilitate contact with the radio and TV stations to relay the message.
- By 5:45 AM, the Transportation Supervisor or designee will contact the regular daily bus drivers or substitute drivers as appropriate, and inform them of the closing or delay of school.
- When the decision has been made to close school or delay the day and the Superintendent or School Administrators cannot be contacted, the Transportation Supervisor or designee will call the contacts under the administrators' names on the phone tree to inform them of the school closing.
- All of the above mentioned time frames are guidelines and may be subject to change given the unpredictability of the weather. Every effort will be made to make closing and delay decisions in a timely manner with the overall goal being student safety.

9110 R-2 (Regulation) Transportation

Emergency Closure - During School Day

In the event the school needs to be closed or delayed due to any emergency during the school day, the following procedure will be used:

- If the Transportation Supervisor is not available or cannot be reached, the Head Mechanic will act as the designee on these matters.
- The Transportation Supervisor or designee will monitor severe weather and road closures and contact the Town Highway Superintendents for information on the District traveled roads.
- The Transportation Supervisor or designee will keep the Superintendent or in their absence, the Principal informed of any possible transportation related concerns for a decision on a closing.
- If the Superintendent or Principal is not available or cannot be reached, the Transportation Supervisor or designee will make the decision on closing school early.
- The person making the decision to close school will work in conjunction with the Superintendent's Secretary in contacting the All-Call System, Radio and TV Stations.
- Phone calls to the student's parent/guardian concerning the early closing will be done by the Principal's secretary.
- The Transportation Supervisor or designee will call all available bus drivers and substitute bus drivers as needed to provide student transportation home.
- The Transportation Supervisor or designee will contact BOCES and the other schools where our students are, to inform them of our early closing and the pickup time of our students.
- Any sports or field trips that are out of the district will be contacted by any available options and informed of the early closing, as soon as possible.

9110 R-3 (Regulation) Transportation

Late Bus – Unavailable Drop-off Location to Weather and/or Other Reasons

In the event that a late bus cannot reach a student's drop-off location due to weather or other unforeseen happenings the following procedure will be followed:

- If a student or driver has a cell phone and can contact the parent/guardian then they should do so and have the driver speak with the parent/ guardian to establish a safe location and time that they will meet the parent to pick up the student.
- If no contact can be made by cell phone, the driver will return the student(s) to the bus garage and call the parent/guardian or emergency contacts from there.
- The driver or other school official will stay with the student until the situation is resolved. At no time should the student(s) be left unattended.
- In necessary, the Transportation Supervisor will contact the Town Highway Superintendent or their designee to open the road as necessary.
- If the Town Highway Superintendent or designee cannot be reached, the Transportation Supervisor will contact Delaware County Emergency Services or 911 to establish contact with the Town Highway Superintendent.
- When practical, the parent/guardian will be updated on the progress either by the driver or the Transportation Supervisor or designee.
- Each phone call and attempted contacts with the parent/guardian will be documented by identifying the name of the person called, the time of the call, a brief description of the call, the date and initials of the individual making the phone call.
- The Transportation Supervisor will contact the School Superintendent or designee as soon as practical to inform them of the event and status of the situation.
- Other school administration will be contacted as deemed necessary by the emergency contact list.

9110 R-4 (Regulation) Transportation

Contacting Parent/Guardian – If Student Is Returned To School After Regular Bus Run

In the event a student needs to be returned to school after a regular bus run and before 4:00 PM, the following procedure will be used:

- The driver will contact the bus garage by available options and as soon as practical to inform them of a student being returned to school, and for what reason.
- If unable to contact the bus garage, they should contact the school and inform them of a student being returned to school and for what reason.
- The person receiving the call will contact the appropriate school personnel.
- If sick or injured – contact school nurse. If nurse not available call 911.
- If discipline or behavioral reasons, or if no one is home – contact the Principal's Office.
- For any other reason – contact the Principal's Office.
- The appropriate staff will make contact with the student's parents or care provider and have them pick the student up from school.
- When returning the student to school the driver will ask for assistance and have the student picked up from the bus by school personnel.
- If no school personnel are available, the driver will walk the student to the appropriate location.
- If student is awaiting pick up, report to the library.
- If the library is closed, report to the Principal's Office.
- If no contact with a parent or a person listed on said student's emergency card, the Principal or Superintendent will be contacted for further direction.
- All phone contacts and attempted contacts should be documented indicating the date, time, and names of individuals contacted or attempted to be contacted. The person calling will indicate their name of the sheet as well.
- As soon as practical concluding the event, all documentation will be forwarded to the School Principal.

AT NO TIME SHOULD THE STUDENT BE LEFT UNATTENDED

9110 R-5 (Regulation) Transportation

Contacting Parent/Guardian – If Student Is Returned To School After Late Bus Run

In the event a student needs to be returned to school after a regular bus run and before 4:00 PM, the following procedure will be used:

- Driver will attempt to contact the parent/guardian if possible.
- If no parent/guardian contact is made:
 - The driver will call the Transportation Supervisor.
 - If Transportation Supervisor is unavailable, call the designee.
 - If neither is available, contact the Principal.
 - If the Principal is unavailable, contact the Superintendent.
- The person receiving the call will call the person(s) listed on the said student's emergency card.
- If no parent/guardian or emergency contacts can be made using the emergency contact information as listed on emergency card, the Transportation Supervisor or their designee will call the Principal and inform them of the situation.
- If the Principal is not available, contact the Superintendent on how to proceed.
- If no one can be reached, the driver will contact the Delaware County Sheriff's Department 607-746-2336.
- All contacts and attempted contacts will be documented using the name of person being called, date, time and name of person who is doing the calling.
- As soon as practical concluding the event, all documentation will be forwarded to the Principal.

AT NO TIME SHOULD THE STUDENT BE LEFT UNATTENDED

Purpose

The primary purpose of video equipment aboard school vehicles is to assist bus drivers in managing students while aboard the bus. This should result in safer transportation of students to and from school.

Responsibility

The Superintendent shall have the flexibility of appointing a designated person or persons to be the caretaker of the School Vehicle Video System. This designated person or persons shall be known hereafter as designee.

Designee shall be responsible for installing the video cameras in the buses and retrieving them. Designee will review and evaluate video files based upon a written or verbal complaint or referral. Each file will be labeled and stored temporarily or until such time designee believes storage is no longer necessary.

A written evaluation of each file is to include:

1. Date and time installed and removed from bus
2. Number of bus
3. Driver's name
4. Incident summary
5. Names of persons involved in incident
6. Name of persons submitting written referral

Designee will be responsible for viewing the video to determine if any inappropriate behavior has occurred and advising all appropriate parties involved which may include the following: Building Principal, Parent(s)/ Guardian(s), Student(s), involved Bus Driver, Special Education Committee, Transportation Clerk and involved teacher.

Video Equipment Usage

Video equipment may be installed in any school vehicle as directed by the Superintendent or his designee.

Use of Video Files

The video files resulting from the daily monitoring of school vehicle interiors will be used to determine if inappropriate behavior or management of students as defined by District Policy and Procedures has occurred. If disciplinary action is deemed necessary, normal school procedure will be followed for such an incident.

Viewing of resulting video files will be limited to the following:

School Officials (Superintendent, Principal, Member of the Board of Education, Members of the Committee on Special Education, Insurance Representative, School Attorney(s) and Designee).

Parent(s)/Guardian(s) of pupils directly involved in a particular disciplinary action as designated by the Principal.

Parent(s)/Guardian(s) viewing may be limited to a portion of the video that deals solely with their child(ren)'s action.

Bus drivers directly involved in a particular disciplinary action as designated by Designee or the Principal.

Teachers directly involved in a disciplinary action as designated by the Principal.

Students directly involved in a disciplinary action as designated by the Principal.

Appropriate law enforcement officials as designated by the Superintendent.

Other persons approved by the Board of Education upon a written request. The Board of Education has the right to approve or deny any person the viewing of any video file produced by the School Vehicle Video System.

Video files are confidential information and will not be used for public meetings or displays.

9120 SCHOOL VEHICLE VIDEO SYSTEM POLICY (cont.)

Under no circumstances will the video files produced by the school vehicle cameras be duplicated and/or removed from the District premises unless in accordance with a Court order and/or subpoena.

All school vehicle video equipment, are the sole possession of the Downsview Central School District.

Viewing of videos will occur only at a site designated by the Superintendent or his designee, as appropriate for a particular disciplinary incident.

All video equipment will be stored in a safe, secure, convenient location on the District campus.

- Adopted: November 25, 1996
- Reaffirmed: 2000
- Amended: January 8, 2007
- Reaffirmed: 2008, 2009
- Amended: January 24, 2011
- Reaffirmed: July 2011, 2012, 2013, 2014, 2015 , 2016, 2017, 2018

9300 Office Services

A major goal of the office support system is efficient management of information and services. The Superintendent shall have the primary authority to establish the management structure of the School District's office program. Each principal is responsible for that principal's school's efficient provision of such services. The management of the office support services in each school should be structured to provide efficient and timely delivery of services and information.

- Adopted: October 24, 1994
- Reaffirmed: 2000
- Reaffirmed: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018