

Students

Huntington Union Free School District

STUDENTS
(Section 7000)

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Students

SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Statement of Objectives

School attendance is both a right and a responsibility. The School District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. Because the School District recognizes that consistent school attendance, academic success and school completion have a positive correlation, the School District will develop, review and, if necessary, revise a Comprehensive Student Attendance Policy to meet the following objectives:

- a) To increase school completion for all students;
- b) To raise student achievement and close gaps in student performance;
- c) To identify attendance patterns in order to design attendance improvement efforts;
- d) To know the whereabouts of every student for safety and other reasons;
- e) To verify that individual students are complying with education laws relating to compulsory attendance;
- f) To determine the District's average daily attendance for State aid purposes.

Description of Strategies to Meet Objectives

The School District will:

- a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.

Develop a Comprehensive Student Attendance Policy based upon the recommendations of a multifaceted District Policy Development Team that includes representation from the Board of Education, administrators, teachers, students, parents and the community. The

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District will hold at least one public hearing prior to the adoption of this collaboratively developed Comprehensive Student Attendance Policy.

- b) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness and early departure of each student.
- c) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- d) Develop early intervention strategies to improve school attendance for all students.

Determination of Excused and Unexcused Absences, Tardiness and Early Departures

Based upon our District's education and community needs, values and priorities, the School District has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards.

- a) **Excused:** An absence, tardiness or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations or other such reason as may be approved by the Superintendent or his/her designee.
- b) **Unexcused:** An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, babysitting, hair cut, obtaining learner's permit, road test, oversleeping).

Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness and early departure shall be kept in a register of attendance in the manner consistent with the Commissioner's Regulations. An absence, tardiness or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

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Commencing July 1, 2003, attendance shall be taken and recorded in accordance with the following:

- a) For students in non-departmentalized kindergarten through grade eight (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), such student's presence or absence shall be recorded after the taking of attendance once per school day, provided that students are not dismissed from school grounds during a lunch period. Where students are dismissed for lunch, their presence or absence shall also be recorded after the taking of attendance a second time upon the student's return from lunch.
- b) For students in grades nine through twelve or in departmentalized schools at any grade level (i.e., students pass individually to different classes throughout the day), each student's presence or absence shall be recorded after the taking of attendance in each period of scheduled instruction except that where students do not change classrooms for each period of scheduled instruction, attendance shall be taken in accordance with paragraph "a" above.
- c) Any absence for a school day or portion thereof shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.
- d) In the event that a student at any instructional level from kindergarten through grade twelve arrives late for or departs early from scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202 (1-a).

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SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness or early departure shall be coded on a student's record in accordance with the established District/building procedures.

Student Attendance/Course Credit

The District believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Consequently, for each marking period a certain percentage of student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the building administrator and/or classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

All students are expected to make up missed work when absent. However, credit will only be given for work completed as a result of an excused absence.

For summer school the same policy will apply.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

Students will be considered in attendance if the student is:

- a) Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or

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SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

- b) Working pursuant to an approved independent study program; or
- c) Receiving approved alternative instruction.

Students who are absent from class due to their participation in a school-sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school-sponsored events where instruction is substantially equivalent to the instruction that was missed shall be counted as the equivalent of regular attendance in class.

Upon returning to school following a properly excused absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher.

Notice of Minimum Attendance Standard/Intervention Strategies

In order to ensure that parents/guardian and students are informed of the District's policy regarding attendance and the implementation of specific intervention strategies to be employed, the following guidelines shall be followed:

- a) Copies of the District's Comprehensive Student Attendance Policy will be mailed to parents/guardian and provided to students at the beginning of each school year or at the time of enrollment in the District.
- b) School newsletters and publications will include periodic reminders of the components of the District's Comprehensive Student Attendance Policy. Copies of the Attendance Policy will also be included in parent/student handbooks.
- c) At periodic intervals, a designated staff member(s) will notify the parent/guardian of the student's absence, tardiness, or early departure and explain the relationship of the student's attendance to his/her ability to receive course credit. If the parent/guardian cannot be reached by telephone, a letter shall be sent detailing this information.

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SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

d)A designated staff member will review the District' Attendance Policy with students who have excessive and/or unexcused absences, tardiness or early departures. Further, appropriate student support services within the District, as well as the possible collaboration/referral to community support services and agencies will be implemented for insufficient attendance by the student.

Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse

A designated staff member shall notify the parent/guardian to a student who is absent, tardy or departs early without proper excuse. The staff member shall explain the District's Comprehensive Student Attendance Policy and the District's/building level intervention procedures. If the parent/guardian cannot be reached by telephone, the staff member will provide such notification by mail. Further, the District's Attendance Policy will be mailed to the parent/guardian to promote awareness and help ensure compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent/guardian, a school conference shall be scheduled between the parent/guardian and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

Attendance Incentives

In order to encourage student attendance, the District will develop and implement grade-appropriate/building-level strategies and programs, which may include, but are not limited to:

- a)Attendance honor rolls to be posted in prominent places in District buildings and included in District newsletters and, with parent/guardian consent, in community publications;
- b)Monthly drawings for prizes at each grade level to reward perfect attendance;
- c)Grade-level recognition at each building for best attendance;

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d)Classroom acknowledgement of the importance of good attendance (e.g., individual certificates, recognition chart, bulletin boards);

e)Good attendance will be acknowledged periodically during the school year to promote same.

Disciplinary Consequences

Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described in the District's Code of Conduct. Consequences may include, but are not limited to, in-school suspension, detention and denial of participation in interscholastic and extracurricular activities. Parents/guardian will be notified by the building principal, or his/her designee, at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. School personnel will address procedures to implement the notification process to the parent/guardian.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occur, the building principal will pursue the following:

- a)Identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of unexcused absences, tardiness or early departures);
- b)Contact the District staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent/guardian will be contacted;
- c)Discuss strategies to directly intervene with specific element;
- d)Recommend intervention to Superintendent or his/her designee if it relates to change in District policy or procedure;

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SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

- e) Implement changes, as approved by appropriate administration;
- f) Utilize appropriate District and/or community resources to address and help remediate student unexcused absences, tardiness or early departures;
- g) Monitor and report short and long term effects of intervention.

Appeal Process

A parent/guardian may request a review of their child's attendance record. The first level of appeal will be at the building level. If necessary, a second level appeal will be at the central office level.

Building Review of Attendance Records

Commencing with the 2003-04 school year, the building principal will work in conjunction with the building attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness and early departures.

Annual Review by the Board of Education

The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to the Policy and plan deemed necessary to improve student attendance.

Community Awareness

The Board of Education shall promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

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- a) Providing a plain language summary of the policy to parents or guardian to students at the beginning of each school year and promoting the understanding of such a policy to students and their parents/guardian.
- b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and
- c) Providing copies of the policy to any other member of the community upon request.

Adoption Date: 6/24/02

Students

SUBJECT: ATTENDANCE RECORDS

The Superintendent shall keep the Board informed as to its legal responsibilities for the compulsory education of the students of the District.

The system of recording attendance and the procedures to be used in keeping data shall be selected by the Superintendent.

The Superintendent shall instruct administrative and instructional personnel of the District regarding procedures for recording and maintaining attendance records.

Education Law Sections 3024, 3025 and 3211

Adopted: 6/11/01

Students

SUBJECT: RELEASE TIME OF STUDENTS

Written requests from the parent/guardian for the release of students generally will be honored. The appropriate time and reason for absence shall be recorded on the attendance record, using the procedures mandated by the state.

The building principal shall assume this responsibility or shall designate an individual to review and approve all requests.

All assigned work must be made up by the student.

8 New York Code of Rules and Regulations
(NYCRR) Section 109.2

Adopted: 6/11/01

Students

SUBJECT: AGE OF ENTRANCE

Kindergarten

Students who are legal residents of the School District and who reside with parents or guardians within the School District at the time of the opening day of school must be five (5) years of age or more on December 1st in order to register for Kindergarten.

A child who transfers into the School District at any time during the school year may be considered for admission to Kindergarten by the Superintendent provided:

- a) The parents were not legal residents of the School District on the opening day of school, and
- b) The child has been registered and enrolled in kindergarten in the district in which his/her parents were legal residents.

Other Grades

Admission of children to other grades shall involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

Proof of Age

A student's birth certificate or other satisfactory evidence of age shall be presented at the time of initial registration. The child shall be entered under his/her legal name.

Education Law Sections 1712, 3202 and 3212

Adopted: 6/11/01

Students

SUBJECT: SCREENING OF NEW SCHOOL ENTRANTS

The Board of Education shall provide for the screening of every new entrant to school to determine which students may have disabilities, may be gifted or may be of limited English proficiency. Such diagnostic screening shall be conducted:

- a) By persons appropriately trained or qualified;
- b) In the student's native language if the language of the home is other than English, or whenever possible;
- c) In the case of new entrants, prior to the school year, if possible, but no later than December 1st of the school year of entry or within fifteen (15) days of transfer of a student into a New York State public school should the entry take place after December 1st of the school year;
- d) In the case of students who score below the acceptable State reference levels on State assessments and the Regents Preliminary Competency Tests, within 30 days of the availability of the test scores.

Such screening shall include, but not be limited to the following:

- a) A physical examination by a physician or submission of a health certificate in accordance with Sections 901, 903, and 904 of the Education Law, including proof of immunization as required by Section 2164 of the Public Health Law;
- b) An assessment of motor development, of receptive and expressive language development, articulation skills, and cognitive ability in the student's native language, if the language of the home is not English.

If such screening indicates a possible disability, a referral shall be made to the Committee on Special Education (CSE) no later than 15 calendar days after completion of such diagnostic screening.

If such screening indicates a child identified as possibly being of limited English proficiency, such child shall be provided appropriate transitional bilingual or free-standing ESL programs.

Reporting to Parents

Parents/guardians of children to be screened shall receive information in advance regarding the purpose of screening, the areas to be screened and the referral process. The information shall be communicated either orally or in writing in the parents' primary language(s). This information will be provided during the registration interview.

(Continued)

Students

SUBJECT: SCREENING OF NEW SCHOOL ENTRANTS (Cont'd.)

Parents/guardians have the right to request information regarding their child's performance during screening. They shall have access to the screening results and obtain copies upon request.

Confidentiality of Information

The Board of Education's policy and administrative regulations in accordance with the Family Educational Rights and Privacy Act of 1974, Public Law 93-380, shall apply to all information collected about a child through the screening program. In accordance with the policy and regulations, parents shall be informed of their right to privacy, their right to access to the records and their right to challenge those records should they be inaccurate, misleading or otherwise inappropriate.

Education Law Section 3208(5)
8 New York Code of Rules and Regulations
(NYCRR), Part 117.3 and 154

Adopted: 6/11/01

Students

SUBJECT: ATTENDANCE AREAS**Ages of Attendance**

According to Education Law, a student who becomes six years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen years of age. In all city school districts, union free and central school districts having a population of more than 4,500 inhabitants and employing a Superintendent of Schools, the Board of Education may choose to require students who are not employed to attend full-time instruction until the end of the school year in which the student turns seventeen (17) years of age. The residence of children dwelling within the District boundaries shall be established in a manner consistent with State Law and the Regulations of the Commissioner.

All persons dwelling within the District who are between the ages of five (5) years and twenty-one (21) years and who have not received a high school diploma shall be entitled to enroll in the District.

Determination of Student Residency

The Board of Education or its designee shall determine whether a child is entitled to attend a District school. Any adverse residency decision by a school official, other than the Board or its designee, shall include written notice to the parent/guardian of the procedures for obtaining review of the decision within the District.

Regulations will be developed to implement the terms of this policy.

Children Living With Noncustodial Parents

A child's residence is usually determined by the residence of the custodial parent. However, a noncustodial parent who resides in the District may enroll his/her child in a District school if he/she shares the day-to-day responsibilities for the child and the custodial parent designates the child's residence with the noncustodial parent.

(Continued)

Students

SUBJECT: ATTENDANCE AREAS (Cont'd.)**Homeless Children**

The parent/guardian of a homeless child, or a homeless child if no parent/guardian is available, or the director of a residential program for runaway and homeless youth established pursuant to Article 19-H of the Executive Law, in consultation with the homeless child, where such homeless child is living in such program, may designate either the school district of current location, the school district of last attendance, or a school district participating in a regional plan as the district the homeless child shall attend.

Emancipated Minors

A determination of whether a student is to be designated as an emancipated minor in the Huntington Union Free School District will be based on evidence that the student is no longer under custody, control and support of his or her parents. To establish emancipation, a minor may submit documentation of his or her means of support, proof of residency and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his or her parents.

These statements are renewable each school year. If at any time the above information is changed without prompt notification or proven to be false, the parent/guardian and/or student may be subject to legal action.

Education Law Sections 2045, 3202,
3205, and 3212(4)
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.2(x) and (y)

Adopted: 6/11/01

Students

SUBJECT: ADMISSION OF RESIDENT STUDENTS

Residents of the District who wish to enroll a youngster for whom they claim responsibility as a parent, guardian or as a person in parental relationship shall notify the attendance office and complete the appropriate District forms.

Appropriate affidavits will be completed when necessary.

Where residence is for appropriate reasons and the School District is satisfied that it is not solely or mainly for the purpose of attending District schools, attendance shall be permitted.

Adopted: 6/11/01

Students

SUBJECT: NON-RESIDENT STUDENTS**Non-Resident Student**

The District may accept non-resident students to admission for the District when it does not adversely impact on the general welfare or educational programs of the District, and upon the recommendation of the Superintendent of Schools.

The Board will establish a tuition rate for non-resident students each year using the formulas provided the State Education Department for such purpose. The tuition shall be paid in accordance with arrangements mutually agreed upon but always in advance of the attendance period.

The District will not provide transportation services for non-resident or transition students.

Students in Transition

- a) Children of parents that live outside the District, but who can show proof of purchasing a home in the District, are accepted at no cost for a period not to exceed three months before the date of title closing and possession.
- b) If a District resident moves out of the District less than one month before the end of the school year, the student(s) are permitted to finish the year. If the time period exceeds one month, tuition will be prorated for days exceeding that time period.
- c) If a student is in grade 12, he/she will be allowed to complete the entire year once commenced as long as the student was a resident and enrolled the entire previous year.

Children of Regularly Scheduled Instructional Staff

- 1) Children of regularly scheduled full-time Instructional Staff with “regularly scheduled” work, not less than 180 days per school year, who are not residents of the Huntington Union Free School District, may attend District schools tuition free, as long as the non-resident parent remains a regularly scheduled staff member. If staff member/parent does not remain regularly scheduled, it will be at the discretion of the school district if the child will continue to be a student in the school district. Under said circumstances, application must be made to the Superintendent in the form of a written letter. Approval is not automatic. A non-resident student shall not be approved if acceptance of that student’s admission will create the need to employ additional staff or cause class size to increase beyond what is desirable, will create stress on the use of facilities in the District, or is currently serving a period of suspension or expulsion from the home district. The non-resident student shall meet all academic and behavioral standards of the District. The parents shall assume full responsibility for the transportation of the student.

Adopted: 6/23/03

Students

SUBJECT: STUDENT TRANSFERS WITHIN THE DISTRICT

Parents who are changing addresses within the District shall be governed by the following regulations regarding school attendance:

- a) If the estimated date of moving is within the first ten weeks of school, the request for transfer to the school in the new attendance zone is to be approved;
- b) If the estimated date for moving is during the last ten weeks of school, the student may choose to transfer to the new school in the new attendance zone or finish the year in the present school.
- c) Regardless of the date of moving, students in the third, sixth, or eighth grade may remain in their school, if they so desire;
- d) In all cases, the parents must provide transportation to schools outside of their attendance areas.
- e) Exceptions from this policy may be granted by the Superintendent of Schools;
- f) All other transfers are to be made on the date of moving.

Adopted: 6/11/01

SUBJECT: INVOLUNTARY TRANSFER OF STUDENTS

Involuntary transfer of a student from regular classroom instruction to an appropriate educational setting in another school shall be in accordance with Education Law.

Education Law Sections 1709(3) and 3214(5)

Adopted: 6/11/01

Students

SUBJECT: EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS**Married Students**

The Board of Education will comply with state law in reference to married students attending school.

Pregnant Students

According to New York State Education Law, a student who becomes six years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen years of age. The Education Law further provides that resident students over five (5) and under twenty-one (21) are entitled to attend school in the district in which they reside. The law further requires that a school district provide for this instruction and also to provide for home instruction for those students of legal age who are unable to profit from instruction in school.

In view of the above, administrative regulations will be developed to implement the terms of this policy to provide instruction as required by the New York State Education Law for students who become pregnant. The Superintendent, or his/her designee, is directed to consult with the school physician and the student's personal physician in determining the form of instruction.

The form of instruction may be any of the following or a combination of the following:

- a) Remain in school with provisions for special instruction, scheduling, and counseling where needed.
- b) Receive home instruction.
- c) Attend BOCES programs.

Education Law Sections 1604(20), 3202-1,
3205-1, 4401-1, and 4402-2

Adopted: 6/11/01

Students

SUBJECT: SCHOOL CENSUS

With the exception of the cities of New York, Buffalo and Rochester, as well as small city school districts, all other school districts are authorized, rather than obligated, to take a census of all children from birth to 18 years of age.

The census must indicate the names of all children between birth and 18 years of age, and of children with disabilities between birth and 21 years of age; their respective residences by street and number; the day of the month and the year of their birth; the names of the persons in parental relation to them; such information relating to physical or mental disabilities, to illiteracy, to employment and to the enforcement of the law relating to child labor and compulsory education as the State Education Department and the Board of Education shall require; and also such further information as the Board shall require.

On written request and in such form as prescribed by the Commissioner of Education, the Board shall provide to the Commissioner a report containing the names, ages and addresses of those children who are blind or deaf, and those children having serious physical or mental disabilities. Additionally, such report shall further indicate whether such children are being educated within the public schools of the District or, if they are not, where such education is being furnished to them.

Persons in parental relation to those children within the prescribed census age ranges are to make such reports as the Board of Education shall require, including, but not limited to, providing two weeks before the child reaches compulsory school age, the name of the child; the child's residence; the name of the person or persons in parental relation to the child; the name and location of the school to which the child shall have been or shall be sent as a student; and such other information as required by law or as the Board may require.

A parent, guardian or other person having under his/her control or charge a child between birth and 18 years of age who withholds or refuses to give information in his/her possession relating to such census data as required by law pertaining to the child; or, in the alternative, gives false information in relation to such census data, may be subject to and punished by a fine or imprisonment as established by law.

Census data shall be reported as required by law.

Education Law Sections 3240-3243 and 4402(1)(a)
8 New York Code of Rules and Regulations
(NYCRR) Section 200.2(a)

NOTE: Refer also to Policy #7650 -- Identification and Register of Children With Disabilities.

Adopted: 6/11/01

Students

SUBJECT: STUDENT EVALUATION**Placement**

Placement within the system, with respect to building, teacher, and grade or special class, shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such decisions, the administrator will be guided by performance in class, past records, parent/guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information, but the final decision shall rest with the school administration.

Promotion and Retention

The procedures to be followed by the staff regarding promotion and retention will be developed by the Superintendent and will be continually evaluated in the light of School District policy. Building principals will establish written standards for promotion or retention within the school units to which the students are assigned, subject to the guidelines of the Superintendent and the approval of the Board of Education.

Testing Program

The Board of Education endorses and supports the use of ability, achievement, diagnostic, readiness, interest and guidance tests as part of the total educational process to the degree to which tests help the District to serve its students.

Alternative Testing Procedures

The use of alternative testing procedures shall be limited to:

- a) Students identified by the Committee on Special Education as having a disability; and
- b) Students whose native language is other than English, except that alternative testing procedures for the Regents competency tests in reading and writing may be used only by students who first enter, after grade eight, schools where the predominant language of instruction is English.

The alternative testing procedures employed shall be based upon a student's individual needs and the type of test administered.

The District shall report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

(Continued)

Students

SUBJECT: STUDENT EVALUATION (Cont'd.)**Reporting to Parents/Legal Guardians**

Parents/guardians shall receive an appropriate report of student progress at regular intervals. Report cards shall be used as a standard vehicle for the periodic reporting of student progress and appropriate school related data. Report cards, however, are not intended to exclude other means of reporting progress, such as conferences, phone conversations, and other informal means of communication.

When necessary, attempts will be made to provide interpreters for non-English speaking parents/guardians.

8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(g)

Adopted: 6/11/01

Students

SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

The Board of Education recognizes that District parents with hearing impairments must be afforded an opportunity to participate in meetings or activities pertaining to the academic and/or disciplinary aspects of their child's education. Accordingly, upon adequate notice of need, the District will provide an interpreter for hearing-impaired parents for school-initiated academic and/or disciplinary meetings or activities, including, but not limited to:

- Parent/teacher conferences
- School child study team meetings
- CPSE and CSE meetings
- Planning meetings with guidance counselors regarding educational progress
- Career planning
- Suspension hearings or other conferences with school personnel relating to disciplinary actions.

Also, the administration is authorized to provide an interpreter for hearing-impaired parents for a reasonable number of parent-initiated meetings with School District staff each year.

The District will provide an interpreter for the hearing-impaired parent if a written request for the service has been submitted to and received by the District at least five school days prior to the scheduled meeting or activity. If an interpreter is unavailable, the District will then make other reasonable accommodations which are satisfactory to the parents (for example, notetaker, transcript, decoder, or telecommunication device for the deaf). These services will be made available by the District at no cost to the parents.

The District shall maintain a list a available interpreters and notify parents of the availability of interpreter services, the time limitation for requesting these services, and of the requirement to make other reasonable accommodations satisfactory to the parents should an interpreter not be available.

Education Law Section 3230
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(aa)

Adopted: 6/11/01

Students

SUBJECT: GRADUATION REQUIREMENTS

In order to graduate from Huntington Union Free School District, a student must complete or may exceed the requirements set forth in Part 100 of the Commissioner's Regulations. The Board of Education reserves the right to establish requirements for graduation which exceed the minimum standards as defined by the New York State Regents.

8 New York Code of Rules and Regulations
(NYCRR) Sections 100.1(i) and 100.5

Adopted: 6/11/01

Students

SUBJECT: EARLY GRADUATION

A student shall be eligible for early graduation in fewer than eight semesters upon completion of all requirements for graduation, excluding physical education, as mandated by Commissioner's Regulations. A student shall not be required to continue enrollment for the sole purpose of completing physical education requirements. The District, upon request from the student's parent/guardian, may choose to grant the student a high school diploma prior to his/her completion of the eighth semester of physical education.

8 New York Code of Rules and Regulations
(NYCRR) Section 100.5(3)

Adopted: 6/11/01

Students

SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The Board of Education is committed to ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with the provisions of Section 100.5 of the Commissioner's Regulations. However, when necessary, the District may award local certificates and high school individualized education program diplomas to students with disabilities.

The administration shall develop regulations to implement this policy.

8 New York Code of Rules and Regulations
(NYCRR) Sections 100.6 and 100.9

Adopted: 6/11/01

Students

SUBJECT: DUAL CREDIT FOR COLLEGE COURSES

All students who have successfully fulfilled the requirements to enter into their senior year and have demonstrated intellectual and social maturity may choose to matriculate at any one of the colleges that have a cooperative agreement with our School District. Such opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. Review and approval by the administration are necessary before any college courses may be taken during the school day.

The Board shall not be required to pay tuition, transportation, and other related costs for those high school students enrolled in college courses. Students who wish to enroll in college level coursework shall meet all academic, grade level and coursework requirements as set forth by administrative rules and regulations.

Adopted: 6/11/01

SUBJECT: STUDENT RECORDS

The Board of Education recognizes the legal requirement to maintain the confidentiality of student records. The procedures for ensuring the confidentiality of student records shall be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

Annual Notification

At the beginning of each school year, the District will publish a notification that informs parents, guardians and eligible students currently in attendance of their rights under FERPA and the procedures for exercising those rights. This Notice may be published in a newspaper, handbook or other school bulletin or publication. This Notice will also be provided to parents, guardians, and eligible students who enroll during the school year.

The Notice will include a statement that the parent/guardian or eligible student has a right to:

1. Inspect and review the student's education records;
2. Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. File a complaint with the U.S. Department of Education alleging failure of the district to comply with FERPA and its regulations; and

In addition, the annual Notice will inform parents/guardians and eligible students:

1. That it is the District's policy to disclose personally identifiable information from the student records, without consent, to other school officials within the district whom the District has determined to have legitimate educational interests. For purposes of this policy, a school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and security personnel); a member of the Board of Education, a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent or

SUBJECT: STUDENT RECORDS

student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official performing his or her tasks. A school official has a legitimate educational interest if the official needs to review a student record in order to fulfill his or her professional responsibilities.

2. That, upon request, the District will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.
3. Of the procedure for exercising the right to inspect, review and request amendment of student records.

The District will provide translations of this Notice to non-English speaking parent(s) or guardian(s) in their native language or dominant mode of communication.

Directory Information

The District has the option under FERPA of designating certain categories of student information as “directory information.” The Board of Education directs that “directory information” include a student’s name, address, telephone number, date and place of birth, major course of study, participation in school activities or sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, photograph (still or moving) and class roster.

Once the proper FERPA notification is given by the District, a parent/guardian or eligible student will have **fourteen (14) days** to notify the District in writing of any objections they have to any or all of the “directory information” designations. If no objection is received within this specified time period, the District may release this information without prior consent of the parent/guardian or eligible student.

In addition, pursuant to the *No Child Left Behind Act of 2001 (NCLB)*, school districts receiving assistance under the *Elementary and Secondary Education Act of 1965 (ESEA)*, must provide to military recruiters, upon request, the names, addresses and telephone listings of secondary school students, unless parents or students have advised the school district they do **NOT** want the student’s information disclosed without prior written consent.

SUBJECT: STUDENT RECORDS

The District may elect to combine into one Notice:

1. The annual Notice of rights under FERPA;
2. The annual Notice of “directory information” designations; and
3. The annual Notice under NCLB.

Ref: Family Educational Rights and Privacy Act, 20 USC 1232g, 34
CFR Part 99
Public Officers Law §87(2)(a)
Section 9528 of the ESEA (20 USC 7908), as amended by the No Child
Left Behind Act of 2001 (PL 107-110), the Education Bill, and 20 USC
503, as amended by Section 544, the National Defense Authorization
Act for Fiscal Year 2002 (PL 107-107).

Adoption Date: October 20, 2003

Students

SUBJECT: RELEASE OF INFORMATION TO THE NONCUSTODIAL PARENT

The District may presume that the noncustodial parent has the authority to request information concerning his/her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his/her responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information.

20 United States Code (USC) 1232(g)(b)(4)(A)
34 Code of Federal Regulations (CFR), Part 99

Adopted: 6/11/01

Students

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE

The Board of Education of the Huntington Union Free School District is responsible for operating schools in accordance with Federal and State laws and regulations. The Board of Education believes that education best occurs when personal accountability, respect for self and others is expected and required. Each school, through its site-based Shared Decision Making team, shall develop expectations for student behavior which models responsibility, respect for self, and respect for others. To be effective, these expectations must be well communicated and uniformly implemented. Involvement of parents, students and staff is necessary to fulfill this.

The intent of this policy is to provide guidance in areas which have been sources of staff-student conflict, to create a mechanism for resolving those conflicts, and to create an atmosphere of academic freedom in which a student may develop intellectual integrity. A necessary assumption is that students will accept the responsibilities inherent in their rights and that school staff members will use their authority with respect for the integrity and human dignity of their students. No written document can anticipate every situation that will arise.

School/Community Responsibilities

All school employees are responsible for supervising student behavior while students are legally under the supervision of the schools.

The Superintendent of Schools shall establish all necessary procedures, rules and regulations to make effective the Board of Education policies. The Superintendent shall keep the Board informed of serious infractions.

The school principal is responsible for implementing all necessary procedures, rules and regulations to make effective the Board of Education policies. The principal, in consultation with the Shared Decision Making Team, has the responsibility and the authority to formulate school rules and regulations in accordance with Board of Education policy.

The principal shall be responsible for informing all students, faculty, parents, and all interested community groups of the rules and regulations in effect for the school at the beginning of each school year. New students will be informed upon registration. The principal will also be responsible for informing these parties of any change in the rules made during the year.

The principal has the authority to impose sanctions on students for failure to comply with school regulations. These sanctions may range from a reprimand to a five day suspension and may include exclusion from school functions, activities, and/or extra-curricular activities. The principal may recommend to the Superintendent of Schools that a student be placed on long-term suspension for serious violation of school rules, or the student be placed in an alternative school setting. If the Superintendent deems appropriate, a Superintendent's Hearing will be conducted.

(Continued)

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE (Cont'd.)

Each staff member shall provide for the safety and well-being of each student and protect the property of individuals and the school from harm. Each teacher has the responsibility and authority to use the necessary measures to maintain control within the classroom, the school building, and on school property. If efforts to solve a behavior problem are unsuccessful, the student shall be referred to the designated administrator.

Students are expected to conduct themselves in a manner conducive to a proper learning environment and respect the personal, civil, and property rights of all members of our school community. Students will receive annually the procedures and rules established for the welfare of the entire student body and are expected to know and follow them.

Student Responsibilities

These responsibilities include, but are not limited to, the responsibility to:

- a) Maintain satisfactory academic work including attendance and behavior.
- b) Maintain good order.
- c) Respect the rights of others.
- d) Address fellow students and adult with proper language and in an appropriate manner.

Students' Rights**The Right to Learn**

Each student has the right to be treated with respect in a safe and orderly environment, free from disruptions.

The Right to Due Process

Each student shall be informed of the rule and the infraction for which that student is charged. Prior to any suspension, a student shall receive oral notification of the charge. The parent or guardian shall receive written notification of the suspension and the underlying charge.

The Right to Privacy of Records

Records are maintained for each student from his/her entrance into school through graduation. Unless proscribed by law, a parent, legal guardian or person in parental relationship shall have access to the file. Records of the students who are under the aegis of the Committee on Special Education, by law, must be kept confidential. Special laws and regulations apply to such students records. Information in the files will not be disclosed to any person or agency outside the school, except with permission of the parents of a minor student or by the student when the age of 18 is attained.

(Continued)

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE (Cont'd.)**The Right to Patriotic Exercise**

The Principal will provide for appropriate patriotic exercises in the school in accordance with the Board of Education policy and the State Law. Students may not be forced to participate in patriotic exercises, but they shall be required to refrain from interfering with the participation of others in such exercises.

The Right to Student Governance

Students have the right to organize and promote a form of student government that is acceptable to the majority of students in the school. All students have the right to seek and hold office and to vote in school elections.

The Right to Assembly

Students have the right to organize and assemble for discussion of issues and to demonstrate peacefully at such times and in such places within the school building or upon the school grounds as the principal of the school may reasonable designate after consultation with the students. Students wishing to assemble must share the responsibility of preventing truancy and infringing on the rights of fellow students who do not wish to participate. However, it is the responsibility of the principal to protect students against the dangers inherent in the large assemblage.

The Right to Participate in "non-credit bearing" Co-curricular Activities

Participation in co-curricular activities is a privilege granted to students who maintain academic standards and good citizenship.

Beginning in the ninth grade, in order to remain eligible to participate in co-curricular activities, a student who fails 2 or more subjects on the informals, quarterly grade reports, and/or June final grades shall be required to attend extra help before, during, or after the school day. Extra help is defined as thirty minutes/week/subject of tutorial assistance. A teacher certified in the required subject area must administer extra help. If no such teacher can be scheduled, the building administration will arrange for alternative tutoring. Extra help shall continue until the student's failure grade is removed.

A student failing 4 or more subjects will be ineligible to participate in activities. The student may try out and practice with the team or group but not dress, play or attend games or activities until passing the required courses. This ineligibility will continue until passing grades are achieved on the informal or quarterly reports.

(Continued)

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE (Cont'd.)

A student failing physical education, even if it is the only course failed, shall not participate in extra-curricular sports.

This policy will be reviewed annually.

This section of Policy continues from year to year.

Beginning in seventh grade, a student who is suspended out of school more than twice during the school year shall be placed on probationary status for two (2) months. During this probationary period, the student may continue to participate in co-curricular activities but must report to the athletic or program director weekly and participate in counseling as directed by administration. If an out-of-school suspension occurs during this probationary period, the student shall not be eligible to participate in co-curricular activities for a three (3) month period starting with the date of last out of school suspension.

This section of Policy is annual and does not carry over into the next school year.

A school-sponsored student organization has the right to establish criteria for membership provided such criteria are relevant to the purpose and activities of that group.

The Right to Personal Property

Students have a right to be secure in their persons, papers, and effects; however, the principal or a designee is authorized to conduct a reasonable search of a student if there is a reasonable suspicion to believe that the student has in his/her possession an item which constitutes a violation of the laws or a violation of the rules of the school. The search must be made in the presence of a third party.

The principal or his/her designee may conduct a search of the school physical plant including students' lockers, providing there is reasonable suspicion to believe that dangerous or unlawful material(s) or those which may disrupt the learning environment may be present.

The Right of Free Speech and Expression

Students, are exposed to diverse opinions on a infinite number of topics. Students should be allowed to express themselves in writing as well as through conversation. However, student editors and writers of school supported publications may not publish material which:

- a) is obscene as to minors according to current legal definitions,
- b) is libelous, according to current legal definitions,
- c) promotes an activity which is contrary to school rules or the law.

(Continued)

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE (Cont'd.)

Students must consult with the principal before distributing any written material to insure the order of the school is maintained. The principal may deny the right to distribute material in a manner which would disrupt school order.

Preventive Intervention Procedures

When it is recognized by any staff member that a student is behaving in a way that indicates potential disciplinary problems, the staff member will make a referral to the principal, or, if appropriate, attempt to evaluate the problem and initiate a preventive type of activity. Some suggested evaluative and preventive intervention procedures are:

- a)Conferring with the student
- b)Use of progress reports
- c)Teacher conference with the parents/guardians
- d)Counseling
- e)Referral to guidance counselor, social worker, psychologist, school nurse, child study team, or member of the pupil personnel team
- f)Transfer to alternative educational program
- g)Change of schedule
- h)Referral to Peer Mediation or National Helper

If early intervention measures prove unsuccessful, the following are some options suggested for use prior to suspension:

- a)Required parent or guardian conference
- b)Detention
- c)Time out room
- d)Time in P.A.S.S. (Positive Alternative School Suspension)
- e)Loss of senior privilege

Range of Penalties - Disruptive or Inappropriate Behavior

Behavior which interferes with the normal function of a school constitutes a violation of the rights of others. students who are responsible for disruptive behavior are subject to the following range of penalties depending upon the frequency and severity of the unacceptable behavior: reprimand or warning; detention; assignment to in-school suspension (Positive Alternative to School Suspension, P.A.S.S.), suspension from co-curricular activities; short-term (for up to five days) or long-term (after a Superintendent's Hearing), out-of-school suspension. The principal and the offender can substitute a mutually agreed upon alternative way of making restitution (i.e., community or school service). Such measures or alternatives shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student.

(Continued)

Students

SUBJECT: SCHOOL CONDUCT AND DISCIPLINE (Cont'd.)

Disruptive or otherwise inappropriate behavior in school buildings, on school grounds, on school buses, or any school sponsored activity including those at non-school locations includes, but is not limited to the following:

- a) Academic dishonesty
- b) Cutting class, study hall, or an assembly program
- c) Tardiness to class/school
- d) Leaving school buildings or grounds or designated field trip areas without permission
- e) Refusing to obey school rules
- f) Refusing to serve detention or P.A.S.S.
- g) Disrespect to staff member or another student
- h) Use of tobacco in school buildings or on school grounds or school buses
- i) Truancy
- j) Gambling
- k) Use of vulgar or abusive or threatening language.
- l) Verbal, physical, or sexual harassment
- m) Fighting or assault
- n) Disrespect for property, school or private (for example, theft, vandalism, destruction)
- o) Disruptive behavior which results in interference with school programs and/or activities
- p) Arson
- q) False fire alarm fire report/bomb threat
- r) Use or possession of alcohol or controlled or illegal substances
- s) Distribution, attempt to distribute, or possession with intent to distribute, of a non-controlled substance upon the representation that the substance is a controlled, dangerous or illegal substance.
- t) Extortion
- u) Possession and/or use of a weapon or facsimile of a weapon of any kind
- v) Robbery
- w) Any other conduct which endangers the health, safety, morals or welfare of others.

Adopted: 6/11/01

Students

SUBJECT: LOSS OR DESTRUCTION OF DISTRICT PROPERTY OR RESOURCES

The District is authorized to seek restitution, through civil action when necessary, from the parent or guardian of an unemancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

- a) Has willfully, maliciously, or unlawfully damaged, defaced or destroyed real or personal property in the care, custody and/or ownership of the District; or
- b) Has knowingly entered or remained in a District building, and wrongfully taken, obtained or withheld personal property owned or maintained by the District.

In instances where the District has sought and obtained a judgment from a court of competent jurisdiction, parent/guardian liability for civil damages shall not exceed \$5,000. Under certain circumstances, prior to the entering of a judgment in the sum total of \$500.00 or more, a court may consider the parent's or guardian's financial inability to pay any portion or all of the amount of damages which are in excess of \$500.00, and enter a judgment in an amount within the financial capacity of the parent or guardian. However, no such judgment shall be entered for an amount which is less than \$500.00.

False Reporting of an Incident and/or Placing a False Bomb

A School District is also authorized to seek restitution, as described in law, from a parent or guardian of an unemancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

- a) Has falsely reported an incident; or
- b) Has placed a false bomb as defined in the New York State Penal Law.

Damages for falsely reporting an incident or placing a false bomb shall mean the funds reasonably expended by the School District in responding to such false report of an incident or false bomb, less the amount of any funds which have been or will be recovered from any other source as enumerated in law.

In seeking restitution, the School District shall file with the court, district attorney and defense counsel an affidavit stating that the funds reasonably expended for which restitution is being sought have not been and will not be recovered from any other source or in any other civil or criminal proceeding, except as provided for pursuant to General Obligations Law Section 3-112.

General Obligations Law Section 3-112
Penal Law Section 60.27

Adopted: 6/11/01

Students

SUBJECT: STUDENT DRESS CODE

The responsibility for the dress and appearance of students shall rest with individual students and parents. They have the right to determine how the student shall dress, provided that such attire is not destructive to school property, complies with requirements for health and safety, does not interfere with the educational process, or impinge upon the rights of others. The administration is authorized to take action in instances where individual dress does not meet these stated requirements.

While the school administration may require students participating in physical education classes to wear certain types of clothing such as sneakers, socks, shorts, tee shirts, they may not prescribe a specific brand which students must buy.

This policy does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student shall not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the above requirements.

Students

SUBJECT: SUSPENSION

The principal and/or the Superintendent may suspend students from required attendance and instruction:

- a) A student who is insubordinate or disorderly.
- b) A student whose physical or mental condition, or whose conduct endangers the health, safety or morals of himself/herself or of other students.

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

Suspension: Five Days or Less

The principal of the school where the student attends is empowered to suspend a student for a period not to exceed five (5) school days. In the absence of a principal, the "Acting Principal", who is designated by the Board, may then suspend a student for a period of five (5) days or less.

When a student is suspended from school for a period of five days or less, administration shall immediately notify the parents/guardians in writing that the student has been suspended. Notice will be sent to the last known address of the student's parents/guardians in such manner as to assure receipt of the notice within 24 hours of the student's suspension. Where possible, notification shall also be provided by telephone.

The notice shall describe the incident(s) which resulted in the suspension and shall inform the parents/guardians of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law, Section 3214(3)(b). Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/guardians.

Suspension: More Than Five Days

The Superintendent may suspend a student for a period in excess of five school days. Such student and the person in parental relationship to such student, upon reasonable notice, shall have had an opportunity for a hearing. The student has the right of representation by counsel, with the right to question witnesses.

(Continued)

Students

SUBJECT: SUSPENSION (Cont'd.)**Suspension of Students with Disabilities**

Generally, should a student with a disability infringe upon the established rules of the schools, disciplinary action shall be in accordance with procedures set forth in the District's School Conduct and Discipline Code and in conjunction with applicable law and the determination of the Committee on Special Education. (Refer to Policy #7310, School Conduct and Discipline.) In the case of suspension of a student who has been identified as having a disability, determination has to be made regarding whether or not the suspension is related to the disability; as such, a referral must be made to the Committee on Special Education for a consideration for change of placement. The District must ensure that no student with a disability is suspended in excess of ten (10) cumulative days, unless otherwise permitted by law, without a referral to the Committee on Special Education. Suspension includes both in-school and out-of-school suspension.

Suspension From BOCES

The Board of Education empowers the BOCES principal to suspend Huntington Union Free School District students from BOCES classes for a period not to exceed five (5) days when student behavior warrants such action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her classwork while attempting to reinforce acceptable behavior, attitudes and personal interaction.

BOCES Activities

BOCES activities, like field trips and other activities outside the building itself, are considered an extension of the school program. Therefore, an infraction handled at BOCES is to be considered as an act within the Huntington Union Free School District itself.

A student who is ineligible to attend the Huntington Union Free School District on a given day shall be ineligible to attend BOCES classes.

Education Law Section 3214
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(l)

Adopted: 6/11/01

Students

SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES

The Board of Education will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.

One purpose of this policy is to provide notice to students and parents/guardians that, unlike most traditional instructional or library media materials, the DCS will allow student access to external computer networks not controlled by the School District where it is impossible for the District to screen or review all of the available materials. Some of the available materials may be deemed unsuitable by parents/guardians for student use or access. This policy is intended to establish general guidelines for acceptable student use. However, despite the existence of such District policy, accompanying guidelines and regulations and the District use of filtering software, it will not be possible to completely prevent access to computerized information that is inappropriate for students. Furthermore, students may have the ability to access such information from their home or other locations off school premises. Parents/guardians of students must be willing to set and convey standards for appropriate and acceptable use to their children when using the DCS or any other electronic media or communications. The District respects the right of each family to decide whether or not to apply for independent computer access.

Student use of the DCS is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to insure acceptable use of the DCS. All such agreements shall be kept on file in the District Office.

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

(Continued)

Students

SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES (Cont'd)

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the Student Discipline Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The computer coordinator may access all such files and communications to insure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private.

Regulations will be established as necessary to implement the terms of this policy

Students

SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS)

The Board of Education recognizes that the misuse of drugs and/or alcohol is a serious problem with legal, physical, emotional and social implications for the entire community. Therefore, the consumption, sharing and/or selling, use and/or possession of alcoholic beverages, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs is prohibited at any school-sponsored event or on school property at all times. The inappropriate use of prescription and over-the-counter drugs shall also be disallowed. Persons shall be banned from entering school grounds or school-sponsored events when exhibiting behavioral, personal or physical characteristics indicative of having used or consumed alcohol or other substances.

Through the collaborative efforts of staff, students, parents/guardians and the community as a whole, a certifiable comprehensive program shall be developed addressing alcohol and other substances to include the following elements:

Primary Prevention

Preventing or delaying alcohol and other substance use/abuse by students shall be the major focus of a comprehensive K-12 program in which proactive measures of prevention and early intervention are emphasized. This program shall include:

- a) A sequential K-12 curriculum that will be developed and incorporated into the total educational process. This curriculum shall be concerned with education and prevention in all areas of alcohol and other substances uses/abuse;
- b) Training school personnel and parents/guardians to reinforce the components of the policy through in-service and community education programs with up-to-date factual information and materials.
- c) An effort to provide positive alternatives to alcohol and other substances use/abuse through the promotion of drug/alcohol-free special events, service projects and extracurricular activities that will develop a positive peer influence.

Intervention

School-based intervention services shall be made available to all students, grades K-12, and provided by prevention professionals who are appropriately trained in this area. The purpose of intervention is to eliminate any existing use/abuse of alcohol and other substances and to identify students considered to be at risk for use/abuse. Intervention programming shall include:

- a) Counseling of students in groups and as individuals on alcohol and other substance use/abuse. Counselors shall be appropriately trained and skilled school staff assigned for this purpose.

(Continued)

Students

SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS) (Cont'd.)

- b) Referring students to community or other outside agencies when their use/abuse of alcohol and other substances requires additional counseling or treatment. Referral is a key link in school and community efforts and the process is basic to the dissemination of information regarding available counseling and health services;
- c) Providing a supportive school environment designed to continue the recovery process for students returning from treatment. A re-entry program may include continuing student and/or family counseling and emphasizing positive alternatives to alcohol and other substance use/abuse.
- d) Developing a parent network to serve as a support group and provide a vehicle of communication for parent education;
- e) Ensuring confidentiality as required by state and federal law.

Disciplinary Measures

Disciplinary measures for students consuming, sharing and/or selling, using and/or possessing alcoholic beverages, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs shall be outlined in the District's Bill of Student Rights and Responsibilities.

Staff Development

There shall be ongoing training of District staff about the components of an effective alcohol and other substances program. Training shall include, but not be limited to, District policies and regulations and the staff's role in implementing such policies, and regulations. Teachers shall be trained to implement the District's K-12 alcohol and other substance prevention curricula; intervention staff shall be suitably trained to carry out appropriate services.

Implementation, Dissemination and Monitoring

It shall be the responsibility of the Superintendent to implement the alcohol and other substances Board policy by collaboration with school personnel, students, parents/guardians and the community at large.

Additionally, copies of Board policy shall be disseminated to District staff, parents/guardians and community members. The Superintendent shall biennially review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Drug-Free Schools and Communities Act
Amendment of 1989 (Public Law 101-226)
20 United States Code (USC) Section 3171 et seq.

Adopted: 6/11/01

Students

SUBJECT: SEARCHES AND INTERROGATIONS

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband seized on school grounds or in a school building by a School District employee only when the School District employee has reasonable cause to believe the student is engaging in proscribed activity which is in violation of school rules and/or illegal.

Factors to be considered in determining whether reasonable cause exists to search a student include:

- a) The age of the student;
- b) The student's record and past history;
- c) The predominance and seriousness of the problem in the school where the search is directed; and
- d) The urgency to conduct the search without delay.

If reasonable cause exists to believe that a student possesses a weapon, it is permissible for a School District employee to frisk that student.

Lockers

Lockers are provided by the school for student use and the administration has the right to search lockers. A student may have exclusive use of a locker as far as other students are concerned but he/she does not have such exclusivity over the locker as against the school authorities.

Questioning of Students by School Officials

School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.

Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

(Continued)

Students

SUBJECT: SEARCHES AND INTERROGATIONS (Cont'd.)

The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

School officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called "Miranda warnings" (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him/her; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.

If deemed appropriate and/or necessary, the Superintendent/designee may also review the circumstances with School District legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

Law Enforcement Officials

It shall be the policy of the Huntington Union Free School District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. The School District's administrators shall at all times act in a manner that protects and guarantees the rights of students and parents.

Interrogation of Students by Law Enforcement Officials

If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of the parent/guardian in situations where a warrant has been issued for the student's arrest (or removal) or the questioning of students concerns a crime committed on school property. If the police wish to speak to a student without a warrant, they should take the matter up directly with the student's parent/guardians.

Family Court Act Section 1024
Education Law Sections 1709(2) and (33) and 2801
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(l)

Adopted: 6/11/01

Students

SUBJECT: BUS RULES AND REGULATIONS

The Huntington Union Free School District furnishes transportation to those students whose disability or distance from the school makes the service essential. Riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in this District.

Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport his/her passengers safely.

The Board of Education, the Superintendent and/or his/her designee have the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. In these cases, the parents/guardians of the children involved become responsible for seeing that their children get to and from school safely.

Bus drivers shall be held responsible for reasonable and acceptable behavior of students while riding the school bus.

The Board directs the administration to establish rules and regulations for student conduct on buses, including applicable due process rights to be afforded students suspended from transportation privileges. These rules and regulations shall be promulgated to all concerned, including the non-public schools to which students are transported.

8 New York Code of Rules and Regulations
(NYCRR) Section 156
20 United States Code (USC)
Sections 1400-1485, Individuals With
Disabilities Education Act (IDEA)

Adopted: 6/11/01

Students

SUBJECT: CORPORAL PUNISHMENT

Corporal punishment as a means of discipline shall not be used against a student by any teacher, administrator, officer, employee or agent of this School District.

However, if alternative procedures and methods which would not involve physical force do not work, then the use of reasonable physical force is not prohibited for the following reasons:

- a) Self-protection;
- b) Protection of others;
- c) Protection of property; or
- d) Restraining/removing a disruptive student.

Whenever a school employee uses physical force against a student, the school employee shall, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent of Schools shall submit a written report semi-annually to the Commissioner of Education, with copies to the Board of Education, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the Huntington Union Free School authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Rules of the Board of Regents
Section 19.5
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(1)(3)

Adopted: 6/11/01

Students

SUBJECT: WEAPONS IN SCHOOL

The Board of Education, cognizant of its responsibilities to provide for a safe and healthy environment wherein students can learn, sets forth and establishes a policy prohibiting dangerous instrumentalities and weapons in school with the following guidelines:

- a) No student or staff member shall possess upon school premises any dangerous instrumentality, firearm, dangerous chemical, explosive device, or weapon.
- b) The term “weapon” means:
 - A firearm as defined in 18 U.S.C. §921 for purposes of the Gun Free Schools Act; or
 - Any other gun, BB gun, paintball gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, knife, switchblade knife, gravity knife, pilum ballistic 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
 - Any other device, object, instrument, material, substance and/or any facsimile thereof that is used, attempted to be used, or is threatened to be used to cause physical injury or death.
- c) School premises shall mean school grounds, buildings and/or facilities, whether owned by the School District or leased to the School District and shall also include school buses.
- d) An exception to the prohibition set forth in this policy may be made with prior approval and arrangements made with the principal, in an instance where a weapon is part of a dramatic or music performance, or is used as an artifact in an instrumental unit.
- e) New York State peace officers and police officers are the only individuals permitted upon school premises to have a weapon in their possession.
- f) After a hearing pursuant to New York Education Law Section 3214, any student having been found guilty of bringing a firearm upon school premises shall, as a penalty, be suspended for a period of one year, provided that the Superintendent, after considering the totality of the circumstances surrounding the offense, and the student’s previous record, shall have the

Students

SUBJECT: WEAPONS IN SCHOOL

authority to modify the one year penalty on a case by case basis. Nothing in this subparagraph shall be construed as a limitation upon the discretionary power of the Superintendent to recommend or impose disciplinary penalties in regard to any infraction of this policy which involved possession of dangerous instrumentalities or weapons which are not firearms. Further, nothing in this policy shall be construed to limit any rights possessed by students classified as disabled.

NOTE: Refer also to Policy #3411 – Unlawful Possession of a Weapon Upon School Grounds

Adoption Date: 9/13/04

Students

SUBJECT: EXTRACURRICULAR ACTIVITIES

The Board of Education considers extracurricular activities to be a valuable part of the program of the school and shall support these activities within the financial means of the District.

Limited Open Forum

The Board of Education maintains a limited open forum where secondary students may meet for voluntary student-initiated activities unrelated directly to the instructional program, regardless of religious, political or philosophical content.

To provide "a fair opportunity" to students who wish to conduct a meeting, the Board of Education, in accordance with the provisions of the Equal Access Act, shall ensure that:

- a) The meeting is voluntary and student-initiated;
- b) There is no sponsorship of the meeting by the school, the government, or its agents or employees;
- c) Employees or agents of the school or government are present at religious meetings only in a nonparticipatory capacity;
- d) The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- e) Nonschool persons may not direct, conduct, control, or regularly attend activities of student groups (20 USC Section 4071[c]).

The Board prohibits student organizations whose activities may be unlawful or may cause disruption or interference with the orderly conduct of the educational process.

Administration is responsible for establishing regulations governing the use of school facilities by student organizations.

Eligibility for Attendance

- a) Students who are suspended from school on a day of an athletic game or practice session, party, school dance, or other school affair scheduled after regular school hours are not eligible for participation or attendance at such events.

(Continued)

Students

SUBJECT: EXTRACURRICULAR ACTIVITIES (Cont'd.)

- b) In order for students to attend a school-sponsored function, it is necessary that students attend classes for at least half of the school day on the day of the activity. One-half of the school day is defined as four consecutive periods

8 New York Code of Rules and Regulations
(NYCRR) Sections 172.1 and 172.2
Education Law Sections 1709, 1709-a,
2503-a, and 2554-a
Equal Access Act, 20 United States Code (USC)
Sections 4071-4074

Adopted: 6/11/01

Students

SUBJECT: CENSORSHIP OF SCHOOL SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

The District may exercise editorial control over the style and content of student speech in school sponsored publications and activities that are part of the educational curriculum.

Adopted: 6/11/01

Students

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

Athletics are an integral part of a well balanced educational program. Therefore, the Board supports within its resources a broad sports program with equal access for both males and females, with emphasis on maximum participation, through interscholastic and intramural activity.

The interscholastic athletic program shall conform to the Regulations of the Commissioner of Education as well as the established rules of the New York State Public High Schools Athletic Association and the State Education Department.

Eligibility for interscholastic athletic competition requires that the students:

- a) Provide written parental/guardian consent;
- b) Pass satisfactorily the medical examination administered by the school 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; and
- d) Meet eligibility standards as set forth for students in grades 7-12.

Selection/Classification Process

The Board approves the use of the selection/classification process for all secondary school interscholastic team members. The Board directs the Superintendent to implement the procedures and maintain a file of those students deemed eligible as a result of those procedures.

Student Athletic Injuries

No student should be allowed to practice or play in an athletic contest if he/she is suffering from an injury. The diagnosis of and prescription of treatment for injuries is strictly a medical matter and should under no circumstances be considered within the province of the coach. A coach's responsibility is to see that injured players are given prompt and competent medical attention, and that all details of a doctor's instructions concerning the student's functioning as a team member are carried out. 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 certificate may be required before an athlete is permitted to return to practice or competition.

(Continued)

Students

SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)**Athletic Program - Safety**

The District will take reasonable steps to see that physical risks to students participating in the interscholastic athletic program shall be kept at a minimum by:

- a) Requiring medical examinations of participants;
- b) Obtaining certificated officials to coach all varsity, junior varsity, and modified games.
- c) Ensuring that equipment is both safe and operative within approved guidelines.

8 New York Code of Rules and Regulations
(NYCRR) Section 135

Athletic Program - Supervision of Students

Students working on any activity must be supervised by the teacher in charge of the activity. This applies to all activities and permission to hold practices or meetings must not be granted unless a teacher is definitely in charge.

- a) Physical education personnel in the School District will be fully responsible for the supervision of all students in either their class or their after school activities. The coaches will be responsible for supervision of the dressing rooms.
- b) Coaches are responsible for the supervision of their athletes at the end of practice. This may entail bus duty, or making sure students have transportation home.
- c) Teachers and/or assigned school personnel in the elementary grades will be responsible for the playground supervision of all the children under their jurisdiction during the recess periods and before the regular afternoon sessions. The principal will distribute the responsibility so that the playground situation will be properly controlled.
- d) Students are not to be sent on any type of errand away from the building without the consent of the principal.

Adopted: 6/11/01

Students

SUBJECT: CONTESTS FOR STUDENTS, STUDENT AWARDS AND SCHOLARSHIPS

Contests for Students

Distribution of educational material, essay contests, and poster contests must be approved in advance by the building principals if the sponsoring organization wishes to involve students in the project on school time. Samples of informational material should accompany the request. Upon the judgment of the principal, the request may be forwarded to the Superintendent and the Board of Education for approval.

Student Awards and Scholarships

The School District may obtain and award to its students awards and scholarships. The Board of Education, having been entrusted by law, will hold in trust gifts, grants, bequests and legacies given or bequeathed to the Huntington Union Free School District and shall apply the same and/or their interest and proceeds according to the instruction of the donors and according to the procedures established by the administration.

Education Law Section 1709(12-a)

Adopted: 6/11/01

Students

SUBJECT: MUSICAL INSTRUMENTS

- a) All instrumental music students shall be expected to own or rent their instrument--particularly the common and less expensive instruments (flute, clarinet, trumpet, saxophone etc.). In the event of student financial need, the District may assist a student in procuring the appropriate instrument. Administrative regulations will be developed to implement this process.
- b) Students will not be required to own or rent the less common and more expensive instruments. Instruments in this category are as follows: oboe, bassoon, tuba, French horn, trombone, baritone horn, tenor and baritone saxophones, bass trombone and percussion instruments. School-owned instruments in this classification will be disbursed upon decisions by the instrumental music staff. Decisions will be dependent upon the individual student's talent and merit and the need for a balanced instrumentation at each grade level.
- c) Students and parents/guardians will assume responsibility for proper care of school-owned instruments and will pay for damages to same.
- d) The District will only transport in its vehicles those instruments meeting certain safety standards as indicated in the New York State Department of Transportation Regulations.

New York State Department of Transportation
Regulations Section 720.22

Adopted: 6/11/01

Students

SUBJECT: FUND RAISING BY STUDENTS

Fund raising projects in which students sell merchandise, provide services, or in other ways solicit money for school activities may be sponsored by school organizations with the express approval of the building principal. Any such plan shall have a clearly defined purpose and, in general, shall contribute to the educational experience of students and shall not conflict with instructional programs or state mandates. Fund raising activities away from school property shall be held to a minimum.

Door to door sales projects undertaken by any organization using the Huntington Union Free School name shall require previous approval of the Board of Education. Profits shall be used to enhance school programs by providing money for expenditures not normally funded by the District.

All participation shall be voluntary, with written parent/legal guardian consent for children in grades K-8.

Also, refer to Policy #3271 Solicitation of Charitable Donations From School Children.

8 New York Code of Rules and Regulations
(NYCRR) Section 19.6
New York State Constitution, Article VIII,
Section 1
Education Law Section 414

Adopted: 6/11/01

Students

SUBJECT: SCHOOL STORES

A store may be established in the intermediate, middle and senior high school in conjunction with the business education program. Such a store should have as its major function the responsibility for affording students an opportunity to become familiar with the American free enterprise system. Also, a store should afford students the opportunity to develop attitudes, appreciations, habits and basic economic principles that will help them become more intelligent workers and citizens.

Adopted: 6/11/01

Students

SUBJECT: IMMUNIZATION OF STUDENTS

The Board of Education recognizes its responsibility under the Public Health Law to insure that the children under its charge are immunized against measles, polio, diphtheria, mumps, rubella, *Haemophilus influenzae type b (Hib), and **hepatitis B. Additionally, the varicella (chicken pox) vaccine shall be required for all children born on or after January 1, 1998 who will enter grades kindergarten and above in September 2003; and for all children born on or after January 1, 2001 and enrolled in any school as defined in Public Health Law Section 2164(1). The Board, therefore, requires that a physician's certificate or some other acceptable evidence of immunization be submitted for all children entering and presently attending school.

The Board directs the administration not to permit any child lacking evidence of immunization to remain in school for more than fourteen (14) days, or thirty (30) days for an out-of-state transferee who can show an effort to obtain the necessary evidence or certification. The administration should notify the local health authority of the name and address of the child, as well as to provide the person in parental relation to the child who has been denied admission or attendance a statement of his/her duty regarding immunization and a consent form prescribed by the Commissioner of Health. The school shall cooperate with the local health authorities to provide a time and place for the immunization of children lacking same.

The only exceptions to this policy are as follows:

- a) If a child whose parent, parents, or guardian hold genuine and sincere religious beliefs which are contrary to the practices required, no certificate shall be required as a prerequisite to such child being admitted or received into school or attending school;
- b) If a physician will certify that administering a vaccine to a particular child is detrimental to the child's health, the requirement may be waived by the Board.

A student denied entrance or attendance due to failure of meeting health immunization standards may appeal to the Commissioner of Education.

* Applicable only to Pre-K, Nursery and Day Care.

** Shall apply to children born on or after January 1, 1993, beginning with their enrollment in any public, private or parochial kindergarten, elementary, intermediate or secondary school, and to children born on or after January 1, 1995, beginning with their enrollment in any school, as defined in Public Health Law Section 2164(1)(a). Also, on or after September 1, 2001, all children are to be immunized against hepatitis B prior to enrollment in the seventh grade in any public, private or parochial intermediate or middle school.

Public Health Law Section 2164
Education Law Section 914

Adopted: 6/11/01

Students

SUBJECT: STUDENT PHYSICALS

All students shall have a periodic physical examination as indicated below by the school physician at the District's expense and such examination shall be conducted in accordance with all legal requirements.

Proof of examination by a private physician, subject to the approval of the school physician, shall be accepted in lieu of an examination in school. Private physicians shall indicate this proof using forms provided by the District. Such examinations shall be at the expense of the parent/guardian.

The required physical exams are as follows:

- a) Grades K, one, three, seven, and ten;
- b) Students transferring into the District whose health records show no examination in the previous grade listed in a) above;
- c) All athletes prior to their first sport of the school year, then only those who were injured or ill during their first sport before participating in a second sport during that school year;
- d) All students who need a work permit;
- e) All students referred.

For information addressing Exposure Control Program, Communicable Diseases and AIDS/HIV, refer to Policies #5690, 5691 and 5692 respectively.

Education Law Section 912
8 New York Code of Rules and Regulations
(NYCRR) Sections 135.4 and 136

Adopted: 6/11/01

Students

SUBJECT: ADMINISTRATION OF MEDICATION

Under certain unusual circumstances, when it is necessary for a student to take medication during school hours, the school nurse may administer the medication if the parent or guardian submits a written request accompanied by a written request from a physician indicating the frequency and dosage of prescribed medication. The parent or guardian must assume responsibility to have the medication delivered directly to the health office in a properly labeled original container.

Procedures for taking medications off school grounds or after school hours while participating in a school-sponsored activity will be in accordance with State Education Department Guidelines.

New York State Bureau of Health Service

The Use Of Inhalers In Schools

The School District permits students who have been diagnosed by a physician as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the school health office must receive the written permission of the prescribing physician, and parental consent, based on such physician's determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student.

A record of such physician/parental permission shall be maintained in the school office.

Health office personnel will maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student's management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.

Students who self-administer medication without proper authorization, under any circumstances, will be referred for counseling by school nursing personnel. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration may also be involved in determining the proper resolution of such student behavior.

Education Law Section 916

Adopted: 6/11/01

Students

SUBJECT: HEALTH RECORDS

The school shall keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they shall be kept confidential. Individual records may be interpreted by the nurse to administrators, teachers, and counselors, consistent with law.

8 New York Code of Rules and Regulations
(NYCRR) Part 136

Adopted: 6/11/01

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

Students come to school with diverse medical conditions which may impact their learning as well as their health. Some of these conditions are serious and may be life-threatening.

Students, parents, school personnel and health care providers must all work together to provide the necessary information and training to allow children with chronic health problems to participate as fully and safely as possible in the school experience.

All students within the District with known life-threatening conditions should have a comprehensive plan of care in place: an Emergency Care Plan (ECP) and/or Individual Healthcare Plan (IHP), and if appropriate, an Individualized Education Plan (IEP) or Section 504 Plan.

School Health Team

The District has identified the following as important members of the School Health Team to ensure that health information is complete, appropriate accommodations are prepared, and any necessary medication and environmental protocols are in place for students with life-threatening health conditions. The School Health Team members for individual students will vary based on the student's needs and may include:

- a) Parents/Guardians and Students;
- b) Building Principal;
- c) School Nurse;
- d) School Psychologist;
- e) Teachers;
- f) Food Service Personnel.
- g) Transportation Department

Those students with chronic life-threatening conditions such as diabetes, seizure disorders, asthma and allergies (food, insect sting, latex, medications, etc.) which may result in severe, life-threatening reactions to various environmental triggers, it is necessary that the District work cooperatively with the parent(s) and the healthcare provider to:

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

- a) Develop an Individualized Healthcare Plan that includes all necessary treatments, medications, training and educational requirements for the student;
- b) Immediately develop an Emergency Care Plan (ECP) for each at-risk student to ensure that all appropriate personnel are aware of the student's potential for a life-threatening reaction;
- c) If the student is eligible for accommodations based upon the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding evaluation and identification. The District will advise parents and/or students of their right to an evaluation by the District to determine whether the student has a disability that is eligible for such accommodations.
- d) Provide training by licensed medical personnel (e.g., registered professional nurse) for all adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students;
- e) Obtain specific legal documents duly executed in accordance with New York State law; appropriate health care provider authorization in writing for specific students that includes the frequency and conditions for any testing and/or treatment, symptoms, and treatment of any conditions associated with the health problem; and directions for emergencies;
- f) Secure written parent permission and discuss parental responsibility that includes providing the health care provider's orders, providing any necessary equipment, and participation in the education and co-management of the child as he/she works toward self-management;
- g) Once designated as a self-directed student, (according to health practice and procedures and, have received prior approval by the medical provider) the student may carry life saving medication, as long as duplicate life saving medication is also maintained in the health office in the event the self-carrying student misplaces the medication. The District reserves the right to request the District's Physician to review the student's health care provider's orders for compliance with District's health practice(s) and procedures;

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

- h) Assure appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.

In addition, the District will:

- Provide training for appropriate staff in the recognition of an anaphylactic reaction;
- Have standing emergency medical protocols for nursing staff;
- Request the District's Physician to write a non-patient specific order for anaphylaxis treatment agents for the school's registered professional nurse to administer in the event of an anticipated anaphylactic episode;
- As permitted by New York State law and approved in writing by the District Physician, maintain stock supplies of life saving emergency medication epinephrine in all health offices for use in first-time emergencies;
- Ensure that building-level and district-wide school safety plans include appropriate accommodations for students with life-threatening health conditions;
- Encourage families to obtain medic-alert bracelets for at-risk students;
- Educate students regarding the importance of immediately reporting symptoms of an allergic reaction.

Anaphylaxis

Although 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 for anaphylaxis will be pursuant to a standing order of the student's physician and/or standing orders of the District's school physician and may include immediate removal of the allergen, if known or possible, and treating the rapidly progressing effects of histamine release in the body with epinephrine and antihistamines.

Creating an Allergen-Safe School Environment

While the school and family will work cooperatively, an allergen-free environment can never be guaranteed. Avoidance of exposure to allergens is the key to preventing a life-threatening anaphylactic reaction. Educating the school community about life-threatening

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

allergies is crucial in keeping students with such allergies safe. The risk of accidental exposure or cross-contamination is always present, particularly for students with food allergies. The school setting is a high risk environment for accidental ingestion of a food allergen due to the presence of a large number of students, increased exposure to food allergens, and cross-contamination of tables, desks and other surfaces.

To guard against accidental exposure to allergens, monitoring of the following high-risk areas and activities is crucial:

- a) Cafeteria;
- b) Food sharing;
- c) Hidden ingredients in art, science and other projects;
- d) Transportation;
- e) Fund raisers and bake sales;
- f) Parties and holiday celebrations;
- g) Field trips.

Food Service

The Food Service Director, once contacted by parents, will address the allergen concern and provide a list of specific non-allergic food items served in the school lunch program. When notified by suppliers of any ingredient changes, parents will be given updated information by the School Lunch Director.

Elementary Classrooms, Snacks and Parties

At the elementary level, when the parent and family physician have informed the school of a child with a serious food allergy, a letter will be sent home to the class asking them not to bring in snacks or party foods that contain nuts (or, where appropriate, other food allergens). The child may be identified by name only with the written permission of the parents. A follow-up reminder will be provided at Meet-the-Teacher nights, or Back-to-School nights.

In accordance with Board Policy #5665 (Wellness Policy) Part II Food in the Classroom "... students will eat only snacks brought in from home for the individual consumption by

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

Students.” Food-allergic students will eat only snacks brought in from their home. They will not be permitted to eat or touch food brought in by others for snacks.

Before- and After-School Child Care

These programs are not under the auspices of the Huntington Union Free School District. Parents of food-allergic/anaphylactic children who are enrolled in a Before- and After-School Child Care Program should notify the program of their child’s medical needs.

Use of Epinephrine Auto-Injector Devices (Epi-Pens) in the School Setting

The administration of epinephrine by epi-pen to a student with a known severe allergy and those who have a first time allergic reaction needing an anaphylactic treatment agent may be performed by a school staff member responding to an emergency situation when such use has been prescribed by a licensed prescriber. However, a registered professional nurse/nurse practitioner/physician/physician’s assistant must have trained the staff member to administer the epi-pen for that emergency situation and given him/her approval to assist the student in the event of an anaphylactic reaction.

Documentation of training must be maintained in the Anaphylaxis Protocol for Non-Licensed School Staff Members for each affected student. The emergency response by non-licensed school staff members is permitted under the Medical Practice Act (Education Law Section 6527(4)(a)) and the Nurse Practice Act (Education Law Section 6908 (1)(a)(iv)) and is covered by the “Good Samaritan Law” (Public Health Law Section 3000-a).

While the school and family will work cooperatively, an allergen-free environment can never be guaranteed. Parents of food allergic/anaphylactic students will provide epi-pens for school use.

Medication Self-Management

The District will work toward assisting students in the self-management of their chronic health condition based upon the student’s knowledge level and skill by:

Students

SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

- a) Adequately training staff involved in the care of the child;
- b) Assuring the availability of the necessary equipment and/or medications;
- c) Providing appropriately trained licensed persons as required by law;
- d) Developing an emergency plan for the student; and
- e) Providing ongoing staff and student education for those involved.

Americans with Disabilities Act, 42 United States Code (USC) Section 12101 et seq.

Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Sections 1400-1485

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

34 Code of Federal Regulations (CFR) Part 300

Education Law Sections 6527 and 6908

Public Health Law Sections 2500-h and 3000-a

Adopted: 01/09/2012

Students

SUBJECT: ACCIDENTS

Procedures shall be established and maintained by the Superintendent for the handling of student injuries that occur on school property and during school activities.

Student Emergency Treatment

All staff members of the School District are responsible to obtain first aid care of students who are injured or become ill while under school supervision.

In most instances first aid should be rendered, and then the parent should be contacted to come to school and transport the student to the family physician. Beyond first aid, the medical care of the student is the parent's responsibility. However, the student's welfare is always the primary concern, and it is the responsibility of school personnel to exercise good judgment and care under all circumstances.

All staff members will become qualified to give emergency treatment through instruction in first aid and Cardiopulmonary Resuscitation (CPR).

Transporting an Ill or Injured Student

In the event of an illness or injury to a student, an ambulance may be called if warranted. This solution will be used after other alternatives, including parent/guardian contact, have been made.

Insurance

The Board of Education shall approve provisions for all students to be covered by group insurance.

Such student accident insurance policies are to be a co-insurance with family coverage(s) as primary.

Education Law Sections 1604(7-a, b)
and 1709(8-a, b)

Adopted: 6/11/01

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT

The Huntington Union Free School District subscribes to all of the provisions of Title 6 - Child Protective Services of the Social Services Law (Sections 411-428). Our purpose is to provide protective services to abused and neglected/maltreated children as described by the law, and to make all school personnel within the District aware of our legal responsibilities under this law.

Regulations shall be developed, maintained and disseminated by administration regarding the:

- a) Mandatory reporting of child abuse/neglect;
- b) Reporting procedures and obligations of persons required to report;
- c) Provisions for taking a child into protective custody;
- d) Mandatory reporting of deaths;
- e) Immunity from liability and penalties for failure to report;
- f) Obligations for provision of services and procedures necessary to safeguard the life of a child;
- g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all professional staff shall be established and implemented to enable such staff to carry out their reporting responsibilities.

School Officials Required to Report

The definition of a "school official" who is mandated to report cases of child abuse or neglect/maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1) includes, but is not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate.

All mandated reporters shall make the report themselves and then immediately notify the Building Principal or his/her designee. The Building Principal or his/her designee shall be responsible for all subsequent administration necessitated by the report.

Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in the report.

Prohibition of Retaliatory Personnel Action

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT

suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

Pursuant to Labor Law Section 740(1)(e), "retaliatory personnel action" means the discharge, suspension or demotion of any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

Report Form

The Revised May 2007 New York State Office of Children and Family Services "**Report of Suspected Child Abuse or Maltreatment**" Form LDSS-2221A may be accessed at: <http://www.ocfs.state.ny.us/main/cps/>

Education Law Section 3209-a
Family Court Act Section 1012
Labor Law Section 740(1)(e)
Social Services Law Sections 411-428

Adopted: October 29, 2007

Personnel

Required Policy*SUBJECT: SEXUAL HARASSMENT OF STUDENTS**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises.

Sexual Harassment

Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:

- a) Submission to or rejection of such sexually harassing conduct and/or communication by a student affects decisions regarding any aspect of the student's education, including participation in school-sponsored activities;
- b) Such conduct and/or communication has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit.

An incident of sexual harassment may also be a violation of the New York Penal Code. Administration shall contact the appropriate authorities and, where applicable, follow the procedures set forth in Project SAVE in the event an incident of sexual harassment reasonably appears to be a violation of the New York State Penal Code.

In order to encourage victims of sexual violence to come forward, administrators should assure victims that any broken rules or violations made by them will be addressed separately from the sexual harassment allegation. For example, administrators should assure students who complain of sexual harassment that their use of alcohol or drugs does not make them at fault for sexual offense.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstance should be evaluated including, but not limited to, the ages of the offender and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. A single incident of sexual harassment may be sufficiently severe to create a hostile environment in the school and a student may experience the continuing effects from off-campus sexual harassment when in the school setting. The Board recognizes that sexual harassment can originate from a person of

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff. The District will designate, at a minimum, two (2) Title IX Compliance Officers, one (1) of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he/she has been a victim of sexual harassment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment. Such report shall be directed to or forwarded to the District's designated Title IX Compliance Officers through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Title IX Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct an investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of an individual's conduct that may reasonably constitute sexual harassment, the District will investigate such conduct promptly, equitably, and thoroughly. Subject to disclosure necessary for a thorough and complete investigation, due process, and other legal constraints, all complaints will be treated as confidential. Any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be applied, as warranted up to and including suspension, in accordance with District policy and regulation, the Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, as warranted, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct and the applicable collective bargaining agreement (s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

(Continued)

Personnel

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

Prohibition of Retaliatory Conduct

The Board prohibits any retaliatory conduct directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

Finding That A Complaint Is Not Sustained

At any level/stage of investigation of alleged harassment, if a determination is made that a complaint of harassment is not sustained, the Title IX Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation.

However, even if a determination is made that a complaint of harassment was not sustained, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that a complaint of sexual harassment was not sustained.

Privacy Rights

As part of the investigation, the District has the right to search all school property and equipment including District computers. Although rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the Title IX Compliance Officer(s).

Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

(Continued)

SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to sexual harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

Civil Rights Act of 1991, 42 United States Code (USC) Section 1981(a)
Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
34 Code of Federal Regulations (CFR) Section 100 et seq.
29 Code of Federal Regulations (CFR) Section 1604.11(a)
Civil Service Law Section 75-B
Education Law Section 2801(1)
Executive Law Sections 296 and 297

Adopted: 6/11/2001
Re-adopted: 12/5/2011

Students

SUBJECT: SUICIDE

The suicide of a student has an extremely disturbing effect on the school and the local community. Unfortunately, there has been a significant increase in the number of adolescents who choose suicide as a way to resolve their problems. It is the intent of this district to alert school personnel to the implications of suicide by a student, to help the school and the community cope with the aftermath of such a tragic event should it occur, to recommend ways of identifying children and adolescents at risk of attempting suicide and to suggest ways to prevent such occurrences.

Suicide prevention will be incorporated into the curriculum to make students aware of this growing problem. This will be done in a manner so as not to glamorize the situation but to educate students in regard to this policy.

The administration is responsible for informing staff of regulations and procedures of suicide prevention, intervention, and post-intervention that have been developed by the administration.

Adopted: 6/11/01

Students

SUBJECT: RACIAL HARASSMENT (STUDENTS)

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide for all District students an environment that is free of racial harassment and intimidation. Racial harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits any type of racial harassment by employees, students, visitors, guests, or others.

Racial harassment of students occurs when:

- a) An agent or employee of the District, acting within the scope of his or her official duties, has treated a student differently on the basis of race, color, or national origin in the context of an educational program or activity without a legitimate, nondiscriminatory reason so as to interfere with or limit the ability of the student to participate in or benefit from the services, activities or privileges provided by the School District. This is referred to as "different treatment" racial harassment.
- b) The District creates or is responsible for a racially hostile environment -- i.e., harassing conduct (e.g., physical, verbal, graphic, or written) that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities or privileges provided by the District. The District has subjected an individual to different treatment on the basis of race if it has effectively caused, encouraged, accepted, tolerated or failed to correct a racially hostile environment of which it has actual or constructive notice. This is referred to as "hostile environment" racial harassment.

The Board acknowledges that in determining whether racial harassment has occurred, the relevant characteristics and circumstances of the victim -- especially the victim's race and age -- will be taken into account when evaluating the severity of racial incidents in the School District. If it is determined that the harassment was sufficiently severe so that it has adversely affected the enjoyment of some aspect of the District's educational program by a reasonable person, of the same age and race as the victim, under similar circumstances, the existence of a hostile environment will be found.

Any student who believes that he/she has been subjected to racial harassment shall report all incidents of such conduct to the District's designated complaint officer through informal and/or formal complaint procedures developed by the District. In the event that the complaint officer is the offender, the complainant shall report his/her complaint to the next level of supervisory authority. All such reports will be kept as confidential as possible.

(Continued)

Students

SUBJECT: RACIAL HARASSMENT (STUDENTS) (Cont'd.)

Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges. However, if a District has knowledge of or has reason to know of any alleged racial harassment, the District is obligated, even in absence of a complaint, to investigate such conduct promptly and thoroughly.

Based upon the result of the District's investigation, immediate corrective action will be taken. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment in accordance with contractual and legal guidelines. Should the offending individual be a student, appropriate disciplinary measures will be applied up to and including suspension.

The Board prohibits any retaliatory behavior directed against complainants and/or witnesses. Follow-up inquiries shall be made to ensure that harassment has not resumed and that the victims and/or witnesses have not suffered retaliation.

The District shall take all appropriate measures to prevent the occurrence or continuation of any type of racial harassment and shall implement remedial or corrective action where necessary.

Regulations will be developed for resolving racial harassment complaints by students. The Superintendent/designee(s) shall affirmatively discuss the topic of racial harassment with all employees and students, express the District's condemnation of such conduct and explain the sanctions for racial harassment. Furthermore, the District will provide racial awareness training for all employees and students, and will provide counseling for the victims of racial harassment. A copy of this policy and its accompanying regulation shall be posted in appropriate places and available upon request to all employees and students.

Title VI of the Civil Rights Act of 1964,
42 United States Code (USC)
Section 2001-d et seq. - Prohibits
discrimination on the basis of race, color,
or national origin
34 Code of Federal Regulations (CFR) Part 100

Adopted: 6/11/01

Students

SUBJECT: CONDITIONAL APPOINTMENTS

No non-instructional employee conditionally appointed shall be in contact with small groups of students, or individual students, unless accompanied by an employee who has been unconditionally appointed or unless the building principal provides express permission.

No teacher conditionally appointed shall close his or her door at any time when students are present in the classroom, unless accompanied by another teacher or administrator who has been unconditionally appointed or unless the building principal provides express permission.

No administrator conditionally appointed shall close his or her office door at any time when students are present in the office, unless accompanied by another administrator or teacher who has been unconditionally appointed or unless the superintendent of schools provides express permission.

Conditionally appointed staff will be advised that if there is a need to meet individually with students, such meetings shall be scheduled with the principal or his/her designee in attendance.

For the purpose of this policy, the term “conditionally appointed” shall refer to any employee holding conditional or emergency conditional appointment, as defined in Section 1709 of the Education Law.

Adoption Date: August 27, 2001

Students

SUBJECT: NOTIFICATION OF SEX OFFENDERS

In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board of Education supports the New York State Department of Criminal Justice Services (DCJS) in its effort to inform the community in certain circumstances of the presence of individuals with a history of sex offenses, particularly against children, in the school locality. This policy is enacted in order to minimize the possibility that the sex offender will come in contact with school-age children, and to assist law enforcement agencies in preventing further criminal activity from occurring. Furthermore, the District shall cooperate with local police authorities and the local community in promoting and protecting the safety and well being of its students.

It is the policy of the Board of Education to disseminate all information which the District receives from local police authorities in conjunction with Megan's Law to designated staff members who might have possible contact with the offender during the course of their school duties including, but not limited to, building principals, supervisors, teachers, office personnel, coaches, custodians, bus drivers, and security personnel. The Superintendent reserves the right to automatically disseminate such information to additional members of the staff, designated supervisors of non-school groups that regularly use District facilities and have children in attendance, parents/guardians of District students, and other community residents who, in the opinion of the Superintendent, have an immediate need to be notified of such data in order to protect the safety of our students.

All staff members shall be informed of the availability of the information received by the District pursuant to Megan's Law upon written request to the applicable building principal/designee or supervisor. (* If applicable to District practice, include in policy: Community residents shall be notified of the availability of this information, with written requests directed to the District Office.)

Staff members shall inform their immediate supervisor if they observe within the school building, on school grounds, at school activities, or at or near bus routes any individual whose description matches the information which was provided to the District by local law enforcement authorities. Such law enforcement officials will be notified of this information by the District as appropriate.

Information that is disseminated to the School District pursuant to Megan's Law may be disclosed or not disclosed by the District in its discretion.

Any information which the School District receives regarding a sex offender from a source other than the Sex Offender Registry, and which is maintained independent of the requirements of Megan's Law, will be available from the District, upon written request, in accordance with the requirements of the Freedom of Information Law.

(Continued)

Students

SUBJECT: NOTIFICATION OF SEX OFFENDERS (Cont'd.)

Implementation

Administrative regulations shall be developed to implement this policy.

Correction Law Article 6-C
Public Officers Law Section 84 et seq.

Adopted: 6/11/01

Students

SUBJECT: SPECIAL EDUCATION: DISTRICT PLAN

A District plan shall be developed and updated every two years describing the Special Education program in the Huntington Union Free School District. The District plan shall include the following:

- a) 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.
- b) Identification of the number, age span of students (school age and preschool), gender and race to be served by type of disability and recommended setting.
- c) The method to be used to evaluate the extent to which the objectives of the program have been achieved.
- d) 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.
- e) The estimated budget to support such plan.
- f) The date on which such plan was adopted by the Board of Education.

The District plan, with personally identifiable student information deleted, shall be filed and available for public inspection and review by the Commissioner.

8 New York Code of Rules and Regulations
(NYCRR) Section 200.2(c)

Adopted: 6/11/01

Students

SUBJECT: CHILDREN WITH DISABILITIES

The Board of Education recognizes the existence of individual differences in the intellectual, social, emotional and physical development of children attending school in the District. In recognizing these differences the Board supports a system of services offered in the least restrictive environment for children with disabilities which includes:

- a) Education in regular classes with or without support services, education in a resource room, education for part of the day in a special class, full time education in a special class, home instruction and education in a residential setting.
- b) Providing for the education of students with disabilities with non-disabled peers to the extent appropriate.
- c) Consideration of the location of a school program(s) to a student's residence, before placement into an educational program.
- d) Adoption of written policies and procedures ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with Commissioner's Regulations.
- e) Allocation of appropriate space within the District for special education programs that meet the needs of students with disabilities.
- f) Assurance that appropriate space will be available to meet the needs of resident students with disabilities who attend special education programs provided by BOCES.

20 United States Code (USC)
Sections 1400-1485, Individuals with
Disabilities Education Act (IDEA)
State Law - Education Law Sections 4401-4407
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.5, 100.9, 200.2(b)(3),
200.2(c)(2)(v), and 200.6(a)(1)

Adopted: 6/11/01

SUBJECT: GROUPING BY SIMILARITY OF NEEDS

The Board of Education will provide appropriate special education and related services to students with disabilities. For those students for whom an appropriate education requires that they be placed together for purposes of special education, the following guidelines shall apply:

- a) That each student with a disability shall be identified, evaluated and placed as determined by the Committee on Special Education (CSE).
- b) The Committee shall determine written goals and corresponding short-term instructional objectives for each student with a disability by considering the special and individual needs of each student with a disability.
- c) The Committee shall recommend to the Board of Education appropriate educational programs and services for each student with a disability based upon the CSE evaluation.
- d) The CSE shall provide information to those teachers and professionals who arrange instructional groups for students with disabilities. Information shall include physical, psychological and social information as well as achievement test results.
- e) The curriculum and instruction provided to students with disabilities who are grouped by similarity of needs shall be consistent with the individual needs of each student in the group.
- f) Students with disabilities may be grouped according to (1) academic or educational achievement and learning characteristics; (2) social needs; (3) physical development; and (4) management needs.
- g) When grouping students by similarity of needs, the social needs or physical development of a student shall not be the sole determinant for placement of a student in a special education program.
- h) A student's range of needs should be limited to the extent that one student's needs do not infringe on another student's ability to learn.

8 New York Code of Rules and Regulations
(NYCRR) Sections 200.2(b)(3), 200.6(a)(3)

Adopted: 6/11/01

SUBJECT: THE ROLE OF THE BOARD OF EDUCATION IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM

Committee on Special Education

The Board of Education shall, upon completion of its review of the student's Individualized Education Program (IEP), arrange for the appropriate special education programs and services to be provided to a student with a disability as recommended by the Committee on Special Education (CSE). The Board shall notify the parent/guardian of its action in accordance with federal and state law and regulations.

For a student not previously identified as having a disability, the CSE shall provide a recommendation to the Board which shall arrange for the appropriate special education programs and services to be provided within 60 days of the date of receipt of consent to evaluate. For a student with a disability referred for review, a recommendation shall be provided to the Board which shall arrange for the appropriate special education programs and services to be provided within 60 days of the referral for review. However, if such recommendation of the CSE is for placement in an approved in-state or out-of-state private school, the Board shall arrange for such special education programs and services for students with disabilities within 30 days of the Board's receipt of the recommendation of the CSE.

If on review of the recommendation of the CSE, the Board of Education disagrees with such recommendation, the Board shall follow one of the following procedures:

- a) The Board may remand the recommendation to the CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider such objections or concerns. The CSE shall consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the CSE, the Board may continue to remand the recommendation to the original committee for additional reviews of its objections or concerns, or establish a second CSE to develop a new recommendation in accordance with the following paragraph, provided that the Board arranges for the programs and services in accordance with the student's IEP within the timelines as outlined above; or, in the alternative,
- b) The Board may establish a second CSE to develop a new recommendation for the student. If the Board disagrees with such new recommendation, the Board may remand the recommendation to the second CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider such objections or concerns. The second CSE shall consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the second CSE, the Board may continue to remand the recommendation for additional reviews of its objections or concerns by the second CSE, provided that the Board arranges for the programs and services in accordance with the student's IEP, as developed by the second CSE, within the timelines as outlined above.

(Continued)

Students

SUBJECT: THE ROLE OF THE BOARD OF EDUCATION IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM (Cont'd.)

Pursuant to Commissioner's Regulations, the Board may not select the recommendation of the original CSE once it has established a second CSE.

The Board shall provide the student's parents/guardians with a copy of the statement of its objections or concerns and notice of due process rights in accordance with Section 200.5 of the Regulations of the Commissioner.

Committee on Preschool Special Education

Upon receipt of the recommendation of the Committee on Preschool Special Education (CPSE), the Board of Education shall arrange for the preschool student with a disability to receive such appropriate programs and services in accordance with the student's IEP, commencing with the July, September or January starting date for the approved program, unless such services are recommended by the CPSE less than 30 days prior to, or after, the appropriate starting date selected for the preschool student with a disability; in that case, such services shall be provided no later than 30 days from the recommendation of the CPSE.

If the Board disagrees with the recommendation of the CPSE, the Board shall send the recommendation back to the CPSE 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 of Education shall provide such notice as required by federal and state law and regulations.

Education Law Sections 4402 and 4410
8 New York Code of Rules and Regulations
(NYCRR) Sections 200.2(d)(1), 200.4(c),
200.4(d), 200.5 and 200.16(e)

Adopted: 6/11/01

Students

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

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

- a) Ensure for 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 of a preschool aged child.

Education Law Section 4410
20 United States Code (USC)
Sections 1400-1485, Individuals With
Disabilities Education Act (IDEA)
8 New York Code of Rules and Regulations
(NYCRR) Section 200.2(b)(5)

Adopted: 6/11/01

Students

SUBJECT: TEMPORARY PLACEMENT OF STUDENTS WITH DISABILITIES

The Board of Education authorizes the Chairperson for the Committee on Special Education to make an immediate, temporary placement of a student with a disability in an appropriate educational program, contingent upon obtaining written parental approval to do so, to prevent such student from being denied the benefit of the program while the Committee on Special Education is in the process of reviewing the referral documents and formulating their recommendation. Temporary placement may not exceed a thirty (30) day period from the date of the student's initial registration.

Upon completion of the review, a recommendation shall be submitted to the Board from the Committee on Special Education for each case whereby temporary placement will be made.

8 New York Code of Rules and Regulations
(NYCRR) Section 200.4(d)(1)

Adopted: 6/11/01

Students

SUBJECT: LEAST RESTRICTIVE ENVIRONMENT

Least restrictive environment means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with use of supplementary aids and services, education in regular classes cannot be satisfactorily achieved. The placement of an individual student with a disability in the least restrictive environment shall:

- a) Provide the special education and related services, as well as supplementary aids and services, needed by the student;
- b) Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and
- c) Be as close as possible to the student's home.

The District has an obligation, pursuant to law and regulation, to educate students with disabilities in the least restrictive environment. The School District shall ensure that:

- a) Each student with a disability shall be educated with nondisabled students to the maximum extent appropriate;
- b) Each student with a disability shall be removed from the regular educational environment only when the nature or severity of the student's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily; and
- c) To the maximum extent appropriate to the student's needs, each student with a disability shall participate with nondisabled students in nonacademic and extracurricular services and activities.

The District shall ensure that a continuum of alternative placements, in accordance with law and/or regulation, will be available to meet the needs of students with disabilities for special education and related services. To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class. Such services may include, but are not limited to, consultant teacher services and other group or individual supplemental or direct special education instruction.

20 United States Code (USC) Sections 1400-1485,
Individuals with Disabilities Education Act (IDEA)
34 Code of Federal Regulations (CFR) Part 300
State Law - Education Law Sections 4401-4410-a
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.5, 100.9, 200.1(cc),
200.2(b), 200.4, and 200.6

Adopted: 6/11/01

Students

**SUBJECT: PREREFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION
(PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)**

The School District shall establish a plan for implementing schoolwide approaches and prereferral interventions in order to remediate a student's performance prior to referral for special education.

The provision of programs and/or services for students starts with consideration/implementation of instruction in the general education curriculum, with appropriate supports and/or modifications as may be necessary. In implementing prereferral intervention strategies, the District may utilize resources/strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973, and Educationally Related Support Services and Academic Intervention Services as defined in Education Law and/or Commissioner's Regulations. All of these programs may be considered as possible components of Prereferral/Intervention Instructional Support Plans. The District will ensure that they have a system in place, with appropriate personnel, for developing, implementing and evaluating prereferral intervention strategies.

The District will provide general education support services, instructional modifications, alternative instructional approaches, or alternative program options to address a student's performance prior to a referral to a Committee on Special Education (CSE). Formal Instructional Support Services Teams (ISST) or other school-based teams (e.g., Direct Student Support Teams or Child Study Teams), will be formed in accordance with law and/or regulations as may be applicable as well as District guidelines. The ISST will include representatives from general and special education as well as other disciplines and include individuals with classroom experience. Parents/persons in parental relation to students will be involved in developing prereferral strategies to address the educational needs of their child. Additionally, the District will seek collaboration between outside agencies and the school prior to a referral of the student to the CSE in order to address necessary student support services.

Administration 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/persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

The determination of prevention and prereferral intervention strategies/services shall consider the student's strengths, environment, social history, language and cultural diversity in addition to the teacher's concerns. The building administrator will further ensure that all staff are familiar with intervention procedures and procedures for operating an ISST.

(Continued)

Students

**SUBJECT: PREREFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION
(PRIOR TO A REFERRAL FOR SPECIAL EDUCATION) (Cont'd.)**

Prereferral/Intervention Instructional Support Plans shall be proactive in their strategies to meet the broad range of student needs and to improve student performance. Prereferral/Intervention strategies and/or Instructional Support Plans are to be reviewed and evaluated to determine their effectiveness, and modified as may be appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented shall be maintained.

However, should a referral be made to the CSE during the course of implementing prereferral/intervention instructional support services, 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.

Educational Related Support Services

Educational related support services (ERSS) means curriculum and instructional modification services; direct student support team services; assessment and non-career counseling services; special instruction to eligible students with disabilities as defined in Education Law Section 4401, which does not generate excess cost aid including related services but excluding transportation and transition services; and to eligible, qualified students pursuant to Section 504 of the Rehabilitation Act of 1973. These services are provided to eligible students, individually or in groups, and may include those related consultation services provided to their families and related school personnel in order to enhance the academic achievement and attendance of such students. Educational related support services shall also meet speech and language improvement services as defined in Commissioner's Regulations.

ERSS Services may be utilized as a component of any Prereferral/Intervention Instructional Support Plan.

Section 504 of the Rehabilitation Act of 1973

For students who are qualified for services pursuant to Section 504 of the Rehabilitation Act, but are not classified as students with disabilities as defined in Education Law Section 4401, Section 504 Accommodation Plans may address instructional support services that can be utilized as components of any prereferral/intervention strategies as deemed necessary and/or appropriate.

(Continued)

Students

**SUBJECT: PREREFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION
(PRIOR TO A REFERRAL FOR SPECIAL EDUCATION) (Cont'd.)**

Academic Intervention Services

Academic intervention services means additional instruction which supplements the instruction provided in the general curriculum and assists students in meeting the State learning standards as defined in Commissioner's Regulations and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance. However, such services shall not include services provided to students with limited English proficiency pursuant to Commissioner's Regulations or special education services and programs as defined in Education Law Section 4401. Academic intervention services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments.

In implementing prevention and/or prereferral intervention support strategies in order to remediate a student's performance prior to referral for special education, the utilization of academic intervention services, as enumerated in Commissioner's Regulations, may be included as a component of any such Prereferral/Intervention Instructional Support Plan.

Education Law Sections 3602(32), 4401 and 4401-a
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.1(g),(p),(r),(s), and (t);
100.2(v); 100.2(dd)(4); 200.2(b)(7);
200.4(a)(2) and (9); 200.4(c); and Part 154
Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.

Adopted: 6/11/01

Students

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

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

- a)The regular consideration for declassifying students when appropriate;
- b)A reevaluation of the student prior to declassification; and
- c)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 and the District shall provide a copy of the evaluation report and the documentation of eligibility to the student's parent. 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 Regent diploma or exceeding the age eligibility for a free appropriate public education. However, 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 Regents diploma or before he/she receives an Individualized Education Program (IEP) diploma. 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 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.

Individual Evaluation

As part of any reevaluation, a group that includes the CSE 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 and observations, and observations by teachers and related services providers.

(Continued)

Students

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES (Cont'd.)

On the basis of that review, and input from the student's parents, the CSE and other qualified professionals, as appropriate, shall identify what additional data, if any, are needed to determine:

- a) In the case of a reevaluation of a student, whether the student continues to have such a disability;
- b) The present levels of performance and educational needs of the student;
- c) In the case of a reevaluation of a student, whether the student continues to need special education; and
- d) Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goal set out in the Individualized Education Program (IEP) of the student and to participate, as appropriate, in the general curriculum.

If additional data are not needed, the District must notify the parents of that determination and the reasons for it and of the right of the parents 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. The District is not required to conduct the assessment unless requested to do so by the student's parents.

The CSE shall arrange for an appropriate reevaluation of each student with a disability at least every three (3) years by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The reevaluation 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 reevaluations must be addressed by the CSE in reviewing and, as appropriate, revising the student's IEP.

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:

- a) Identify the declassification support services, if any, to be provided to the student; and/or the student's teachers; and
- b) Indicate the projected date of initiation of such 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 year after the student enters the full-time regular education program.

(Continued)

Students

SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES (Cont'd.)**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:

- a) For the student, psychological services, social work services, speech and language improvement services, noncareer counseling, and other appropriate support services; and
- b) 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.

20 United States Code (USC) Sections 1400-1485,
Individuals with Disabilities Education Act (IDEA)
34 Code of Federal Regulations (CFR) Part 300
State Law - 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) and (5), 200.4(c)(3), 200.4(d)(1), and 200.5

Adopted: 6/11/01

Students

SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN SCHOOL DISTRICT PROGRAMS

All students with disabilities residing in the District, including those of preschool age, shall be provided with full access and opportunity to participate in School District programs, including extracurricular programs and activities, that are available to all other students enrolled in the public schools of the District. Parents/guardians of students with disabilities, including those students placed in out-of-District programs, shall receive timely notice of such District programs and activities.

8 New York Code of Rules and Regulations
(NYCRR) Section 200.2(b)(1)

Adopted: 6/11/01

Students

SUBJECT: SECTION 504 OF THE REHABILITATION ACT OF 1973

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 of 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 complaint procedures, to any person who feels his or 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: 6/11/01

Students

SUBJECT: APPOINTMENT AND TRAINING OF CSE AND CPSE MEMBERS

Appointment

The Board of Education shall appoint a Committee on Special Education (CSE) comprising the parent of the child; the child's teacher(s) and/or special education provider as defined by applicable federal regulations; a representative of the District who is qualified to provide, administer or supervise special education; an individual who can interpret the instructional implications of evaluation results (who may be a CSE member selected from the child's regular education/special education teacher(s) and/or provider, or the CSE School District representative); a school psychologist; a school physician; a parent of a child with a disability residing in the District provided that the parent shall not be employed by or under contract with the School District; and whenever appropriate, the student with a disability; as well as such other members as the Board of Education or legislation shall designate.

In addition, the Board shall establish a Committee on Preschool Special Education (CPSE) in accordance with Policy #7614 - Preschool Special Education Program.

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 the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Special Education and members appointed by the Board of Education to the Committee on Preschool Special Education.

Education Law Sections 4402 and 4410
8 New York Code of Rules and Regulations
(NYCRR) Section 200.2(b)(2), 200.3 and 200.5
20 United States Code (USC)
Sections 1400-1485, Individuals with
Disabilities Education Act (IDEA)

Adopted: 6/11/01

Students

SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM

The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) shall have prepared a written statement (program) for each child with a disability.

Such an Individualized Educational Program will be developed by the CSE or 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.

The Use of Recording Equipment at IEP Meetings

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

Upon request by the parent/guardian prior to the IEP meeting, a written transcript shall be furnished to provide a complete record of the meeting. A reasonable copying fee may be charged.

8 New York Code of Rules and Regulations
(NYCRR) Section 200.4(c)

Adopted: 6/11/01

Students

SUBJECT: TRANSITION SERVICES

The Board of Education will provide transition services for students with disabilities who are fifteen (15) and older (and at a younger age if determined appropriate). Additionally, beginning at age fourteen (14), and updated annually, the student's Individualized Education Program (IEP) must include a statement of transition service needs under the applicable components of the student's IEP that focuses on the student's courses of study. As defined by the Commissioner's Regulations, transition services means a coordinated set of activities for a student with a disability, designed within an outcome-oriented process, that promotes movement from a school to post-school activities. Post-school activities include, but are not limited to, post-secondary education, vocational training, integrated competitive employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based on the individual student's needs, taking into account the student's preferences and interests and shall include needed activities in the following areas:

- a) Instruction;
- b) Related services;
- c) Community experiences;
- d) The development of employment and other post-school adult living objectives; and
- e) If appropriate, acquisition of daily living skills and functional vocational evaluation.

Regulations shall be developed by the administration to implement this policy.

20 United States Code (USC)
Sections 1400-1485, Individuals With
Disabilities Education Act (IDEA)
Education Law Section 4401
8 New York Code of Rules and Regulations
(NYCRR) Sections 200.1(rr), 200.1(ss), 200.4(c)(2)(v),
200.4(c)(4), 200.4(d)(3), and 200.5(a)(1)(xii)

Adopted: 6/11/01

Students

SUBJECT: 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 months duration in order to prevent substantial regression as determined by the Committee on Special Education or Committee on Preschool Special Education.

8 New York Code of Rules and Regulations
(NYCRR) Sections 200.1(qq), 200.6(j) and
200.16(h)(3)(v)

Adopted: 6/11/01

Students

SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES

The policy of the Board of Education is to conduct a census in order to have all children with disabilities within its jurisdiction under the age of twenty-one (21) identified, located and evaluated, including children of preschool age and children in all public and private agencies and institutions within its jurisdiction.

Persons involved in the collection of data must receive prior training and written information regarding data collection procedures.

Register of Children with Disabilities

It is the policy of the Board of Education of the Huntington Union Free School District to maintain a register containing the data requirements as indicated in the Commissioner's Regulations.

Education Law Sections 3240-3242 and
4402(1)(a)
8 New York Code of Rules and Regulations
(NYCRR) Sections 200.2(a)(2)(a-f) and 200.4

NOTE: Refer also to Policy #7160 -- School Census.

Adopted: 6/11/01

Students

SUBJECT: PARENT INVOLVEMENT

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/legal guardians and children in the Commissioner's Regulations shall be observed by the School District.

Surrogate Parents

In the event that no parent or legal guardian for a child with a disability can be identified or after reasonable efforts, the whereabouts of the parent or legal guardian cannot be determined, or the child with a disability is a ward of the state, the Board shall assign an individual to act as a surrogate for the parents or legal guardians. 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 insure adequate representation of the child.

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.

Education Law Sections 4401 and 4402
8 New York Code of Rules and Regulations
(NYCRR) Section 200.5

Adopted: 6/11/01

Students

SUBJECT: IMPARTIAL HEARING OFFICER

In the event of a hearing called as a result of the initial identification or change in identification, evaluation or educational placement of a child with a disability or the provision of a free, appropriate public education to the child, an Impartial Hearing Officer shall be appointed by the Board of Education. Individuals so appointed shall be selected from a list of available hearing officers in accordance with a rotational selection process as described in Regulations of the Commissioner of Education.

The Impartial Hearing Officer must be certified by the Commissioner of Education as a hearing officer eligible to conduct hearings and may not have a personal or professional interest which would conflict with his/her objectivity in the hearing. Furthermore, the District shall take steps to ensure that any hearing officer who is appointed pursuant to this policy is not currently employed by this or any other school district, school or program serving students with disabilities placed by any school district CSE; or, if formerly so employed, that such employment was terminated at least two years prior to the hearing officer's appointment by the Board. District employees who may be called as witnesses at an impartial hearing, or who may have been otherwise involved in the decision to be reviewed by the impartial hearing officer, shall not be involved in the selection of the hearing officer.

20 United States Code (USC)
Sections 1400-1485, Individuals with
Disabilities Education Act (IDEA)
Education Law Section 4404(1)
8 New York Code of Rules and Regulations
(NYCRR) Section 200.5(c)

Use of Guardians Ad Litem at Impartial Hearings

An impartial hearing officer, duly designated by the Board of Education, is authorized to appoint a guardian ad litem, unless a surrogate parent has previously been assigned, whenever the impartial hearing officer determines that the interests of the parent are opposed to or inconsistent with those of the child, or that for any reason the child's interests would best be protected by the appointment of a guardian ad litem.

The guardian ad litem must be familiar with the provisions of Part 200 of the Commissioner's Regulations and must be appointed from the list of surrogate parents or be a pro bono attorney appointed to represent the interests of the child in an impartial hearing. A guardian ad litem represents the student's interests for the duration of the hearing and has the right to fully participate in the hearing to the extent indicated in Commissioner's Regulations. However, the guardian ad litem may not initiate an appeal to the State Review Officer but may join an appeal initiated by the parent or the Board of Education.

(Continued)

Students

SUBJECT: IMPARTIAL HEARING OFFICER (Cont'd.)

The impartial hearing officer must ensure that the procedural due process rights of the child's parents are fully preserved and protected throughout the hearing whenever a guardian ad litem is appointed.

8 New York Code of Rules and Regulations
(NYCRR) Sections 200.1, 200.5 (c) and 200.5(d)

Adopted: 6/11/01

Students

SUBJECT: COMPENSATION FOR IMPARTIAL HEARING OFFICERS

- 2) Pursuant to the Education Law and the regulations of the Commissioner of Education only a duly qualified hearing officer may preside over an appeal concerning a child with a disability. The Board of Education of the Huntington Union Free School District will employ such hearing officers in accordance with the procedure set forth in the Commissioner's Regulations.

A duly qualified hearing officer will be reimbursed in an amount consistent with the rate set forth in the Commissioner's Regulations. A hearing officer may be reimbursed for prehearing activities such as: scheduling the time and location of the hearing; conducting prehearing conference calls; arranging for interpreters, witnesses, subpoenas and stenographers; and writing letters to the parties involved in the hearing.

A hearing officer may also receive compensation for certain hearing activities such as: researching material pertinent to the issues at the hearing; reviewing transcripts, exhibits, post-hearing memoranda of law and the entire record from the hearing and writing the decision.

Education Law Section 4404(1)
8 New York Code of Rules and Regulations
(NYCRR) Section 200.21

Adopted: 6/11/01

Students

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

Parents of children with disabilities have the right under Federal and State regulations to obtain an independent evaluation at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education Part 200.5(a)(1)(vi). Additionally, the Federal Regulations (34 Code of Federal Regulations [CFR] 300.503) specify requirements for an independent evaluation. These documents are available from the District for parent(s) who desire additional information.

Administrative regulations on independent evaluations will be developed in order to explain the rights of parents and the responsibilities of school districts with regard to independent evaluations, and also to avoid any misunderstandings.

8 New York Code of Rules and Regulations
(NYCRR) Sections 200.1(u) and 200.5(a)
34 Code of Federal Regulations (CFR)
Sections 300.12 and 300.503

Adopted: 6/11/01

Students

SUBJECT: SPECIAL EDUCATION MEDIATION

The District will offer mediation as an alternative to the impartial hearing process in disputes regarding the provision of a free, appropriate public education for students identified by the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) as having a disability, or students suspected of having a disability. Such mediation shall be conducted by mediators furnished by a Community Dispute Resolution Center under Article 21-A of the Judiciary Law.

Parents or persons in parental relationship to students suspected of or having disabilities will receive written notice of the availability of the mediation program each time they receive notice of their entitlement to the impartial hearing procedures in accordance with Federal and State law and regulations.

Mediation will not operate to diminish or limit any rights provided for in law, including the right of the parent or person in parental relationship to request an impartial hearing subsequent to mediation. Parents or persons in parental relationship to students suspected of or having disabilities continue to have full access to all rights, including due process procedures, provided for in 34 Code of Federal Regulations Sections 300.500-300.515 and in 8 New York Code of Rules and Regulations Section 200.5 (c). Similarly, mediation shall not be construed to limit a parent or person in parental relationship from requesting an impartial hearing without having first utilized mediation procedures set forth in Education Law.

Education Law Section 4404-a

Adopted: 6/11/01