

TABLE OF CONTENTS REGULATIONS

0110-R	Sexual Harassment Regulation
0150-R	HIV/AIDS Regulation
1120-R	School District Records Regulation
1120-E	School District Records Exhibit
1420-R	Complaints About Curricula or Instructional Materials Regulation
1420-E	Complaints About Curricula or Instructional Materials Exhibit
1500-R	Public Use of School Facilities Regulation
4311.1-R	Display of the Flag Regulation
4321.3-R	Independent Educational Evaluations Regulation
4327-R	Homebound Instruction Regulation
4331-R	Summer Day Camp Regulation
4513-R	Library Materials Selection Regulation
4513-E	Library Materials Selection Exhibit
4526-R	Acceptable Use of Computers and the Internet Regulation
4526.1-R	Internet Safety Regulation
5030-R	Student Complaints and Grievances Regulation
5420-R	Student Health Services Regulation
5440-R	Drug and Alcohol Abuse Regulation
5450.1-E	Notification of Sex Offenders Exhibit
5460-R	Suspected Child Abuse in a Domestic Setting Regulation
5500-R	Student Records Regulation
8123-R	Hygiene Precautions and Procedures Regulation
8123.1-R	Contagious Diseases Regulation
8123.1-E	Contagious Diseases Exhibit
8331-R	Use of District Laptop Computers, Workstations and Residential Internet Services Regulation
8410-R	Student Transportation Regulation
8414.5-R	Alcohol & Drug Testing of Bus Drivers Regulation
8414.5-E	Alcohol & Drug Testing of Bus Drivers Exhibit
8635-R	Information Security Breach and Notification Regulation
9140.1-R	Staff Complaints & Grievances Regulation
9520.2-R	Family and Medical Leave Regulation
9620-E.1-2	Child Abuse in an Educational Setting Regulation

SEXUAL HARASSMENT REGULATION

To provide a healthy and productive environment for all students and employees that promotes respect, dignity and equality, these regulations are designed to implement specific procedures on reporting, investigating and remedying complaints of sexual harassment consistent with the district's policy. They are intended to create and preserve an educational and working environment free from unlawful sexual harassment in furtherance of the district's commitment.

Because sexual harassment can occur from an individual of either sex against a person of the opposite or same sex, and from students, employees or other third parties associated with the school (Board members, school volunteers, vendors or visitors), these regulations will apply to all complaints of sexual harassment.

I. Sexual Harassment Defined

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education); or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting an employee's employment or a student's education; or
3. the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an employee's work performance or a student's academic performance or participation in school-sponsored activities, i.e., creates an intimidating, hostile or offensive working or educational environment.

II. Unacceptable Conduct

The following conduct, occurring or arising on school grounds or at school-sponsored activities, is considered unacceptable by the district. Conduct may constitute sexual harassment when unwelcomed by the recipient of the conduct. For purposes of these regulations, conduct shall be considered "unwelcome" if the student or employee did not request or invite it and regarded the conduct as undesirable or offensive.

1. rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the Penal Law of the State of New York;
2. sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.;
3. offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's self or others, sexually suggestive dancing, and massages and grinding up against another person;
4. any communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages or games;
5. offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual preference;
6. physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking or frontal body hugs;
7. sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "snuggies" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks), bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress;
8. leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions;
9. clothing with sexually obscene or sexually explicit slogans or messages;
10. offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes, sexual orientation or gender identity;
11. written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films or Internet material;
12. any other gender-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes, sexual orientation and attitudes.

III. Reporting Complaints

Any person who believes he or she has been the *victim* of sexual harassment (“complainant”) by a student, district employee or third party related to appropriate school personnel as set forth below as soon as possible after the incident in order to enable the district to effectively investigate and resolve the complaint.

- Students may report the incident to any school employee of their choosing, including teachers, administrators, support personnel and camp/recreation staff;
- Employees who believe they have been the victim of sexual harassment should report the incident immediately to the Superintendent/Principal or the Title IX Coordinator who will treat the report as confidential as defined below.

Complaints may be made orally; however, complainants are encouraged to submit the complaint in writing.

Any employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the Superintendent/Principal or the Title IX Coordinator.

Any person who believes he or she has *witnessed* sexual harassment by a student, district employee or third party should report the incident as described above.

In order to assist investigators, complainants should document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the complainant's response to the harassment.

IV. Determining if Prohibited Conduct is Sexual Harassment

Complaints of sexual harassment will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the above definition of sexual harassment and should therefore be treated as sexual harassment.

In evaluating the totality of the circumstances and making a determination of whether conduct constitutes sexual harassment, the individual investigating the complaint should gather the following information:

1. the degree to which the conduct affected the ability of the student to participate in or benefit from his or her education or altered the conditions

- of the student's learning environment or altered the conditions of the employee's working environment;
2. the type, frequency and duration of the conduct;
 3. the identity of and relationship between the alleged harasser and the subject of the harassment (e.g., sexually based conduct by an authority figure is more likely to create a hostile environment than similar conduct by another student or a co-worker);
 4. the number of individuals involved;
 5. the age and sex of the alleged harasser and the subject of the harassment; and
 6. the location of the incidents and context in which they occurred.

V. Confidentiality

It is district policy to respect the privacy of all parties and witnesses to complaints of sexual harassment. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may severely impede the district's ability to thoroughly investigate the complaint;
2. the district may disclose the identity of the complainant if it is felt to be necessary to prevent the possible harassment of other students or employees, complainant will be so notified;
3. the investigator will advise the alleged harasser and any other persons that district policy and federal law prohibit retaliation against complainants and witnesses; and
4. the district will attempt to prevent any retaliation and will take strong responsive action if retaliation occurs.

VI. Investigation and Resolution Procedure

A. *Informal Review*

Immediately upon receipt of a sexual harassment complaint or having reason to suspect the occurrence of sexual harassment, the Superintendent/Principal will notify the Title IX Coordinator. The Superintendent/Principal or Title IX Coordinator will conduct a preliminary review within three (3) working days thereafter. Except in the case of severe or criminal conduct, the Superintendent/Principal or Title IX coordinator should make all reasonable efforts to resolve complaints informally at the school level. The goal is to end the harassment and obtain a prompt and equitable resolution to a complaint.

Depending upon the severity of the conduct, the Title IX Coordinator may recommend further corrective and/or disciplinary action. No further corrective and/or disciplinary action will take place without the approval of the Superintendent/Principal. The Title IX Coordinator will prepare a written summary of the incident to be forwarded to the Superintendent/Principal and filed with the Title IX Coordinator. The complainant is to indicate on the summary whether he or she is satisfied with the resolution of the complaint.

Where the preliminary review reveals that the complaint requires further investigation or the complaint cannot be resolved informally to the satisfaction of the complainant and the alleged harasser, a formal investigation will take place.

B. *Level I Investigation*

If the complaint contains evidence or allegations of serious or extreme misconduct, including possible criminal activity, the Superintendent/Principal will consult with legal counsel and promptly determine whether to contact appropriate child protection and/or law enforcement authorities. The Superintendent/Principal may, where circumstances dictate, suspend or remove from the school grounds the accused individual pending the outcome of the investigation, consistent with all contractual or statutory requirements.

In the event the complaint of sexual harassment involves the Superintendent/Principal, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to a trained investigator not employed by the district for further handling.

The Superintendent/Principal or Title IX Coordinator will conduct an investigation of the complaint according to the following guidelines:

1. Interview the complainant and document the conversation. Instruct the complainant not to contact the alleged harasser. Refer the complainant, as

appropriate, to school social workers, school psychologists, crisis team managers, other school staff, or appropriate outside agencies for counseling services.

2. Review any written documentation of the harassment prepared by the complainant. If the complainant has not prepared written documentation, instruct the complainant to do so, in accordance with Section IV above, providing alternative formats for individuals with disabilities and young children, who have difficulty writing and need accommodation.
3. Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation. Provide the alleged harasser an opportunity to respond to the charges in writing.
4. Instruct the alleged harasser not to contact the complainant and to not retaliate against the complainant in any manner. Warn the alleged harasser that if he/she makes contact with or retaliates against the complainant, he/she will be subject to immediate disciplinary action.
5. Interview any witnesses to the complaint. Where appropriate, obtain a written statement from each witness. Caution each witness to keep the complaint and his/her statement confidential.
6. Parent/Student/Employee Involvement and Notification
 - a. Parents of students, whether the complainant or alleged harasser shall be notified as soon as reasonable after learning of the allegations.
 - b. If either the complainant or the accused is a disabled student receiving special education services under an IEP or section 504 Plan, the Committee on Special Education or the 504 Committee will be consulted.

Following the investigation, the Superintendent/Principal or Title IX Coordinator shall prepare a confidential report setting forth the nature and scope of the investigation, the findings and conclusions of the investigator and any corrective action or penalties recommended. Unless the Superintendent/Principal is the alleged harasser, the report is to be forwarded to the Superintendent/Principal.

The complainant and the alleged harasser will be notified of the results of the investigation and any further action recommended. No corrective action will be taken or penalties imposed without the approval of the Superintendent/Principal. If the investigation results in a determination that sexual harassment did occur, immediate corrective action is to be taken to end the harassment. In addition, penalties may be imposed in accordance with all applicable district policies, collective bargaining agreements and state laws. The complainant is to be instructed to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.

If either the complainant or the alleged harasser is not satisfied with the outcome of the investigation, he or she may request a Level II review by submitting a written statement to the Superintendent/Principal within 15 days of notification of the results of the investigation. The statement should set forth the reasons for the requested review.

C. Level II Review

Within three (3) working days following receipt of the request for a Level II review, the Superintendent/Principal will designate an individual or individuals to review the investigation. The district will use individuals who have received formal training in sexual harassment investigations or that have previous experience investigating sexual harassment complaints. At a minimum, the individual will meet with the person requesting the review to determine whether any additional investigation should be done.

Following the review and further investigation, if needed, the complainant and the alleged harasser will be notified, in writing, of the results. If more than 30 days is needed to complete the process, the designee will provide all parties with a written status report within 30 days.

VII. Retaliation Prohibited

Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination.

VIII. False Complaints

False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.

IX. Penalties

Where the investigation reveals inappropriate or unacceptable conduct, including sexual harassment or retaliation or submitting a false complaint,

corrective action and/or penalties may include, but not be limited to:

- discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop;
- suggesting counseling and/or sensitivity training;
- conducting training for the department or school in which the behavior occurred;
- requesting a letter of apology to the complainant;
- writing letters of warning or reprimand;
- separating the parties; and/or
- formal disciplinary action in accordance with district policy, applicable collective bargaining agreements and state and federal law.

Individuals who violate the sexual harassment policy by engaging in prohibited sexual harassment or retaliation or submitting a false complaint will be subject to appropriate specific penalties. Measures available to school authorities include, but are not limited to, the following:

- *Students*: A warning up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.
- *Employees*: A warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.
- *Volunteers*: A warning up to and including loss of volunteer assignment.
- *Vendors*: A warning up to and including loss of district business.
- *Other individuals*: A warning up to and including denial of future access to school property.

X. Training

All students and employees shall be informed of the district's policy in student and employee handbooks and student registration materials. All new employees will undergo training in sexual harassment and receive information about the policy at new employee orientation. All other employees shall be provided information at least once a year regarding the policy and the district's commitment to a harassment-free learning and working environment. The Superintendent/Principal, Title IX Coordinator, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive yearly training on the policy and

related legal developments. The Superintendent/Principal and program directors must ensure that students and staff are informed on a yearly basis of the terms of the policy, including these regulations, established for investigation and resolution of complaints, general issues surrounding sexual harassment the rights and responsibilities of students and employees, and the impact of sexual harassment on the victim.

Date of Last Review: August 26, 2006

HIV/AIDS REGULATION

The following regulations shall apply to all students and employees who have or are suspected of having HIV/AIDS :

Students

1. A student's education shall not be interrupted or curtailed solely on the basis of his/her HIV status. HIV-infected students shall be afforded the same rights, privileges, and services available to every other student.
2. No student shall be referred to the Committee on Special Education solely on the basis of his/her HIV status. A student who is infected with HIV shall be referred to the Committee on Special Education (CSE) only when the student's disability interferes with his/her ability to benefit from instruction. Such referral shall be made in accordance with Part 200 of Commissioner's Regulations.
3. If a student who is HIV-infected requires special accommodations to enable him/her to continue to attend school, the student shall be referred to the appropriate multi-disciplinary team as required by §504 of the Rehabilitation Act.
4. No disclosure of HIV-related information involving a student shall be made without first obtaining the informed consent of the parent, guardian or student on the Department of Health (DOH) approved form.

Employees

1. No employees shall be prevented from continuing in his/her employment solely on the basis of his/her HIV status; such employees are entitled to all rights, privileges, and services accorded to other employees and shall be entitled to reasonable accommodations to the extent that such accommodations enable such individuals to perform their duties.
2. No disciplinary action or other adverse action shall be taken against any employee solely on the basis of his/her status as an HIV infected or a person with AIDS. Such action will only be taken where, even with the provision of reasonable accommodations, the individual is unable to perform his/her duties.
3. All employees shall have access to the district's exposure control plan as required by the federal Office of Safety and Health Association (OSHA).
4. In accordance with OSHA regulations, training in universal precautions and infection control shall be offered to all employees and shall be provided to every employee with potential occupational exposure.

Confidentiality

Any information obtained regarding the HIV status of an individual connected to the school shall not be released to third parties, except to those persons who are:

1. named on an Authorization for Release of Confidential HIV Related Information form;
2. named in a special HIV court order; or
3. as indicated in Public Health Law §2782, when necessary to provide health care to the individual (i.e., to the school physician and the school nurse).

Any employee who breaches the confidentiality of a person who is HIV infected shall be subject to disciplinary action in accordance with applicable law and/or collective bargaining agreement.

To protect the confidentiality of an HIV infected individual, any documents identifying the HIV status of such individuals shall be maintained by the school nurse (or another authorized individual) in a secure file, separate from the individual's regular file. Access to such file shall be granted only to those persons named on the Department of Health approved Authorization for Release of Confidential HIV Related Information form, or through a special HIV court order. When information is disclosed, a statement prohibiting further redisclosure, except when in compliance with the law, must accompany the disclosure.

HIV/AIDS Testing

No school official shall require a student or employee to undergo an HIV antibody test or other HIV-related test. In accordance with OSHA regulations in the event of an incident involving the exposure one individual to a potentially infectious body fluids of another individual, particularly blood or any other fluid which contains visible blood, an HIV test may be requested but NOT required. The request and refusal must be documented.

However, school officials shall not be precluded from requiring a student or employee to undergo a physical examination pursuant to Education Law §§903 and 913, when other illness is suspected (e.g., tuberculosis), as long as no HIV antibody test or other HIV-related test is administered without the individual's informed consent as required by Public Health Law §27-F.

Date of Last Review: August 26, 2006

**POCANTICO HILLS SCHOOL BOARD
BOARD EVALUATION JUNE 2005**

	Outstanding	Good	Needs Improvement	Poor	Don't Know
1. Leadership: Our board...					
<input type="checkbox"/> Focuses on Board level issues and continuous improvement particularly in the area of curriculum and instruction					
<input type="checkbox"/> Anticipates community issues and trends affecting the school district					
<input type="checkbox"/> Works cooperatively with other organizations that serve our students (PTA, Foundation, area high schools)					
<input type="checkbox"/> Requires proper accountability for the expenditure of school district funds					
<input type="checkbox"/> Keeps a long term view for key Board responsibilities including Vision, Structure, and accountability					
2. Communications: Our board...					
<input type="checkbox"/> Informs parents and the community about district goals/objectives					
<input type="checkbox"/> Communicates school district progress/performance to parents and community					
<input type="checkbox"/> Adheres to board protocols governing relationships with the media – The Board President speaks for the Board; the Superintendent speaks for the District					
3. Parent & Community Participation: Our board....					
<input type="checkbox"/> Involves parents in the education of their children					

<input type="checkbox"/> Involves parents in setting goals and planning for individual schools					
<input type="checkbox"/> Seeks information from the community about its views on the performance of schools					
<input type="checkbox"/> Represents the Board at key school and student events					
4. Influence on Others: Our board actively works to					
<input type="checkbox"/> Effectively manage tax certiorari impact on our District					
<input type="checkbox"/> Be informed and influence development that impacts our school					
<input type="checkbox"/> Ensure a successful transition to high school of all our students both socially and academically					
5. Decision Making: Our board....					
<input type="checkbox"/> Is not dominated by individual board members or segments of community seeking to control deliberations					
<input type="checkbox"/> Works to find grounds for compromise and consensus when there are disagreements					
<input type="checkbox"/> Exhibits effective decision-making skills					
<input type="checkbox"/> Bases decisions on its public deliberations and not on private conversations					
<input type="checkbox"/> Respects and publicly supports decisions of the board majority					
6. Planning and Setting Goals: Our board...					
<input type="checkbox"/> Defines district goals and major objectives as part of its planning process					

<input type="checkbox"/> Reviews measures of school district performance as part of the planning process					
<input type="checkbox"/> Sets school goals/objectives consistent with District's goals/objectives					
<input type="checkbox"/> Regularly informs the community of school district progress toward these goals					
7. Resource Allocation: Our board...					
<input type="checkbox"/> Aligns school budget with long term strategic goals					
<input type="checkbox"/> Provides adequate resources for staff development					
<input type="checkbox"/> Includes investments for student achievement in annual budget					
8. Evaluation of the Superintendent: Our board...					
<input type="checkbox"/> Works cooperatively with the superintendent to develop performance objectives					
<input type="checkbox"/> Develops goals and evaluation tool and communicates this clearly to the Superintendent at the beginning of the school year					
<input type="checkbox"/> Includes board/superintendent relationship issues as part of superintendent evaluation					
<input type="checkbox"/> Gives useful feedback to the superintendent on how s(he) is doing					
<input type="checkbox"/> Completes superintendent evaluation and communicates clearly at the end of the school year					

9. Working With The Superintendent: Our board...					
<input type="checkbox"/> Works with the superintendent in a way that promotes trust and mutual respect					
<input type="checkbox"/> Avoids involvement in administration					
<input type="checkbox"/> Works with superintendent on new issues to clarify respective policy/administration roles					
<input type="checkbox"/> Recognizes and effectively manages board/superintendent conflicts					
<input type="checkbox"/> Keeps Superintendent informed on issues, complaints, needs and allows superintendent to deal with this effectively.					
<input type="checkbox"/> Publicly supports the superintendent's administrative role					
10. Expectations for Board Member Conduct: All members of our board.....					
<input type="checkbox"/> Hold similar expectations for the behavior of board members					
<input type="checkbox"/> Hold a common view of the board's role					
<input type="checkbox"/> Respect differing opinions/points of view represented on the board					
<input type="checkbox"/> Seek to resolve interpersonal conflicts					
<input type="checkbox"/> Promote trust and respect for the full board					
11. Board Operations: Our board...					
<input type="checkbox"/> Has an orientation program for new members					
<input type="checkbox"/> Keeps executive discussions confidential.					
<input type="checkbox"/> Devotes adequate attention to educational programs and outcomes					

<input type="checkbox"/> Respects the chain of command and delegates community complaints and issues to Superintendent and/or first “link in the chain” for resolution.					
<input type="checkbox"/> Spends the majority of its time on policy issues rather than administration					
<input type="checkbox"/> Has agreed upon operating protocols and regularly assesses adherence					
<input type="checkbox"/> Has members who communicate well with each other					
12. Board Meeting Effectiveness: Our board...					
<input type="checkbox"/> Has adequate time and data to study agenda before meeting					
<input type="checkbox"/> Contacts Board President BEFORE meeting with additional questions or issues on agenda items (i.e. No surprises)					
<input type="checkbox"/> Superintendent is prepared to discuss agenda items					
<input type="checkbox"/> Treats other Board members with respect during meetings and displays good listening skills					
<input type="checkbox"/> Has reviewed the material in preparation for the meeting					
<input type="checkbox"/> Has a Board President who takes charge of meetings and stays in control					
<input type="checkbox"/> Allows opportunity for Board discussion and clarification before public comment and vote					
<input type="checkbox"/> Follows accepted parliamentary procedures and rules.					
<input type="checkbox"/> Has meetings that start on time and end in a reasonable timeframe (1-2 hours)					

13. Board Development: Our board....					
<input type="checkbox"/> Formally assesses its performance annually					
<input type="checkbox"/> Uses input from the superintendent in board self-assessment					
<input type="checkbox"/> Takes action to improve its performance in areas identified through self-assessment					
<input type="checkbox"/> Seeks opportunities for development of the board as a whole					
<input type="checkbox"/> Sets aside time to learn about current educational issues					

1. The most significant accomplishments for the Board in the last school year were:

- 1) _____
- 2) _____
- 3) _____

2. List 1-2 key strengths of this year's Board

3. List 1-2 suggestions to be a more effective Board

Date of Last Review: August 26, 2006

SCHOOL DISTRICT RECORDS REGULATION

The following comprises the rules and regulations relating to the inspection and copying of school district records:

I. Designation of Officers

1. The District Clerk shall be both the Records Access Officer and the Records Management Officer. In those capacities, he/she shall:
 - receive requests for records of the Board of Education and make such records available for inspection or copying when such requests are granted;
 - compile and maintain a detailed current list by subject matter, of all records in the possession of the Board, whether or not available to the public; and
 - develop and oversee a program for the orderly and efficient management of district records.

II. Definition of Records

1. A record is defined as any information kept, held, filed, produced or reproduced by, with or for the district in any physical form whatsoever, including but not limited to reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or disks, rules, regulations or codes.
2. The Records Access Officer will have the responsibility for compiling and maintaining the following records:
 - a. a record of the final vote of each member of the Board on any proceeding or matter on which the member votes;
 - b. a record setting forth the name, school or office address, title and salary of every officer or employee of the district; and
 - c. a reasonably detailed current list by subject matter of all records in possession of the district, whether or not available for public inspection and copying.
3. No record for which there is a pending request for access may be destroyed. However, nothing in these regulations shall require the district to prepare any record not possessed or maintained by it except the records specified in II(2), above.

III. Access to Records

1. Time and place records may be inspected: Records may be requested from, and inspected or copied at, the Business Office, at 599 Bedford Road, Sleepy Hollow, NY 10591 during normal working hours on any business day on which the district offices are open.
2. Fees: The fee for documents up to 9 x 14 inches is 25 cents per page. For documents larger than 9 x 14 inches, tape or cassette records, or computer printouts, the cost will be based on the cost of reproduction or program utilized. Fees are subject to periodic review and change. However, no fee shall be charged for the search for or inspection of records, certification of documents, or copies of documents which have been printed or reproduced for distribution to the public. The number of such copies given to any one organization or individual may be limited, in the discretion of the Records Access Officer.
3. Procedures: Requests to inspect or secure copies of records shall be submitted, either in person or by mail, to the Records Access Officer. When the request is made orally, it shall be the responsibility of the Records Access Officer to fill out the request form.
4. All requests for information shall be responded to within five business days of receipt of the request. If the request cannot be fulfilled within five business days, the Records Access Officer shall acknowledge receipt of the request and advise the approximate date when the request will be granted or denied.
5. Denial of Access: When a request for access to a public record is denied, the Records Access Officer shall indicate in writing the reasons for such denial, and the right to appeal.
6. Appeal: An applicant denied access to a public record may file an appeal by delivering a copy of the request and a copy of the denial to the Superintendent/Principal within 30 days after the denial from which such appeal is taken.
7. The applicant and the New York State Committee on Open Government will be informed of the Superintendent's determination in writing within 10 business days of receipt of an appeal. The Superintendent/Principal shall transmit to the Committee on Open Government photocopies of all appeals and determinations.

IV. Records Exempted from Public Access

The provisions of this regulation relating to information available for public inspection and copying shall not apply to records that:

1. are specifically exempted from disclosure by state and/or federal statute;
2. if disclosed would constitute an unwarranted invasion of personal privacy;
3. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
4. are confidentially disclosed to the Board and compiled and maintained for the regulation of commercial enterprise, including trade secrets, or for the grant or review of a license;
5. are compiled for law enforcement purposes and which, if disclosed, would:
 - a. interfere with law enforcement investigations or judicial proceedings;
 - b. deprive a person of a right to a fair trial or impartial adjudication;
 - c. identify a confidential source or disclose confidential techniques or procedures, except routine techniques or procedures; or
 - d. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
6. records which if disclosed would endanger the life or safety of any person;
7. records which are interagency or intra-agency communications, except to the extent that such materials consist of:
 - a. statistical or factual tabulations or data;
 - b. instructions to staff which affect the public;
 - c. final Board policy determinations; or
 - d. external audits, including but not limited to audits performed by the comptroller and the federal government;
8. records which are examination questions or answers that are requested prior to the final administration of such questions;
9. records which are computer access codes.

V. Prevention of Unwarranted Invasion of Privacy

To prevent an unwarranted invasion of personal privacy, the Records Access Officer may delete identifying details when records are made available. An unwarranted invasion of personal privacy includes but shall not be limited to:

1. disclosure of confidential personal matters reported to the Board which are not relevant or essential to the ordinary work of the Board;
2. disclosure of employment, medical or credit histories or personal references of applicants for employment, unless the applicant has provided a written release permitting such disclosures;
3. sale or release of lists of names and addresses in the possession of the Board if such lists would be used for private, commercial or fund-raising purposes;
4. disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such records are not relevant or essential to the ordinary work of the Board; or
5. disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility.

Unless otherwise deniable, disclosure shall not be construed to constitute an unwarranted invasion of privacy when identifying details are deleted, when the person to whom records pertain consents in writing to disclosure, or when upon representing reasonable proof of identify, a person seeks access to records pertaining to him or her.

VI. Listing of Records

Pursuant to Section 87(3)(c) of the Public Officers Law, the current records retention schedule for school districts, published by the Commissioner of Education, shall serve as the list by subject matter of all records in the possession of the school district, whether or not available under the law.

Date of Last Review: August 26, 2006

SCHOOL DISTRICT RECORDS EXHIBIT*Application for Public Access to Records**

To: Records Access Officer _____

Board of Education
 Pocantico Hills Central School District
 599 Bedford Road
 Sleepy Hollow, New York 10591

I hereby apply to inspect only or inspect and request reproduction of the following record @ 25 cents per page**: _____

Signature _____ Date _____

I hereby acknowledge receipt of the reproduction of records.

Signature _____ Date _____

Mailing Address _____

FOR OFFICE USE ONLY

Approved []

Denied (for the reason(s) checked below)

- [] Confidential disclosure
 [] Part of investigatory files
 [] Unwarranted invasion of personal privacy
 [] Record of which this agency is legal custodian cannot be found.
 [] Record is not maintained by this agency
 [] Exempted by statute other than the Freedom of Information Law
 [] Other (specify) _____

Signature/Title _____ Date _____

NOTICE: You have a right to appeal a denial of this application to the Superintendent/Principal, Pocantico Hills Central School District, who must fully explain his/her reasons for such denial in writing within ten days of receipt of an appeal.

I hereby appeal _____
 Signature _____ Date _____

*Please note that persons requesting district records may be urged, but may not be required to use the district's form. When a request is made orally, it shall be the responsibility of the Records Access Officer to fill out the request form.

**For documents larger than 9 x 14 inches, tape or cassette records, or computer printouts, the cost of reproduction or the program used.

Date of Last Review: August 26, 2006

COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL MATERIALS REGULATION

The following procedures shall apply to the handling of complaints concerning any textbook, library book or material and any other instructional material used in the district school.

1. When a person has a complaint concerning a textbook, library book or other instructional material and protests its use in class or its availability in a school library, the Superintendent/Principal shall hold an informal meeting with the complainant and the teacher, librarian, or other staff member who is using or providing the book or material. At this meeting, the complainant will be asked to make clear his or her objection to the material; the teacher or librarian will be asked to explain the educational value of the material.
2. If the complaint is not resolved informally, the complainant may file a formal written complaint with the Superintendent/Principal on a form provided for this purpose.
3. Upon receiving a formal written complaint, the Superintendent/Principal shall designate an Instructional Review Committee, consisting of an administrator, a librarian, a teacher and a parent of a student enrolled in the district, to investigate and judge the challenged material.
4. The committee shall:
 - a. read and examine the challenged materials;
 - b. consider the specific objections to the material voiced by the complainant;
 - c. weigh the values and faults of the material as a whole;
 - d. consider oral presentations made to the committee, if any;
 - e. where appropriate, solicit advice or opinion from other district faculty and/or relevant professional organizations such as the American Library Association, the National Council of Teachers of English, National Council of Social Studies Teachers; and
 - f. issue a report to the Superintendent/Principal containing its recommendations concerning any complaint.
5. The Superintendent/Principal shall review the report of the committee, make a decision and notify the complainant and appropriate staff.
6. If the complainant is not satisfied with the Superintendent's decision he/she may refer the complaint to the Board. The Superintendent/Principal will deliver a copy of his/her decision and the committee's report to the Board for its consideration. The final decision shall be made by the Board.

Date of Last Review: August 26, 2006

**COMPLAINTS ABOUT CURRICULA OR INSTRUCTIONAL
MATERIALS EXHIBIT**

REQUEST FOR REEVALUATION OF INSTRUCTIONAL MATERIALS

Request initiated by _____

Date _____ Telephone _____

Address _____

Complainant represents: Self _____ Group _____

If Group (name) _____

TITLE: _____

AUTHOR: _____

Publisher or Producer: _____

Publisher's recommended grade level: _____

Book _____ AV material (please specify format) _____ Other _____

1. Have you read/heard/seen the material in its entirety? _____
2. To what do you specifically object? Please cite specific passages, pages, etc.
3. Is your objection to this material based upon your personal exposure to it, upon reports you have heard, or both?
4. What do you believe is the theme or purpose of the material?
5. What do you feel might be the result of reading/ viewing this work?
6. In its place, what work of equal value would you recommend that would convey as valuable a picture and perspective of a society or a set of values?
7. Do you wish to make an oral presentation of 15 minutes or less to the Materials Review Committee? _____

Signature

Date

Date of Last Review: August 26, 2006

PUBLIC USE OF SCHOOL FACILITIES REGULATION

All use of school facilities by the public will be governed by the following:

I. Eligibility

The Pocantico Hills Central School's facilities are maintained primarily for the benefit and enjoyment of the residents of the school district. In order to further the convenience and enjoyment of such residents and to assure safe and appropriate use, the following standards and limitations for usage of the facilities have been adopted:

- 1) Residents of the school district shall be entitled to utilize the facilities. For purposes of this section, a person shall be deemed to be a resident during such period of time as he/she maintains a fixed, permanent and principal home within the district.
- 2) Employees of the school district who work in excess of half-time shall be entitled to utilize the recreational facilities.
- 3) Use of the facilities by political or special interest groups not covered in this regulation shall be prohibited.
- 4) In addition to the foregoing, the Superintendent/Principal under such special circumstances as he/she deems appropriate, may permit other persons to utilize the facilities.

II. Procedures

Admission to the facilities shall be granted during regularly scheduled hours of operation to those persons who display passes issued to them by the school district. Application for such passes must be made at the school during such hours as shall be established.

Passes may be revoked at any time at the discretion of the Board. Passes shall be revoked in the event the persons move from the school district or otherwise become ineligible for such passes. Violations of the operating rules and regulations of the recreational facilities may also constitute grounds for revocation of passes.

In issuing passes for use of the recreation facilities, school district officials, or their designees may administer the questionnaire used to assist in determining an applicant's eligibility for such a pass. The determination of school district officials as to an applicant's eligibility for such pass shall be final and binding.

Insurance Requirements

Organizations using the school building and the school grounds will be required to carry and evidence such insurance as set by the Business

Office for protection of the district's property. The Insurance Certificate must name the Pocantico Hills Central School District as additional insured.

Use of Instructional Equipment and Supplies

Instructional equipment and supplies, generally shall not be available for use by non-school groups. However, the Superintendent/Principal may permit the use on premises of stage lighting or other school equipment by competent operators when, in his/her judgment, its use will not impair its value to the school. Damage incurred as a result of such use shall be reimbursed to the district upon the rendering of an official billing.

Use of Recreational and Athletic Equipment and Supplies

Normally, recreational and athletic equipment and supplies shall not be available for use by individuals or groups unless such individuals or groups are engaged in school sponsored programs or activities. However, the Superintendent/Principal may permit the use on the premises of selected recreational or athletic supplies, when in his/her judgment the use of such supplies will not impair their value to the school and their use shall not require any special competencies, training or skills.

Limiting the Use of School Facilities

The Superintendent/Principal shall have the authority to limit the use of the school building and school facilities by non-school groups and organizations to protect sufficient flexibility for the district's own needs and not to burden unduly custodial and supervisory staff, nor hinder adequate plant maintenance programs. Ordinarily, no use of the school building shall be permitted:

- On any weekend
- Any weekday school is not in session
- During school vacation periods
- Evening before school vacations
- The evening of graduation
- During the week following the closing of school in June
- During the three week period just prior to the opening of school in September.

Charges for the Use of School Facilities

Since the school budget is primarily intended to defray the expenses of operating and maintaining the school and its facilities for the benefit of the district's school children, charges will be made to non-school groups for the use of school facilities based on the rates set by the Business Office, and based upon the portion of the facility used and the custodial costs to maintain and clean the facility as a result of the approved use. These charges are developed to insure that school funds are not used to support private purposes, however worth in themselves.

In recognition of their unique relationship to the welfare of the school and the district, the following groups and organizations shall be granted use of

school facilities for appropriate purposes without charge to them and upon proper application to and at the discretion of the Superintendent, and subject to the approval of the Board:

The Pocantico Hills School Foundation
Pocantico Hills Teachers Association
Pocantico Hills Woman's Club
Pocantico Hills Parent-Teacher Association
Hilltop Engine Company No. 1
Boy Scouts and Girl Scouts Organizations, for troop meetings
occasional district and council meetings
Pocantico Hills Day Camp
Pocantico Hills Alumni Groups
American Youth Soccer Organization
Stone Barns Center for Food and Agriculture

Gratuities and Gifts for Custodial Services

Custodians are exclusively in the employ of the district during working hours, and whenever employed upon school property. They shall not be paid directly or in the form of a gratuity or gift by any person or organization for work or services performed in connection with the use of the school building or of other facilities.

Admission of Guests to Recreation Areas

Guests of residents shall be admitted to Pocantico Hills Recreation Areas upon payment of a fee to be determined annually by the Board. The number of guests shall be limited at the discretion of the Superintendent/Principal or his designee.

Application for Use of School Facilities

Application for use of the building and other facilities shall be made at the office of the Assistant Superintendent by means of forms provided at such office, which shall be completed in full and signed by at least one resident of the district. The applicant shall furnish such information as the Superintendent/Principal may require concerning the details of membership and other data he/she deems necessary to test eligibility for use of school facilities by the applicant.

Security Plan

Ten days prior to the approval use, the applicant must submit and have approved, a security plan which includes, but is not limited to:

- A full written description of the event
- List of invited guests
- Security arrangements to keep out uninvited guests
- Individual security guards to prevent use of unapproved sections of the facility

- Adequate supervision (as determined by the Superintendent/Principal) by individuals whose sole job is supervision
- Parking

Ref: Education Law §414

Date of Last Review: August 26, 2006

DISPLAY OF THE FLAG REGULATION

Flags Displayed Out-of-Doors and on Movable Hoists Indoors

A United States flag shall be displayed in front of the school every day that school is in session and at such other times as the Superintendent/Principal shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flags may also be displayed at night upon special occasions, at the discretion of the Superintendent/Principal, when it is desired to produce a patriotic effect.

In addition to days when school is in session, the flags will be displayed on the following days: Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, Columbus Day, and Thanksgiving Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of New York as a day of general thanksgiving or for displaying the flag.

Flags shall be flown at half-staff on days designated by the President or the Governor.

The flag will not be displayed on days when the weather is inclement.

Hoisting of the Flag

The flag shall be hoisted briskly and lowered ceremoniously.

In half staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall never be put at half mast in the middle of the day. It must be put at half mast in the morning only.

Indoor Flags and Those Not on Movable Hoists

There shall be a United States flag in each assembly room of the school. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

Date of Last Review: August 26, 2006

INDEPENDENT EDUCATIONAL EVALUATIONS REGULATION

The fees for an independent educational evaluation must not exceed the following schedule:

Reimbursement Limits

<u>Service Provided</u>	<u>Amount Up To</u>
Medical Examination to Determination General Health	\$ 100
Social History	90
Psychoeducation Evaluation	1100
Psychological Evaluation	750
Educational Evaluation	500
Speech/Language Evaluation	400
Bilingual Speech/Language Evaluation	500
Occupational Therapy Evaluation	360
Physical Therapy Evaluation	360
Neuropsychological Evaluation	1100
Psychiatric Evaluation	400
Neurological Evaluation	375
Ophthalmologic Evaluation	100

Independent Evaluations for CSE and CPSE Proceedings

The following Independent Evaluators are available within a 60 mile radial area of the school district's Central Office and shall be entitled to reimbursement up to the dollar limits indicated, where provided for by Board Policy #4321.3.

Independent Comprehensive Evaluation Services

Cornell Medical Center
21 Bloomingdale Rd
White Plains, NY 10601

Children's Psychiatric Institute Outpatient Clinic
Westchester County Medical Center
Grasslands Road
Valhalla, NY 10595
(493-7000)

Blythedale Children's Hospital
Bradhurst Avenue
Valhalla, NY 10595
(592-7555)

Southern Westchester BOCES
26 Legion Drive
Valhalla, NY 10595
(948-7271)

Putnam/Northern Westchester BOCES
Education Center
Yorktown Heights, NY 10598
(248-2358)

Northern Westchester Center for Speech Disorders
344 Main St
Mount Kisco, NY 10549
(666-9553)

Burke Rehabilitation Speech/Language Audiology Department
785 Mamaroneck Avenue
White Plains, NY 10605
(940-0034)

Pediatric Neurological Associates
125 South Broadway
White Plains, NY 10605
(997-1692)

Westchester Jewish Community Services
141 N Central Avenue
Hartsdale, NY 10530
(949-6761)

Legal Services

Information regarding free or inexpensive legal services may be obtained by contacting one of the following agencies:

Legal Services of the Hudson Valley
4 Cromwell Place
White Plains, NY 10601
(949-1305)

Westchester Student Advocacy Coalition
Bozeman, Trott & Savage
6 Grammatan Avenue
Mt. Vernon, NY 10550
(948-5600)

Protection and Advocacy Legal Unit
Westchester Independent Living Center, Inc.
200 Hamilton Avenue
White Plains, NY 10601
(682-3926)

Date of Last Review: August 26, 2006

HOMEBOUND INSTRUCTION REGULATION*Guidelines for Placing a Student on Homebound Instruction*

1. There should be a referral from the student's physician, the school physician or other health care provider, the Superintendent/Principal, the Chairperson of the Committee on Special Education as part of a student's individual education program.
2. The Homebound teacher will pick up all pertinent books, materials, and assignments from school Counselor, if the child is in the middle school, or from the student's teacher in the elementary school.

Instruction To Be Followed Regarding Homebound Program

1. Students are to receive one hour of instruction per day. Instruction is only permitted on days when school is in session.
2. Homebound instructors must contact parent or guardian to arrange the times of instruction. If it is to be conducted in the home, the parent or guardian should be present during the period of instruction.
3. When a student is to be transferred from homebound to regular instruction, a final progress report must be submitted to the Principal's Office.
4. The Homebound teacher is responsible for returning books to the home school.
5. Homebound teachers are to submit time schedules to the Main Office.
6. If notebooks or paper are needed for use in Homebound Instruction, they may be obtained from the Main Office.

End-of-Year Instruction Regarding Homebound Instruction

1. It will be the responsibility of the homebound teachers to return all books to the same person who originally supplied the books.
2. All homebound teachers are to submit End of Year Reports on each student with recommendation for school and class placement for the following year, if applicable.

Date of Last Review: August 26, 2006

SUMMER DAY CAMP REGULATION

Goals & Objectives

The daily program should include athletic activities (team sports, individual sports, cooperative games, “new games,” and other creative physical activities, aquatic sports and land sports); creative activities (arts and crafts, dance, dramatics, and music); camp craft activities (hiking, outdoor cooking, outdoor living, adventure challenges, and nature lore); recreational activities and special events.

In planning the Day Camp program, the following statements should serve as a guide for the selection and organization of activities.

1. The program should be available to all eligible children in the district.
2. The program should complement the regular school program by offering activities as different from those provided during the school year as it is possible to provide within the same building and on the same grounds.
3. Activities should offer learning and provide skills to the participants.
4. Activities should be individualized as often as possible.
5. Children should be given opportunities to acquire and develop talents that will be continuing sources of pride and enjoyment to them.
6. Children should be given opportunities to develop some skills that they can carry throughout life.

Finally, the program of camp activities should take place in an environment which is informal, easy-going, and relaxed. The relationship between campers and staff should be informal, but based on mutual respect. At all times, the health, safety, and well-being of the youngster should be provided for and maintained. In short, children should be happy, healthy, and safe at camp; they should learn at camp, and enjoy learning; and they, along with everyone associated with the camp, should be treated with understanding and patience.

Program Objectives

Premise: The underlying purpose of this day camp is to provide youngsters with constructive opportunities to build character.

All of our activities are designed with the following outcomes in mind:

1. To build self-assurance in each camper through involved, active participation in crafts, performing arts, sports, games, swimming and outdoor adventure challenges.
2. To make every camper feel safe, accepted and worthwhile.

3. To provide exciting, memorable educational and recreational activities in a wholesome, healthy climate, maximizing the use of available resources, land facilities and the out-of-doors.
4. To instill a healthy respect for the benefits of cooperation and an appreciation for group living.
5. To provide the finest available adult and young adult role models for the youngsters to identify with and relate to.
6. To build group spirit and pride through exposure to the joys and warmth to be shared in good fellowship.
7. To breakdown unwholesome social barriers which may isolate youngsters, inhibit creativity and self-expression, and undermine confidence.
8. To provide exposure to myriad of fields of interest, hobbies, and leisure time alternatives, and to build competencies.
9. To instill in all children a “zest” for living an active, interesting life, filled with the joys of accomplishment and adventure.
10. To afford older children opportunities to experience responsibility while developing self-control.
11. To experience fun and frivolity.

Day Camp Scholarships

All children who meet the eligibility requirements for free lunch, as established by the Board of Education, shall be eligible for a full six-week scholarship to the Pocantico Hills Day Camp.

Attendance of Children of Nonresident Employees

Children of nonresident Summer Day Camp employees may attend the six-week summer session upon payment of a fee to be determined annually by the Board of Education.

Nonresident Attendance at Summer Day Camp

Children Living in District for Summer

Nonresident children living in the district for the summer may be admitted to the Pocantico Hills Summer Day Camp provided that:

- a. They have, or will have, established full-time residence in the district for the period between July 1 and Labor Day; and
- b. A responsible adult, parent or guardian has completed an application certifying compliance with the above residency requirement; and
- c. Tuition has been paid, in advance, for nonresident attendance at the day camp; and
- d. The day camp director approves the application based on quotas and guidelines set by the Board.

Tuition for nonresident attendance at Pocantico Hills Summer Day Camp will be determined annually by the Board. The tuition must be submitted with the necessary application form and shall not be refundable.

Living Out of District

Students who do not reside in the district may be admitted to attendance in the day camp program, upon advance payment of the nonresident day camp fee. Such students will be limited to the numerical quotas established annually by the Camp Director. To be eligible for attendance, non-resident students must have attained age 5 by July 1st.

Nonresident Day Camp Fees

The Board shall establish annually the nonresident day camp fee and the applicable numerical quotas for each of the above grades. Nonresident students in such grades will be accepted upon payment of the required fee, in the chronological order of receipt of applications, with priority given to returning campers, until the applicable numerical quota is filled.

Counselor-in-Training Program

The Counselor-in-Training (CIT) Program shall be designed to train counselors qualified to work in the Pocantico Hills Day Camp or elsewhere. CITs shall be selected on the basis of past record and potential to become counselors as indicated by recommendations of teachers and camp staff. Eligibility shall be limited to students who have reached age 15 by July 1st of that camp season. The training position shall carry no salary.

Date of Last Review: August 26, 2006

LIBRARY MATERIALS SELECTION REGULATION**I. Criteria for Selection**

A. Criteria to be considered in the final selection of all materials added to the collection include the following:

1. Is the material needed by this school?
2. Is it among the best of its kind available?
3. Does it implement or enrich the course of study?
4. Are its contents, vocabulary, and format suitable for the students?
5. Does it have literary merit and interest appeal?
6. Does it appear in one or more approved lists or in a reviewing media?
7. Has some member of the staff read and examined the material and recommended the title for purchase?
8. When appropriate, has the area specialist been consulted?
9. Does it fulfill the responsibility of the school library as expressed in the School Library Bill of Rights for Library Media Programs?
10. Does it contribute to a balanced presentation of the subject matter in relation to current holdings?
11. Is the value commensurate with the cost?

B. Materials offered to the schools as gifts are accepted with the understanding that they will be evaluated on the basis of the criteria set forth above and only those meeting these standards and which are in good condition are added to the collection. Disposal of the remaining materials is left to the discretion of the school librarian.

C. Sponsored materials should not only meet the same evaluation standards as any other items being considered for purchase, but the following as well:

1. Is the primary purpose of the material to educate rather than promote sales?
2. Does the sponsoring concern display more advertising than is acceptable to our selection standards?

II. Procedures for Selection

The selection of library materials shall be a cooperative continuing process guided by the librarian. Selection shall be made by examination of

material when possible and/or from recognized authoritative bibliographies, selection aids, and reviews.

In specific areas, the librarian follows these procedures:

- a. Multiple items of outstanding and much in demand media are purchased as needed. These items do not include supplemental text materials.
- b. Worn or missing standard items are replaced periodically.
- c. Out-of-date, inaccurate or no longer useful materials are withdrawn from the collection.
- d. An annual inventory is necessary to accomplish the above procedures and to provide a viable collection.

Cross-ref: 1420, -R, -E Complaints about Instructional Material or Curricula

Date of Last Review: August 26, 2006

SCHOOL LIBRARY BILL OF RIGHTS FOR SCHOOL LIBRARY MEDIA PROGRAMS

The American Association of School Librarians reaffirms its belief in the Library Bill of Rights of the American Library Association. Media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end, the American Association of School Librarians asserts that the responsibility of the school library media center is:

- To provide a comprehensive collection of instructional materials selected in compliance with basic, written selection principles, and to provide maximum accessibility to these materials.
- To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served.
- To provide materials for teachers and students that will encourage growth in knowledge, and that will develop literary, cultural and aesthetic appreciation, and ethical standards.
- To provide materials which reflect the ideas and beliefs of religious, social, political, historical, and ethnic groups and their contribution to the American and world heritage and culture, thereby enabling students to develop an intellectual integrity in forming judgments.
- To provide a written statement, approved by the Board of Education, of the procedures for meeting the challenge of censorship of materials in school library media centers (see 1420-E).
- To provide qualified professional personnel to serve teachers and students.

Date of Last Review: August 26, 2006

**ACCEPTABLE USE OF COMPUTERS AND THE INTERNET
REGULATION AND EXHIBIT**

The appropriate use of all Pocantico Hills School computer equipment must reflect user honesty and responsibility at all times.

No person will purposely cause damage to an individual computer or the network or encourage others to do the same.

Each person will respect the rights of others to keep their files confidential and will not view those files or alter or damage such files in any way.

Use only YOUR User ID and Password to Log In to Pocantico Computers.

Do not allow others to use your ID or Password when using the network. This is for your protection as well as for the computers network.

Do not allow others to use your ID or Password when using the network. This is for your protection as well as for the computer network.

Use only the resources needed to complete your activity. Do not use excess storage space on the server or excess material in your activity.

Do not leave your workstation Logged In unattended. Doing so provides an unnecessary opportunity for damage by another or error in file storage.

Use of the Internet is a privilege, not a right. Termination of student usage may occur if the student is discovered to be using the service inappropriately. The administration reserves the right to enter files if there is reason to believe that computers are being used inappropriately. Failure to comply with these regulations may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

The staff of Pocantico Hills School believes that the valuable information and connections available on the World Wide Web far outweigh the risk of student usage.

The use of the district's Internet account must be in support of education and research and consistent with the educational objectives of the Pocantico Hills School District.

Student Responsibility

A student is expected to abide by the acceptable use policy of the Pocantico Hills School district. A student's actions reflect upon his or her school and community. Students are expected to abide by generally accepted Internet etiquette:

- Be courteous – use the Internet in a way that is not disruptive to others.
- Observe the rules of copyright regarding software, information, and authorship.
- Use appropriate language – do not send abuse message.
- Respect the privacy of other users.
- Do not engage in activities that are prohibited under state and federal laws.
- Do not initiate access to material that may be considered inappropriate or offensive.

Vandalism

Vandalism of any kind to the computers or the network is strictly prohibited.

Vandalism will result in cancellation of user privileges.

Acceptable Use

It is expected that users will assume the following responsibilities in using the Internet account:

- Use appropriate language in all communications.
- Adhere to the rules of copyright
- Use the network only for legal activities
- Avoid the knowing or inadvertent spread of computer viruses
- Honor the privacy of others
- Use one's real name
- Display exemplary behavior at all times on virtual field trips

I have read the Pocantico Computer Use Regulation and agree to abide by its conditions.

Student Signature: _____

Parent Signature: _____

Date of Last Review: August 26, 2006

INTERNET SAFETY REGULATION

The following rules and regulations implement the Internet Safety Policy adopted by the Board of Education to make safe for children the use of district computers for access to the Internet and World Wide Web.

I. Definitions

In accordance with the Children's Internet Protection Act,

- *Child pornography* refers to any visual depiction, including any photograph, film, video, picture or computer or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct. It also includes any such visual depiction that (a) is, or appears to be, of a minor engaging in sexually explicit conduct; or (b) has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (c) is advertised, promoted, presented, described, or distributed in such a manner than conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.
- *Harmful to minors* means any picture, image, graphic image file, or other visual depiction that (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (b) depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

II. Blocking and Filtering Measures

- The Superintendent/Principal or his or her designee shall secure information about, and ensure the purchase or provision of, a technology protection measure that blocks access from all district computers to visual depictions on the Internet and World Wide Web that are obscene, child pornography or harmful to minors.
- The district's Assistant Superintendent or designee shall be responsible for ensuring the installation and proper use of any Internet blocking and filtering technology protection measure obtained by the district.
- The Assistant Superintendent or his or her designee may disable or relax the district's Internet blocking and filtering technology measure only for adult staff members conducting bona fide research related to the discharge of their official responsibilities.

- The Assistant Superintendent or designee shall monitor the online activities of adult staff members for whom the blocking and filtering technology measure has been disabled or relaxed to ensure there is not access to visual depictions that are obscene or child pornography.

III. Monitoring of Online Activities

- The district's Assistant Superintendent or designee shall be responsible for monitoring to ensure that the online activities of staff and students are consistent with the district's Internet Safety Policy and this regulation. He or she may inspect, copy, review, and store at any time, and without prior notice, any and all usage of the district's computer network for accessing the Internet and World Wide Web and direct electronic communications, as well as any and all information transmitted or received during such use. All users of the district's computer network shall have no expectation of privacy regarding any such materials.
- Except as otherwise authorized under the district's Computer Network or Acceptable Use Policy, students may use the district's computer network to access the Internet and World Wide Web only during supervised class time, study periods or at the school library, and exclusively for research related to their course work.
- Staff supervising students using district computers shall help to monitor student online activities to ensure students access the Internet and World Wide Web, and/or participate in authorized forms of direct electronic communications in accordance with the district's Internet Safety Policy and this regulation.
- The district's Assistant Superintendent or designee shall monitor student online activities to ensure students are not engaging in hacking (gaining or attempting to gain unauthorized access to other computers or computer systems), and other unlawful activities.

IV. Training

- The district's Assistant Superintendent or designee shall provide training to staff and students on the requirements of the Internet Safety Policy and this regulation at the beginning of each school year.
- The training of staff and students shall highlight the various activities prohibited by the Internet Safety Policy, and the responsibility of staff to monitor student online activities to ensure compliance therewith.
- Students shall be directed to consult with their classroom teacher if they are unsure whether their contemplated activities when accessing the Internet or Worldwide Web are directly related to their course work.
- Staff and students will be advised to not disclose, use and disseminate personal information about students when accessing the Internet or engaging in authorized forms of direct electronic communications.

- Staff and students will also be informed of the range of possible consequences attendant to a violation of the Internet Safety Policy and this regulation.

V. Reporting of Violations

- Violations of the Internet Safety Policy and this regulation by students and staff shall be reported to the Assistant Superintendent.
- The Assistant Superintendent shall take appropriate corrective action in accordance with authorized disciplinary procedures.
- Penalties may include, but are not limited to, the revocation of computer access privileges, as well as school suspension in the case of students and disciplinary charges in the case of teachers.

Date of Last Review: August 26, 2006

STUDENT COMPLAINTS AND GRIEVANCES REGULATIONDefinitions

1. Grievant shall mean a student or parent who alleges that there has been a violation of Title IX or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA) statute or regulations which affect the student.
2. Grievance shall mean any alleged violation of Title IX, Section 504 or the ADA statute or regulations.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504 or the ADA.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints shall be handled as follows:

For informal conciliation, students and/or their parent should confer with the appropriate teacher or school personnel to achieve prompt resolution. The decision may be appealed to the Superintendent/Principal who has the final determination on all such matters.

For resolution of matters where appeal procedures are prescribed by statute, e.g., student suspensions, the prescribed course of action will be followed.

The resolution of student complaints alleging any action prohibited by Title IX, Section 504 or the ADA shall be dealt with in the following manner:

StagesA. Stage I - Compliance Officer

1. Within 30 days after the events giving rise to the complaint, the grievant shall file a complaint in writing with the Compliance Officer. The Compliance Officer may informally discuss the matter with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 30 days of the receipt of the complaint, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within 30 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent/Principal.

B. Stage II - Superintendent /Principal

1. The Superintendent/Principal may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent/Principal shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 30 school days of the receipt of the appeal by the Superintendent/Principal.
3. Within 30 days of the hearing, the Superintendent/Principal shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, and a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent/Principal, the grievant may, within 30 days after its receipt, file with the District Clerk, a written request for review by the Board.

C. Stage III - Board of Education

1. When a request for review by the Board has been made, the Superintendent/Principal shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 30 school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within 30 days after the hearing has been concluded.

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District Clerk or at the office of the Compliance Officer.

Date of Last Review: August 26, 2006

STUDENT WELLNESS INTERNET RESOURCES

This listing identifies a number of websites which staff and/or wellness committees or monitors may wish to consult for information and ideas regarding nutrition, physical activity, reducing the emphasis on candy and snacks, and ways to measure children's weight and obesity.

General Wellness

Center for Science in the Public Interest

www.cspinet.org/nutritionpolicy/policy_options.html

NYSED Child Nutrition Services February 2005 memo to districts

http://portal.nysed.gov/pls/pref/docs/page/cnkc/reauthorization/final_local_wellness_policies_required_reauth.htm

Nutrition Education

American Dietetic Association

www.eatright.org

USDA Food and Nutrition Services

www.fns.usda.gov

Team Nutrition – USDA

www.fns.usda.gov/tn

School Nutrition Association

www.schoolnutrition.org

A La Carte and Vending Machine Food Nutrition

Center for Science in the Public Interest

www.cspinet.org/nutritionpolicy/improved_school_foods_without_losing_revenue2.pdf

www.cspinet.org/nutritionpolicy/policy_options_revenueresources.html

No Junk Food – parent organization

www.nojunkfood.org/vendors/healthy_snack_list.html

Health Food and Non-Food Alternatives for Fund-Raising

No Junk Food – parent organization

www.nojunkfood.org/fundraising/todo.html

www.nojunkfood.org/fundraising/tosell.html

Alternatives to Food Rewards

Michigan State University Extension

www.tn.fcs.msue.msu.edu/foodrewards.pdf

Center for Science in the Public Interest

www.cspinet.org/nutritionpolicy/constructive_rewards.pdf

Wellness Internet Resources (cont'd)

Physical Education/Physical Activity

Centers for Disease Control

– Healthy Youth

www.cdc.gov/HealthyYouth/PhysicalActivity

– Division of Nutrition and Physical Activity

www.cdc.gov/nccdphp/dnpa

– VERB – activities for children ages 9-13

www.cdc.gov/youthcampaign

www.verbnow.com (site for kids that includes a game generator)

www.verbparents.com

PE Central – Information clearinghouse for physical education teachers

www.pecentral.org

NASPE – National Association for Sport and Physical Education

www.aahperd.org/naspe

Physical Activity in the Classroom

Michigan Department of Education

Brain Breaks: www.emc.cmich.edu/BrainBreaks

Energizers: www.ncpe4me.com/energizers.html

Take Ten: www.take10.net

Research on the link between Wellness and Academic Achievement

Evidence Based Physical Activity for School-age Youth, Strong, Malina, et al., Journal of Pediatrics, Vol. 146, Issue 6, pp. 732-737 (June 2005)

www.jpeds.com/article/PIIS0022347605001009/fulltext

Nutrition, Learning and Behavior in Children: A Resource List for Professionals, Food and Nutrition Information Center, National Agricultural Library/USDA

www.nal.usda.gov/fnic/service/learnpub.html

Clinical Measures of Weight and Obesity

CDC – Body Mass Index home (BMI calculator for Children and Teens)

www.cdc.gov/nccdphp/dnpa/bmi/index.htm

CDC – About Body Mass Index for Children and Teens

www.cdc.gov/nccdphp/dnpa/bmi/childrens_BMI/about_childrens_BMI.htm

CDC - Clinical Growth Charts - National Center for Health Statistics

www.cdc.gov/nchs/about/major/nhanes/growthcharts/clinical_charts.htm

Date of Last Review: August 26, 2006

STUDENT HEALTH SERVICES REGULATION

A. Immunization

Children must receive immunizations for diphtheria, polio, measles, mumps, rubella, hepatitis B, Haemophilus Influenzae Type b (Hib), pertussis, tetanus and varicella prior to entering or being admitted to school.

Parents must provide acceptable proof indicating required receipt of all vaccines in accordance with law and regulations. A child may be excluded from the immunization requirements based on a physician determined health reason or condition. This medical exemption must be signed by a physician licensed to practice in New York State. A child may also be excluded from the immunization requirements because the child's parent/guardian holds a genuine and sincere religious belief which is contrary to the practice of immunization.

A child will not be admitted to school or allowed to attend school for more than 14 days without an appropriate immunization certificate or acceptable evidence of immunization. This period may be extended to 30 days on a case-by-case basis by the Superintendent/Principal if the child is transferring from another state or country and can show a good faith effort to get the necessary certification or other evidence of immunization.

When a student transfers out of the district, the parent/guardian will be provided with an immunization transfer record showing the student's current immunization status which will be signed by the school nursing personnel or the school physician. A transcript or photocopy of the immunization portion of the cumulative health record will be provided to the new educational institution upon request.

B. Administering Medication to Students in School

The administration of prescribed medication to a student during school hours is permitted only when the medication is necessary to allow the student to attend school or failure to administer the medication would seriously affect the student's health.

Parent(s) or guardian(s) must present the following information:

1. a note from the family doctor containing the following information: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects;
2. a note from the parent(s) or guardian(s) giving the school nurse, teacher, Principal or other school staff permission to administer the medication; or
3. file a medication request form with the school-nurse teacher.

The school nurse shall develop procedures for the administration of medication, which require that:

1. all medications will be administered by the school nurse, the Superintendent/Principal or his/her designee;
2. medications shall be securely stored in the office and kept in their original labeled container, which specifies the type of medication, the amount to be given and the times of administration;
3. the school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration; and
4. all medications shall be brought to school by the parent(s) or guardian(s) and shall be picked up by the parent(s) or guardian(s) at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days of the period of medication, the medication shall be discarded.

An adult must bring the medication to school in the original container. The administering staff member should clearly label the medication with the time to be given and dosage.

Administering medication on field trips and at after-school activities. Taking medication on field trips and at after-school activities is permitted if a student is self-directed in administering their own medication. On field trips or at other after-school activities, teachers or other school staff may carry the medication so that the self-directed student can take it at the proper time.

If a student is going on a field trip but is not self-directed (i.e., fully aware and capable of understanding the need and assuming responsibility for taking medicine), then the district may:

- permit the parent or guardian to attend the activity and administer the medication.
- permit the parent to personally request another adult who is not employed by the school to voluntarily administer the medication on the field trip or activity and inform the school district in writing of such request.
- allow the student's health care provider to be consulted and, if he/she permits, order the medication time to be adjusted or the dose eliminated.

If no other alternative can be found, a school nurse or licensed person must administer the medication.

Administering epi-pen in emergency situations. The administration of epinephrine by epi-pen has become an accepted and extremely beneficial practice in protecting individuals subject to serious allergic reactions (e.g., individual has an anaphylactic reaction to a wasp sting or the ingestion of peanut butter).

Pursuant to Commissioner's regulations, registered professional nurses may carry and administer agents used in non-patient specific emergency treatment of anaphylaxis.

In addition, pursuant to SED guidelines, school nurses may provide training to unlicensed school staff in administering epi-pens, prescribed by a licensed prescriber, to a child who has been diagnosed with the potential for a severe reaction, in the event of the onset of a serious allergic reaction when a nurse is not available.

C. Student Medical Exams

In accordance with Section 903 of the state Education Law, each student shall have a physical exam given by the school doctor or family physician upon entrance to school at grades 1, 3, and 7. Findings are to be kept on record at the school on forms that can be obtained from the school nurse.

D. Illness in School

If a student becomes ill in school:

1. The nurse will determine if the student should remain in the dispensary or return to class.
2. The nurse will call the parent, guardian or substitute parent if he/she feels the student should go home. In general, a parent or guardian will pick up the student from school.
3. The nurse will contact the Assistant Superintendent if he/she feels the child should be transported by bus to the home.
4. If there is to be a change in bus routing in order to carry the student to his/her home, that decision will be made by the administrator and the Assistant Superintendent.
5. If the route is to be changed, the Assistant Superintendent shall inform the bus driver.
6. If no parent, guardian or substitute parent picks up the student at school, or if no parent/guardian or substitute parent will be home, the student will remain in the nurse's office until such time as a parent, guardian or substitute parent becomes available to assume responsibility for the child.

E. Medical Emergency Record

All students shall have on file a medical emergency record which shall state the name and telephone numbers of the following:

1. the student's parent(s) or guardian(s) at home and work;
2. the student's next of kin;
3. a neighbor;
4. the family physician;

5. preferred hospital;
6. any allergies or serious health conditions.

Date of Last Review: August 26, 2006

DRUG AND ALCOHOL ABUSE REGULATION

Once sufficient evidence has been produced to prove that the student has used, possessed, distributed or sold alcohol, illegal drugs, or counterfeit illegal drugs and drug paraphernalia, the following discipline shall ensue:

- Suspension from school for up to five days for the first offense; and
- Forfeiture of the privilege of participating in or attending all extra-curricular school activities for the duration of the suspension.

In addition,

- the student's parent/guardian will be called to remove the student immediately from school property.
- The police will be notified promptly by means of a complete report prepared by the Superintendent/Principal, which will include the controlled substances, alcoholic beverages and other physical evidence obtained for analysis and such criminal actions as the police may determine.
- The student's parent/guardian will be asked to meet with the Superintendent/Principal for the purpose of determining a plan for monitoring the child's subsequent behavior.

School officials may conduct searches for and seize illegal drugs in accordance with procedures outlined in the section XII of the district's code of conduct.

In the event of a second violation of this policy, the student shall be suspended for five days and a Superintendent's hearing scheduled during this period, with a recommendation to extend the suspension for a period up to and including permanent suspension. The parent/(s)/guardian(s) shall be advised of this procedure.

Date of Last Review: August 26, 2006

NOTIFICATION OF SEX OFFENDERS EXHIBIT

Dear Parents and Guardians,

In accordance with New York State's Sex Offender Registration Act, local law enforcement agencies will, at their discretion, be notifying school administrators of sex offenders living in this district. Such information may include the offender's address or zip code, photograph, crime of conviction, modus of operation, type of victim targeted and the description of any special conditions imposed on the offender. As of now, we (have/have not) received such notification.

All information the district receives from local law enforcement will be available to the public in our main office and will be available to you upon request. In addition, any information received will be circulated to all staff who might come into contact with the offender in the course of doing their jobs, including staff who issue visitors' passes, bus drivers, custodians, playground monitors, and coaches. All other staff members will be informed of the availability of the information. All staff have been directed to notify their supervisor if they observe any suspicious person(s) in an area where children congregate, and law enforcement officials will be notified in cases where the circumstances warrant it.

We are dedicated to the safety of our children while they're in school. Our school has a strict sign-in/sign-out procedure for our students and all visitors must first report to the school's main office for a visitor's pass. In addition, our school curriculum includes teaching personal safety and stranger awareness skills.

We encourage you to talk to your children about personal safety. Books and other resources are available from our school counselor if necessary.

Specific questions about this matter may be directed to the Mt. Pleasant Police Department – Tel: 769-1941.

Please be assured that the school district will continue to take responsible and appropriate measures to protect our students.

Very truly yours,

Superintendent/Principal

Date of Last Review: August 26, 2006

SUSPECTED CHILD ABUSE IN A DOMESTIC SETTING REGULATION

Pursuant to Board policy and Section 411 et seq. of the Social Services Law, school district staff should be on the alert for the purpose of identifying abused and maltreated children and reporting such findings as required below.

Definitions

For the purpose of discerning whether or not a child is abused or maltreated the following definitions should be considered:

An abused child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his or her care:

- a. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
- b. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or
- c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

A neglected or maltreated child, according to the Family Court Act, is a child less than 18 years of age:

- a. whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his or her parents or other person legally responsible for his care to exercise a minimum degree of care:

- (1) in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or
 - (2) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aid of the court; or
- b. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

Person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

Impairment of emotional health and impairment of mental or emotional condition includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

Persons obligated to report cases of suspected Child Abuse or Maltreatment

School officials and registered nurses working in the district are under an obligation, pursuant to law, to report such cases by immediately notifying the Superintendent/Principal. All professional staff members (including teachers, administrative officers, guidance counselors, coaches and substitute teachers) are required to report suspected cases of child abuse, maltreatment and neglect to the Superintendent/Principal or School Nurse.

Reporting procedures and related information:

ALL REPORTS TO THE STATE AND LOCAL CHILD PROTECTIVE SERVICES SHALL BE MADE BY THE SUPERINTENDENT/PRINCIPAL OR DESIGNEE.

Reports of suspected child abuse, maltreatment or neglect shall be made immediately, by telephone and in writing, within 48 hours after such oral report or by telephone fax machine on a form supplied by the Commissioner of Social Services. The oral report shall be made to the New York State Child Abuse and Maltreatment Center and to the Local Child Protective Service. The written report shall be made to the appropriate local child protective service on forms prescribed by and supplied by the Commissioner of Social Services. The telephone fax report shall be made to a special telephone fax number for use only by persons mandated by law to make reports, as set forth below.

Oral Report to: the New York State Child Abuse and Maltreatment Center (800-342-3720) and Westchester County Child Protective Services (285-5874)

Written Report to: Westchester County Department of Social Services, Child Protective Services

Telephone Fax Report to: Special telephone fax number (1-800-635-1554).

Each report shall include the following information:

The name and address of the child and his/her parents or other person responsible for his/her care, if known; the child's age, sex and race; the nature and extent of the child's injuries, abuse or maltreatment, including any evidence of prior injury, abuse or maltreatment to the child or his/her siblings; the name of the person(s) responsible for causing the injury, abuse or maltreatment, if known; family composition; the source of the report; the person making the report and where he/she can be reached; the actions taken by the reporting source, including the taking of photographs and any other information which the Commissioner may require or the person making the report believes might be helpful in the investigation.

Taking Photographs. The Superintendent/Principal may take photographs or cause photographs to be taken of the areas of visible trauma on the child, and/or, if medically indicated, cause an examination to be performed. Such actions may be performed at public expense if they will provide appropriate documentation when filing the report. A camera and film shall be kept at the school and be available for this purpose.

Access to School Records by Child Protective Services. The district may disclose personally-identifiable information from the educational records of a student to Child Protective Services personnel when it is necessary to protect the health or safety of the student or other individuals. In deciding whether or not the disclosure should be made, the seriousness of the threat to the health or safety of the student or other individuals, the need for the information to meet the emergency and the extent to which time is of the essence should be considered.

Student Interviews by Child Protective Services Personnel on School Property. The Superintendent/Principal may allow a Child Protective Services employee to interview, in school, any student concerning whom a report of suspected child abuse or maltreatment has been made regardless of the source of the report. He/She shall examine and verify the credentials of Child Protective Services worker(s) before allowing such worker(s) to either interview the child or to examine the child's records. A school official should be present during the interview (if sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate) unless it is decided that the presence of the school official is not essential to protect the interests of the student and that the Child Protective Services worker's job can best be accomplished by conducting the interview without the school official present.

Taking a child into protective custody. A Child Protective Services worker, a police officer, or other law enforcement official may take a child into protective custody without the consent of a parent or guardian. The Superintendent/Principal shall cooperate with any of these officials who produces official documentation indicating that a student be taken into protective custody. Release of a child to such officials must be authorized by the Superintendent/Principal.

Confidentiality of Reports. Reports of suspected child abuse and maltreatment are confidential and may only be made available to those individuals who are specified by law. The Superintendent/Principal must be consulted prior to the release of any such report. If a report of child abuse or maltreatment has been determined to be unfounded, all records, both in the State Central Register and in school files, shall be expunged.

Reporting a child's death. Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the Superintendent/Principal who shall report such death to the appropriate medical examiner or coroner.

Immunity from liability. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any liability, civil or criminal. The good faith of any person required to report cases of child abuse or maltreatment is presumed.

Penalties for failure to report. Any person required to report suspected cases of child abuse or maltreatment and who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for the damages caused by this failure.

Training Programs for staff and new hirees. All district employees who are required to report suspected child abuse shall be required to attend ongoing training sessions regarding identification and reporting of all cases of suspected child abuse.

Date of Last Review: August 26, 2006

STUDENT RECORDS REGULATION

It is recognized that the confidentiality of student records must be maintained. The following necessary procedures have been adopted to protect the confidentiality of student records.

Section 1. Pursuant to the Family Educational Rights and Privacy Act (FERPA) it shall be the policy of this school district to permit parents/guardians and eligible students (a former student who has reached age 18 or is attending a post-secondary school) to inspect and review any and all official records, files and data directly related to their child or themselves, including all materials that are incorporated into each student's cumulative record folder.

Section 2. Parents/guardians and eligible students will have an opportunity for a hearing to challenge the content of the student's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Section 3. A letter shall be sent annually to parents/guardians of students currently in attendance informing them of their rights pursuant to FERPA. The district shall provide translations of this notice, where necessary, to parents/guardians in their native language or dominant mode of communication.

Section 4. To implement the rights provided for in sections 1 and 2, the following procedures are adopted:

1. A parent/guardian or eligible student who wishes to inspect and review student records shall make a request for access to the student's school records, in writing, to the Superintendent/Principal. Upon receipt of such request, arrangements shall be made to provide access to such records within 45 calendar days after the request has been received. If the record to which access is sought contains information on more than one student, the parent/guardian or eligible student will be allowed to inspect and review only the specific information about the student on whose behalf access is sought.
2. A parent/guardian or eligible student who wishes to challenge the contents of the student's school records shall submit a request, in writing, to the Superintendent/Principal identifying the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student together with a statement of the reasons for their challenge to the record.
3. Upon receipt of a written challenge, the Superintendent/Principal shall provide a written response indicating either that he/she:

- a. finds the challenged record inaccurate, misleading or otherwise in violation of the student's rights and that the record will be corrected or deleted; or
 - b. finds no basis for correcting or deleting the record in question, but that the parent/guardian will be given an opportunity for a hearing. The written response by the Superintendent/Principal shall be provided to the parent/guardian within 14 calendar days after receipt of the written challenge. The response shall also outline the procedures to be followed with respect to a hearing regarding the request for amendment.
4. Within 14 calendar days of receipt of the response from the Superintendent/Principal, a parent/guardian or eligible student may request, in writing, that a hearing be held to review the determination of the Superintendent/Principal.
 5. The hearing shall be held within 10 calendar days after the request for the hearing has been received. The hearing will be held by the Superintendent/Principal, unless the Superintendent/Principal has a direct interest in the outcome of the hearing, in which case the Superintendent/Principal will designate another individual who does not have a direct interest in the outcome of the hearing to hold the hearing.
 6. The parent/guardian or eligible student shall be given a full and fair opportunity to present evidence at the hearing. The parent/guardian or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
 7. The Superintendent/Principal or other individual designated by the Superintendent/Principal will make a decision in writing within 14 calendar days after the hearing.
 8. After the hearing, if the Superintendent/Principal or the individual designated by the Superintendent/Principal decides not to amend the record, the district will inform the parent/guardian or eligible student that they have the right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the decision of the district. Any statement placed in the record will be maintained with the contested part of the student record for as long as the record is maintained. Further, the statement will be disclosed by the district whenever it discloses the portion of the record to which the statement relates.

Section 5. Except to the extent that FERPA authorizes disclosure of student records without consent, student records, and any material contained therein which is personally identifiable, are confidential and will not be released or made available to persons other than parents/guardians or eligible students without the prior written consent of the parents/guardians or eligible students.

Exceptions to FERPA's prior consent requirement include, but are not limited to disclosure:

1. To other school officials within the district who have been determined to have legitimate educational interests.
2. To officials of another school, school system or post secondary institution where the student seeks or intends to enroll.
3. To authorized representatives of the Comptroller General of the United States, the U.S. Secretary of Education, or state and local education authorities in connection with an audit or evaluation of a federal- or state-supported education program or in compliance with legal requirements related to those programs.
4. In connection with the student's application for or receipt of financial aid.
5. To state and local officials or authorities in compliance with state law that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are being released.
6. To organizations conducting studies for, or on behalf of, education agencies or institutions, in order to develop tests, administer student aid, or improve instruction.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined by the Internal Revenue Code.
9. To comply with a judicial order or lawfully issued subpoena. Prior to complying with a judicial order or subpoena, the district will make a reasonable effort to notify the parent/guardian or eligible student, unless the district has been ordered not to disclose the existence or content of the order or subpoena.
10. In connection with a health or safety emergency.
11. To teachers and school officials in other schools who have legitimate educational interests in the behavior of the student when the information concerns disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
12. To provide information that the district has designated as "directory information."

Section 6. Whenever a student record or any material contained therein is to be made available to third persons, other than those covered by the exceptions authorized by FERPA, the parent/guardian or eligible student must file a written consent to such action. The written consent must specify the records to be released, the reasons for such release, and to whom. If the parent/guardian or eligible student so requests, the district will provide him or her with a copy of the records disclosed.

Section 7. Unless specifically exempted by FERPA, all persons requesting access to such records will be required to sign a written form which indicates the legitimate educational interest that such person has in inspecting the records. Such form will be kept with the student's file and will be maintained with the student's file as long as the file is maintained.

Retention and Disposition of Student Records

The Board has adopted the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. The Board directs all district officials to adhere to the schedule and all other relevant laws in retaining and disposing of student records. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

Date of Last Review: August 26, 2006

CLAIMS AUDITOR EXHIBIT

Checklist for Audit of Claims

Beginning check number _____

Ending check number _____

I hereby certify that the attached schedule of claims has been audited. All claims have been checked for the following:

- _____ Mathematical accuracy (extensions, additions, and calculations or discounts)
- _____ Duplicate payments (previously paid invoices from vendors have been checked to be sure payment is not a duplicate)
- _____ Vouchers have been checked against purchase orders
- _____ Travel vouchers are properly itemized (travel vouchers must contain purpose of travel, dates and points of travel and approved rate)
- _____ Vouchers for personal service are properly itemized (vouchers must contain purpose, date of service, length of service and approved rate)
- _____ Receipts of goods and services are attached to claims
- _____ Check to see whether there is an agreement with vendor not to pay late charges. If so, deduct late charges
- _____ Sales taxes have not been paid (with the exception of sales taxes on meals)
- _____ Mileage and meal claims (incl. sales tax) do not exceed authorization
- _____ All claims are for proper school district expenditures

Pre-audit has been completed:

Accounts Payable Clerk

Date

Certified:

Claims Auditor

Date

Date of Last Review: July 5, 2006

EXTERNAL AUDIT GUIDANCE FOR SCHOOL DISTRICT OFFICIALS

The Five Point Plan for increasing school district financial oversight and accountability includes a provision to enhance the effectiveness of external audits by:

- Requiring CPAs to present audit results directly to school boards.
- Requiring a formal school district response to the management letter and a corrective action plan for any reportable conditions.
- Providing guidance on internal controls and audit testing, including specific types of testing and suggested level of detail.

The following list provides some specific examples of the audit guidance that will be helpful to school districts in working with their CPAs in order to enhance the effectiveness of the audit process and help assure school district officials that their annual independent audit is providing effective accountability. The list may be helpful to school board members and district officials as they participate in the annual financial audit process.

► Prudent use of taxpayer dollars

Goods and services are procured in a manner so as to assure the prudent and economical use of public moneys in the best interest of the taxpayers.

- A comprehensive test of cash disbursements that includes sample testing of procurement for compliance with laws, rules, regulations and policies/procedures for competitive purchasing, bidding or use of state or county contracts. Controls designed to prevent purchasing from businesses owned or controlled by officers, employees or other related parties should also be reviewed and tested. Tests of transactions are expected to include verification that goods or services were properly authorized, received by the district, charged to the proper appropriation accounts and audited prior to payment. This testing should include review of requisitions, purchase orders, receiving slips, vouchers, invoices, cancelled checks, and postings to the accounting records.
- A review of the district's policies and procedures for procuring goods and services that are not subject to competitive bidding requirements, including sample testing of cash disbursements to ensure the district complied with its procurement policies and acquired goods and services of maximum quality at the lowest possible cost under the circumstances. This

test will also help assure the district's procedures guard against favoritism, fraud and corruption.

- Expense reimbursements or other payments to board members, administrators and other district personnel should be tested to verify compliance with board policies, reasonableness, appropriateness of payment, and documentation of expenses.
- Expenditures for meals and refreshments at meetings, cell phones and purchases with credit cards should be reviewed for reasonableness.
- A comprehensive test of payroll disbursements that includes verification of the existence of the employee, authorization, time worked, accuracy of rates, overtime payments and distributions to appropriate expenditure categories by tracing from time records through the payroll records to the cancelled check. Testing of accounting records should also be performed such as payroll summaries and payments of taxes and other withholdings.

► **Sound internal control structure**

A sound internal control structure is in place and internal controls are appropriately designed and operating effectively.

- A sufficient understanding of the school district's system of internal controls including the district's control environment, control activities, system for risk assessment, information and communication, and monitoring. This audit procedure should also include a documented understanding of controls over the school district's computer systems that are significant to audit objectives.
- Testing of controls deemed significant to the audit's objectives. For example: observing district personnel actually performing the control procedures in the regular course of operations; examining documents and looking for evidence of approvals, sign-offs, etc.; and replicating a control procedure to test whether it was applied correctly.
- Analytical procedures should be performed to identify unusual trends, activities or transactions. Revenue and expenditure trends should be reviewed over a number of years, and significant budget variances investigated. Control and detail records for budget, revenue, payroll, procurement, capital project and capital asset activities should be scanned for questionable trends or entries, and unusual items investigated.
- A sample of budget amendments should be checked to verify they were completed before appropriations were over-expended to verify budget control over district expenditures.
- Documentation of how the evaluation of the district's control structure and the results of the analytical reviews will affect the audit approach for testing of controls and tests of transactions. This documentation should include the auditor's consideration of the risk of fraud, illegal acts, abuse, or violations of contract/grant provisions, and the impact these risks will have on audit testing.

► **Assets are safeguarded**

School district assets are safeguarded against loss, waste and abuse.

- Verification that a current asset inventory system is in place.
- Physical inspection of assets and personal property items, especially those items most susceptible to theft and abuse (e.g. computers, televisions, video equipment).
- Verification of adequacy of insurance coverage for assets and for employees with authorized access to those assets.

Date of Last Review: July 5, 2006

EXPENSE REIMBURSEMENT REGULATION

The district shall reimburse district employees, officials and members of the Board of Education for reasonable, actual and necessary out-of-pocket expenses incurred while traveling for school-related business upon receipt of a completed voucher with itemized receipts along with approved attendance form. The following rules shall guide the reimbursement of school-related travel expenses:

Transportation

- Travel shall be by the most economical method, whether by private automobile, school vehicle or common carrier such as bus, train or plane.
- If travel is by private automobile, mileage shall be reimbursed at the level approved by the Internal Revenue Service for business travel. Parking and tolls will also be reimbursed but gasoline will not.
- Rental car expenses will be reimbursed only if authorized in advance. Receipts must be attached.
- Air travel is only allowed when determined by the Board President or the Superintendent/Principal to be in the district's best interest. Air travel shall be reimbursed at the lowest feasible fare available and shall not exceed regular coach class fare. Travel arrangements should be made as soon as reasonably practicable so as to avoid payment of a higher fare due to a late booking.

Lodging

- Persons traveling on district-related business are expected to secure the most reasonable rate for necessary hotel accommodations. The district will reimburse for actual lodging fees up to the maximum lodging fee set by the federal government for that location.
- When the rate is pre-determined by the organization sponsoring the event, the traveler shall secure a room rate at no more than the pre-determined rate notwithstanding what the federal travel reimbursement rate is. Hotel accommodations at a rate other than the most reasonable rate or a pre-determined rate described above will be reimbursed only if approved by the Board President (for members of the board and the Superintendent) and the Superintendent/Principal (for all others) prior to the stay.

Meals

Reimbursable meal charges, including gratuities, for persons traveling for district-related business shall be as follows:

- Breakfast \$_____ (\$10.00)

- Lunch \$_____ (\$15.00)
- Dinner \$_____ (\$40.00)

Personal Expenses

The district does not reimburse persons traveling on district-related business for personal expenses including, but not limited to, pay television, hotel health club facilities, alcoholic beverages, theater and show tickets, and telephone calls and transportation costs unrelated to district business.

Date of Last Review: July 5, 2006

HYGIENE PRECAUTIONS AND PROCEDURES REGULATION

The following procedures shall be followed by all employees when providing first aid or otherwise dealing with situations where there is the possibility for exposure to or contact with blood or other body fluids.

1. Except in extraordinary, life-threatening circumstances, all employees must wear rubber gloves to prevent contact with blood or other body fluids when treating or cleaning open cuts, scrapes, abrasions, etc., or spills of blood or other body fluids.
2. All spills of blood or other body fluids should be cleaned up first with soap and water and then with a 10 percent (10%) solution of household bleach. Gloves shall be worn throughout the cleanup process.
3. If possible, feces should be disposed of in a toilet with normal flushing. All disposable materials, including gloves and contaminated material used in the cleanup process, should be placed in a plastic bag and sealed. The sealed plastic bag should then be placed in a second plastic bag and disposed of properly.
4. Mops and reusable items used to clean up spills should be disinfected with the bleach solution and then washed out before storage or reuse.
5. Toys and/or other personal non-disposable items should be cleaned with warm, soapy water and disinfected with the bleach solution before reuse by another person or being stored away. A normal laundry cycle is adequate for other non-disposable items, including clothing. It is recommended that all non-disposable items be double bagged until they can be cleaned.
6. All persons must wash their hands with soap and water after cleaning up any spill of blood or other body fluid.
7. A supply of rubber gloves, bleach solution and plastic bags ("hygiene kit") shall be maintained in each classroom and in all other locations within the school district where a potential for direct exposure to blood or other body fluids exists, such as the gym, cafeteria, maintenance facility, bus garage, etc. The school nurse shall periodically check the status of each hygiene kit in the building or facility for which she/he is responsible. Bleach solutions will be replaced at least once each semester. An additional supply of rubber gloves shall be maintained in the nursing office or in the appropriate supervisor's office at other locations.

Date of Last Review: August 26, 2006

CONTAGIOUS DISEASES REGULATION

Consistent with federal regulations, the following regulation is designed to protect members of the school community against exposure to potentially infectious materials.

Definitions

Potentially Infectious Materials means

The following human body fluids: blood, semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental proceedings, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;
any unfixed tissue or organ (other than intact skin) from a human (living or dead); and
HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions.

Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Exposure Incident means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties.

Sharps means any object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, capillary tubes, and exposed ends of dental wires.

Universal Precautions is an approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV (human immunodeficiency virus), HBV (hepatitis B virus), and other blood-borne pathogens.

Work Practice Controls means controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

Exposure Control Plan

The district's Exposure Control Plan shall contain at least the following elements:

Exposure Determination

The district shall prepare an exposure determination which shall contain the following:

1. a list of all job classifications in which all employees in those job classifications have occupational exposure;
2. a list of job classifications in which some employees have occupational exposure; and
3. a list of all tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and that are performed by employees in job classifications listed in paragraph 2 above.

Methods of Compliance

1. Universal precautions. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.
2. Engineering and Work Practice Controls. Engineering and work practice controls shall be used to eliminate or minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used. The district:
 - a. shall provide handwashing facilities which are readily accessible to employees or, when such facilities are not feasible, either an appropriate antiseptic hand cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes. When antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and running water as soon as feasible;
 - b. shall examine and maintain or replace engineering controls on a regular schedule to ensure their effectiveness;
 - c. prohibits the eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses in work areas where there is a reasonable likelihood of occupational exposure. In addition, food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or on countertops where blood or other potentially infectious materials are present;
 - d. requires that all procedures involving blood or other potentially infectious materials be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances;
 - e. requires that employees wash their hands immediately after removal of gloves or other personal protective equipment, and

- wash their hands and any other exposed skin after contact with blood or other potentially infectious materials;
- f. shall dispose of contaminated sharps in appropriately labeled, puncture resistant, and leakproof containers;
 - g. shall place potentially infectious materials in a properly labeled container which prevents leakage during collection, handling, processing, storage, transport, or shipping; and
 - h. shall examine prior to shipment for servicing any equipment which may become contaminated with blood or other potentially infectious materials and decontaminate if possible. An appropriate label shall be attached to any contaminated equipment, and all affected employees, servicing representatives, and/or manufacturer, as appropriate, shall be put on notice so that precautions will be taken.
3. **Personal Protective Equipment.** When there is occupational exposure, the district shall provide and require the use of, at no cost to the employee, appropriate personal protective equipment such as, but not limited to, gloves, gowns, face shields or masks and eye protection or other ventilation devices. The district shall also clean, dispose, repair and replace personal protective equipment at no cost to the employee. Personal protective equipment will be considered “appropriate” only if it does not permit blood or other potentially infectious materials to pass through or reach the employee’s work clothes, street clothes, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used. All personal protective equipment shall be removed prior to leaving the work area and shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.
 4. **Cleaning, Laundering, and Disposal.** The district shall clean, launder, and dispose of personal protective equipment at no cost to the employee.
 5. **Repair and Replacement.** The district shall repair or replace personal protective equipment as needed to maintain its effectiveness, at no cost to the employee.
 6. **Housekeeping.** The district shall ensure that the worksite is maintained in a clean and sanitary condition. The district shall determine and implement an appropriate written schedule for cleaning and method for decontamination based upon the location within the facility, type of surface to be cleaned, type of soil present, and tasks or procedures being performed in the area.

Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-Up

1. The district shall make available the hepatitis B vaccine and vaccination series to all employees who the Superintendent/Principal shall determine has had an occupational exposure incident. The district shall ensure that all medical evaluations, hepatitis B vaccinations, and laboratory tests are available at no cost to the employee, at a reasonable time and place, and

- performed by or under the supervision of a licensed physician or other licensed healthcare professional.
2. Hepatitis B vaccination shall be made available after the employee has received the required training and within 10 working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons.
 3. The district shall not make participation in a prescreening program a prerequisite for receiving hepatitis B vaccination.
 4. If the employee initially declines the hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the district shall make available the hepatitis B vaccination at that time.
 5. The district shall assure that employees who decline to accept the hepatitis B vaccination sign the appropriate statement (see Exhibit).
 6. An exposed employee's post-exposure medical evaluation and follow-up shall include at least the following elements:
 - a. documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred;
 - b. identification and documentation of the source individual, unless the district can establish that identification is infeasible or prohibited by state or local law:
 - i. The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the district shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented.
 - ii. When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
 - iii. Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
 - c. collection and testing blood for HBV and HIV serological status;
 - d. post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service;
 - e. counseling; and
 - f. evaluation of reported illnesses.
 7. The district shall ensure that the healthcare professional responsible for the employee's Hepatitis B vaccination is provided a copy of this regulation. The district shall ensure that the healthcare professional evaluating an

employee after an exposure incident is provided the following information:

- a. a copy of this regulation;
 - b. a description of the exposed employee's duties as they relate to the exposure incident;
 - c. documentation of the route(s) of exposure and circumstances under which exposure occurred;
 - d. results of the source individual's blood testing, if available; and
 - e. all medical records relevant to the appropriate treatment of the employee including vaccination status which are the district's responsibility to maintain.
8. The district shall obtain and provide the employee with a copy of the evaluating healthcare professional's written opinion within 15 days of the completion of the evaluation.
 9. Medical records required by this standard shall be maintained by the district (see Recordkeeping below).

Communication of Hazards to Employees

1. Warning labels shall be affixed to containers of regulated waste and other containers used to store, transport or ship potentially infectious materials.
2. The district shall ensure that all employees with occupational exposure participate in a training program which must be provided at no cost the employee and during working hours. Annual training for all employees shall be provided within one year of their previous training.

Recordkeeping

1. Medical Records. The district shall establish and maintain an accurate record for each employee with occupational exposure. This record shall include:
 - a. the name and social security number of the employee;
 - b. a copy of the employee's hepatitis B vaccination status including the dates of all the hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination;
 - c. a copy of all results of examinations, medical testing, and follow-up procedures;
 - d. a copy of the healthcare professional's written opinion; and
 - e. a copy of the information provided to the healthcare professional.

The district shall ensure that employee medical records are kept confidential and are not disclosed or reported without the employee's express written consent to any person except as required by applicable law or regulation.

2. Training Records. Training records shall include the following information:
 - a. the dates of the training sessions;
 - b. the contents or a summary of the training sessions;
 - c. the names and qualifications of persons conducting the training;
and
 - d. the names and job titles of all persons attending the training sessions.

Training records shall be maintained for 3 years from the date on which the training occurred.

Date of Last Review: August 26, 2006

CONTAGIOUS DISEASES EXHIBIT

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Employee Signature

Date

Date of Last Review: August 26, 2006

**USE OF DISTRICT LAPTOP COMPUTERS, WORKSTATIONS AND
RESIDENTIAL INTERNET SERVICES REGULATION**

Administrative Personnel

The following administrative personnel are authorized for district-provided internal access at their home:

- Superintendent
- Assistant Superintendent for Business

The following administrative personnel are authorized to use district-owned laptop computers and/or computer workstations at home in order to complete their job responsibilities.

- Superintendent
- Assistant Superintendent
- Assistant Principal
- Website coordinator/tech support
- Business Office personnel as assigned by Assistant Superintendent

The following administrative personnel are authorized to establish procedure that allows district-owned laptop computers to be used by instructional staff in order to complete their job responsibilities.

- Superintendent/Principal

Date of Last Review: August 26, 2006

TRANSPORTATION OF STUDENTS REGULATION

Bus stop routes and schedules shall be established annually by the Assistant Superintendent or designee and advertised before the opening of school. Recognizing that the district encompasses a wide variety of conditions along various routes and that the distribution and concentration of the students may vary within the area, the following guidelines will be utilized:

1. Safety shall be the primary concern. Efficiency and economy factors shall be considered.
2. Conformance with maximum walking distance established by the Board of Education is required.
3. Bus stops for kindergarten children will be established as close to the home of the children as reasonable.
4. In extenuating circumstances, a temporary change in a bus stop may be instituted by the Assistant Superintendent or designee.
5. Buses will not be loaded beyond rated capacity.
6. In cases of emergencies or extenuating circumstances students may be permitted to ride a bus different than that assigned or to leave the bus at other than their regular bus stop, provided a written request from the parent or guardian is approved by the Assistant Superintendent or the Superintendent/Principal.

Date of Last Review: August 26, 2006

ALCOHOL AND DRUG-TESTING OF BUS DRIVERS REGULATION

Any employee in a safety-sensitive position who has and uses a commercial drivers license (CDL) and/or drives a school bus designed to transport 15 or more passengers shall be subject to alcohol and drug testing

I. Prohibitions

The Superintendent/Principal or his/her designee shall prohibit an employee from driving a school bus or performing other safety-sensitive duty if the driver:

1. possesses, consumes or is reasonably believed to possess or have consumed alcohol or a drug, while on duty;
2. has consumed or is under the influence of alcohol or a drug within six hours before duty;
3. has an alcohol concentration of 0.02 or higher, or tests positive for drugs;
4. has used alcohol within eight hours after being involved in an accident, or before undergoing a post-accident test, if such test is required. Illegal drug use by drivers is prohibited on or off duty;
5. there is a "reasonable suspicion" to believe a driver has engaged in prohibited alcohol or drug use; or
6. refuses to take a required alcohol or drug test. Refusal to submit shall mean the failure to provide adequate breath or urine without a valid medical explanation or to engage in conduct that clearly obstructs the testing process, such as a failure to arrive for the drug testing or failure to sign the alcohol testing form prior to specimen collection.

In addition, because even a small amount of alcohol in an employee's system is inconsistent with safety, an employee who tests 0.02 or greater but less than 0.04 will be removed from driving and other safety-sensitive duties until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

II. Types of Testing

The Superintendent/Principal or his/her designee shall ensure that the following alcohol and drug tests are implemented:

1. Pre-employment: Drug tests will be conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. These tests will also be given when employees transfer to a safety-sensitive function.

2. Post-accident: Alcohol and drug tests will be conducted if a driver is involved in an accident in which:
 - a. there has been a fatality; OR
 - b. the driver has received a citation for a moving violation in connection with the accident AND EITHER
 1. there is an injury treated away from the scene of the accident; or
 2. there is a disabled vehicle towed from the scene.
3. Reasonable Suspicion: Alcohol and/or drug tests will be conducted if the Superintendent/Principal or his/her designee who is appropriately trained under the regulations, observes behavior, appearance, speech or body odors that are characteristic of drug or alcohol misuse and therefore has “reasonable suspicion” that the driver has violated the regulations. Alcohol tests can only be done just before, during or just after the employee drives a school bus or performs other safety-sensitive duties. The supervisor who makes the determination of reasonable suspicion cannot do the testing.
4. Random Testing: Alcohol and drug tests will be conducted at random for at least the minimum percentage of drivers as recommended by the Federal Highway Authority. Currently, these minimums are 25 percent for alcohol and 50 percent for drugs. These tests will be unannounced and spread throughout the calendar year. Random alcohol tests must be done just before, during or just after the employee drives a school bus or performs other safety-sensitive duties. However, a random drug test can be conducted at any time.
5. Return-to-Duty Testing: If a driver has engaged in prohibited alcohol or drug use, he/she shall be removed from driving duties. The driver will not be permitted to return to these duties until he/she has been evaluated by a substance abuse professional and has complied with any treatment recommendations. Thereafter, a return-to-duty test must be performed with satisfactory results. If removal was due to alcohol use, a satisfactory result is one that is verified as negative.
6. Follow-Up Testing: If the driver has been referred for alcohol or drug counseling due to a violation of the regulations, unannounced follow-up alcohol and/or drug testing will be conducted as directed by a substance abuse professional.
 At least six unannounced tests must be conducted in the first 12 months following the driver’s return to duty. Follow-up alcohol testing may be extended for up to 60 months from the date of the driver’s return to duty. Follow-up alcohol testing may only be conducted before, during or after the driver has performed his or her driving duties.

III. Testing Procedures

A. Alcohol Testing Procedures

Alcohol testing will be conducted with evidential breath testing (EBT) devices approved by the National Highway Traffic Safety Administration. The employee and the Breath Alcohol Technician conducting the test must complete the alcohol testing form to ensure that the results are properly recorded.

1. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a “negative” test.
2. If the alcohol concentration is 0.02 or greater, a second or confirmation test must be conducted. The confirmation test must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results.
3. If the confirmation test results indicate an alcohol concentration from 0.02 to 0.03999, the employee will be restricted from duty for at least 24 hours from the time of the test.
4. If the confirmation test results indicate an alcohol concentration equal to or greater than 0.04, the employee will be removed from all safety-sensitive duties and no return to duty will be permitted until the employee has been reviewed by a Substance Abuse Professional, complied with his/her recommendations, and successfully passed the required return-to-duty tests. Follow-up tests will also be required.
5. For post-accident testing, the results of breath or blood tests conducted by law enforcement officials will be accepted as long as the testing conforms with federal and state requirements for alcohol testing and the results are made available to the district.

All testing procedures will conform to the requirements outlined in federal regulations (49 CFR Part 40) for ensuring the accuracy, reliability and confidentiality of test results. These procedures include training and proficiency requirements for Breath Alcohol Technicians, quality assurance plans for the EBT devices including calibration, requirements for suitable test location, and protection of employee test records.

B. Drug Testing Procedures

The employee must provide a urine specimen which will be analyzed at a laboratory certified and monitored by the U.S. Dept. of Health and Human Services.

1. Regulations require that each urine specimen be divided into one “primary” specimen and one “split” specimen.
2. All urine specimens are analyzed for the following drugs:
 - a. Marijuana (THC metabolite)
 - b. Cocaine
 - c. Amphetamines
 - d. Opiates (including heroin)
 - e. Phencyclidine (PCP)
3. If the primary specimen confirms the presence of one or more of these drugs, the employee has 72 hours to request that the split specimen be sent to another certified lab for analysis. [Note: The employee must be removed from driving duties at this time--pursuant to federal regulations, the driver’s removal cannot await the result of split sample.]
4. If the screening test has a drug-positive result, a confirmation test will then be performed for each identified drug using gas chromatography/mass spectrometry (GC/MS) analysis.
5. All drug test results will be reviewed and interpreted by a physician (also called a Medical Review Officer) before they are reported to the district.
6. If the laboratory reports a positive result to the Medical Review Officer (MRO), the MRO shall interview the employee to determine if there is an alternative medical explanation for the drugs found in the employee’s urine specimen. If the employee provides appropriate documentation and the MRO determines that it is legitimate medical use of a prohibited drug, the drug test result is reported as negative.
7. If the MRO reports a positive drug result, the employee must be evaluated by a substance abuse professional and follow his/her recommendations prior to taking a return-to-duty test. Follow-up testing is also required.
8. For post-accident testing, the results of urine tests conducted by law enforcement officials will be accepted as long as the testing conforms with federal and state requirements for drug testing and the results are made available to the district.

All drug testing shall comply with the requirements of the federal regulations (49 CFR Part 40) including procedures for the proper identification, security and custody of the sample, use of certified laboratories, gas chromatography/mass spectrometry analysis testing, assurance that all drug test results are reviewed and interpreted by a physician, and ensuring confidentiality of employee test records.

C. Refusal to Take Required Alcohol and/or Drug Tests

An employee's refusal to take a required alcohol and/or drug test will be treated as a positive drug test result and/or an alcohol test result of .04 or greater. The employee must be evaluated by a substance abuse professional, follow that person's recommendations prior to taking a return-to-duty test and submit to any recommended follow-up testing. Drivers may also be subject to a minimum fine of \$5,000 for refusing to take a test.

IV. Dilute Specimen Testing

If the district receives a drug test result which is negative but dilute and the creatinine concentration is greater than 5mg/dl, the district shall require a re-test to be conducted in each of the following cases:

- Pre-employment tests
- Return-to-duty tests
- Follow-up tests
- Reasonable suspicion tests
- Random tests

The result of the re-test shall become the test of record. If the employee refuses to take the re-test it will be considered the same as a positive test result.

V. Consequences

In the event that an employee has violated any of the prohibitions listed above or has tested positive for alcohol and/or drugs, he/she will be immediately removed from driving a school bus and any other safety-related duties and will not be considered for a return to duty until he/she:

1. has been evaluated by a substance abuse professional;
2. has complied with any treatment, recommendations; and
3. has received a satisfactory result from a return-to-duty test.

VI. Training

The Superintendent/Principal or his/her designee and every other person designated to determine whether reasonable suspicion exists to require an employee to undergo reasonable suspicion testing must receive at least one hour of training on alcohol misuse and at least one additional hour of training on drug use which they will use in making their determinations.

VII. Recordkeeping and Reporting

The Superintendent/Principal or his/her designee shall ensure that alcohol and drug testing records are maintained and are available, if requested, for

submission to the federal government or any State or local officials with regulatory authority over the employer or any of its drivers. Employee test records will be kept confidential to the extent permitted by law.

VIII. Required Notification

Every affected employee shall receive information about the signs, symptoms, and effects of alcohol misuse and drug use as well as a copy of the district's policy and procedures, the consequences of testing positive and who to contact within the district to seek further information and/or assistance.

IX. Penalties

Any employer or driver who violates the requirements of the federal regulations of the Omnibus Transportation Employee Testing Act of 1991 may be subject to civil penalties.

In addition, in accordance with New York State law, a bus driver convicted of driving a school bus with one or more student passengers while impaired by the use of drugs or alcohol will have his/her license revoked for one year and is subject to fines ranging from \$500 to \$5,000 and/or imprisonment.

Any bus driver convicted more than once in 10 years for such crimes will have his/her license revoked for three years and is subject to a fine of \$1,000 to \$5,000 and/or imprisonment.

Date of Last Review: August 26, 2006

**ALCOHOL AND DRUG TESTING PROGRAM
ACKNOWLEDGMENT FORM**

I, _____, have received, read and understand the Alcohol and Drug Testing Program policy and regulation. I consent to submit to the alcohol and drug testing program as required by law and district policy and regulation.

I understand that if I am being required to submit to a pre-employment alcohol test or a dilute specimen re-test, such test is required pursuant to district policy for employment with the district and not pursuant to federal regulations.

I understand that if I violate district policy, regulation or the law, I may be subject to discipline up to and including termination or I may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. If I am required to and fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program, I understand I may be subject to discipline up to and including termination.

Signature of Employee

Date

Date of Last Review: August 26, 2006

INFORMATION SECURITY BREACH AND NOTIFICATION REGULATION

Definitions

“Private information” shall mean personal information (i.e., information such as name, number symbol, mark or other identifier which can be used to identify a person) in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

- Social security number;
- Driver’s license number or non-driver identification card number or;
- Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual’s financial account.

“Private information” does not include publicly available information that is lawfully made available to the general public pursuant to state or federal law or regulation.

“Breach of the security of the system” shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the district. Good faith acquisition of personal information by an officer or employee or agent of the district for the purposes of the district is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

The district shall inventory its computer programs and electronic files to determine the types of personal, private information that is maintained or used by the district, and review the safeguards in effect to secure and protect that information.

Procedure for Identifying Security Breaches

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the district shall consider:

1. indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer, or other device containing information;
2. indications that the information has been downloaded or copied;

3. indications that the information was used by an unauthorized person, such as fraudulent accounts, opened or instances of identity theft reported; and/or
4. any other factors which the district shall deem appropriate and relevant to such determination.

Security Breaches – Procedures and Methods for Notification

Once it has been determined that a security breach has occurred, the following steps shall be taken:

1. If the breach involved computerized data *owned or licensed* by the district, the district shall notify those New York State residents whose private information was, or is reasonably believed to have been acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system.

The district shall consult with the New York State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.

2. If the breach involved computer data *maintained* by the district, the district shall notify the owner or licensee of the information of the breach immediately following discovery, if the private information was or is reasonably believed to have been acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

The required notice shall include (a) district contact information, (b) a description of the categories of information that were or are reasonably believed to have been acquired without authorization and (c) which specific elements of personal or private information were or are reasonably believed to have been acquired. This notice shall be directly provided to the affected individuals by either:

1. Written notice
2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and that the district keeps a log of each such electronic notification. In no case, however, shall the district require a person to consent to accepting such

notice in electronic form as a condition of establishing a business relationship or engaging in any transaction.

3. Telephone notification, provided that the district keeps a log of each such telephone notification.

However, if the district can demonstrate to the State Attorney General that (a) the cost of providing notice would exceed \$250,000; or (b) that the number of persons to be notified exceeds 500,000; or (c) that the district does not have sufficient contact information, substitute notice may be provided. Substitute notice would consist of all of the following steps:

1. E-mail notice when the district has such address for the affected individual;
2. Conspicuous posting on the district's website, if they maintain one; and
3. Notification to major media

Notification of State and Other Agencies

Once notice has been made to affected New York State residents, the district shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content, and distribution of the notices and approximate number of affected persons.

If more than 5,000 New York State residents are to be notified at one time, the district shall also notify consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. A list of consumer reporting agencies will be furnished, upon request, by the Office of the State Attorney General.

Date of Last Review: August 26, 2006

STAFF COMPLAINTS AND GRIEVANCES REGULATION

Definitions

1. *Grievant* shall mean an employee who alleges that there has been a violation of Title IX, Section 504 or the Americans with Disabilities Act (ADA) statute or regulations which affect him/her.
2. *Grievance* shall mean any alleged violation of Title IX, Section 504 or ADA statute or regulations.
3. *Compliance Officer* shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504 and the ADA.

This regulation and accompanying policy (9140.1) provide grievance procedures for those employees not covered by collective bargaining agreements or whose negotiated agreements do not include grievance procedures. The resolution of staff complaints alleging any action prohibited by Title IX, Section 504 of the Rehabilitation Act or the ADA shall be dealt with in the following manner:

Stages

A. Stage I--Compliance Officer

1. Within 30 days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent/Principal.

B. Stage II—Superintendent/Principal

1. The Superintendent/Principal may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent/Principal shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent/Principal.

3. Within 15 days of the hearing, the Superintendent/Principal shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent/Principal, the grievant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

C. Stage III--Board of Education

1. When a request for review by the Board has been made, the Superintendent/Principal shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

Date of Last Review: August 26, 2006

FAMILY AND MEDICAL LEAVE REGULATION

Consistent with the federal Family and Medical Leave Act of 1993, the Board of Education shall provide a minimum of twelve (12) weeks of unpaid leave in a twelve (12) month period for its eligible employees. An eligible employee must have been employed for at least twelve months, have worked at least 1,250 hours during the prior twelve months, and be employed at a worksite where at least 50 employees are employed by that employer with a 75 mile radius of that work site.

Right To Benefits During Leave

An eligible employee is entitled to a combined total of twelve weeks of unpaid family and medical leave. Any employee who uses the unpaid leave shall have his/her health benefits continued during the leave, shall not have any previously accrued benefits altered and shall be returned to an equivalent position according to established board policies and collective bargaining agreements. The employee is not entitled to accrue seniority during the leave.

An employee may elect to use available applicable paid leave time for purposes of a family or medical leave. However, an employee may only use accrued medical/sick leave in accordance with the collective bargaining agreement.

Family and Medical Leave

Family leave is available when a son or daughter is born to the employee, adopted by an employee, or one is placed with the employee for foster care. Medical leave is available in order for the employee to take care of a spouse, child, or parent who has a serious health condition rendering him/her unable to perform the functions of the employee's job.

A son or daughter shall include any individual whether biological, adopted, a foster child, a stepchild, a legal ward, or a child standing in *loco parentis* who is under eighteen years of age or, if over eighteen, is incapable of self-care due to a mental or physical disability. A parent shall include the biological parent of the employee or an individual who stood in *loco parentis* to the employee when he/she was a son/daughter. Furthermore, a serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider.

Family leave must be taken within one year of the birth or placement of the employee's child. If both spouses are employed by the same school district, the combined amount of leave for family leave or medical leave to care for a sick parent shall be limited to twelve weeks. This limitation does not include medical leave to care for a child or spouse or for an employee's personal medical/sick leave.

Notice To Take Leave

The employee shall notify, the district of his/her request for family or medical leave at least thirty, (30) days prior to the date when the leave is to begin, when such leave is foreseeable. If such leave is not foreseeable, then notice shall be given as early as is practical. If the employee requests medical leave, reasonable attempts shall be made to schedule treatment so as not to disrupt the district's operations.

Intermittent Leave

An employee who requests family leave shall not be provided intermittent leave or a reduced leave schedule unless the employee and district mutually agree. Intermittent leave may be provided for medical leave; however, the district may transfer the employee to a comparable position if it will better accommodate such intermittent periods of leave. For instructional employees who request medical leave and it is foreseeable that the medical treatment shall force the employee to be on leave for more than 20% of the total number of working days in the period of leave, the district may require the employee to take a block of time or to transfer to an equivalent position for which the employee is qualified, but which better accommodates intermittent periods of leave.

Certification

The district shall require the employee requesting medical leave to present a certification from the health care provider of the person for whom the employee is taking the leave. The employee must provide the certification within 15 days. The certificate shall include:

1. the date on which the serious health condition commenced;
2. the probable duration of the condition;
3. the appropriate medical facts within the knowledge of the health care provider regarding the condition;
4. a statement the employee is needed to care for the family member and an estimate of the amount of time that such employee shall be needed or a statement that the employee is unable to perform the functions of the employee's position; and
5. the dates and duration of medical treatment if the request for intermittent leave for a planned medical treatment.

If the district doubts the validity of the certification, then, at the district's expense, a second opinion may be required from a health care provider selected by the district. If the two opinions conflict, a third health care provider, at the district's expense, may be chosen by the two parties to render a final opinion.

Restoration

An instructional employee who begins any type of leave at least five (5) weeks before the end of an academic term, may be required not to return until the new term begins if the leave is at least three (3) weeks long and the employee would return during the last three (3) weeks of the term. An instructional employee who begins leave, for any purpose other than personal illness, less than five (5) weeks prior to the end of an academic term, may be required not to return until the new term begins if the leave is greater than two (2) weeks and the employee would return during the last two (2) weeks of the term. An instructional employee who begins leave, for any purpose other than personal illness, less than three (3) weeks prior to the end of the term and the leave is longer than five (5) working days, may be required not to return until the new term begins.

Failure to Return

The district may recover the health care premiums paid during the leave when the employee fails to return from the leave. However, recovery, cannot occur if the employee fails to return because of the continuation, recurrence, or onset of a serious health condition or due to circumstances beyond the control of the employee.

Effect of Existing Laws or Agreements

The Board shall ensure that family and medical leave, consistent with the Family and Medical Leave Act, is provided to all eligible employees, unless they are covered by a collective bargaining agreement which provides greater leave benefits than this Act.

Notice of Policy

The district shall post a notice prepared or approved by the Secretary of Labor stating the pertinent provisions of the Family and Medical Leave Act, including information concerning enforcement of the law.

Date of Last Review: August 26, 2006

**CHILD ABUSE IN AN EDUCATIONAL SETTING
CONFIDENTIAL REPORT OF ALLEGATION**

SUBJECT CHILD	PARENT OF SUBJECT CHILD
Name _____ Last First MI	Name _____
Address _____ _____	Address (if different) _____ _____
School _____	
Grade _____ Sex (M, F, Unknown) _____	
Age or Birthday (Mo/Day/Yr) _____	

SOURCE OF ALLEGATION (Check as Appropriate)

Child Parent Other - Name _____ Relationship to Child (if any) _____

ALLEGED PERPETRATOR (EMPLOYEE OR VOLUNTEER)

Name _____ School District _____
School Building _____ School Position _____

SPECIFIC ALLEGATION

Use this space to provide information to describe or explain the circumstances surrounding the allegation.
(attach additional sheets if necessary)

REPORTER INFORMATION

Name _____ School District _____
School Address _____ School Telephone _____
Relationship to Child (if any) _____

Teacher School Guidance Counselor School Nurse School Psychologist
 Administrator School Board Member School Social Worker
 School personnel required to hold teaching or administrator license or certification

Date Submitted to Administrator ____/____/____/ Signature _____

FOR ADMINISTRATOR USE ONLY

Reasonable Suspicion ____ Yes ____ No

Date Submitted to Superintendent ____/____/____

Name/Signature _____

Date Submitted to Law Enforcement ____/____/____

Name/Signature _____

FOR SUPERINTENDENT OF SCHOOL USE ONLY

Reasonable Suspicion ____ Yes ____ No

Date Submitted to Law Enforcement ____/____/____

Name/Signature _____

Date Submitted to Commissioner ____/____/____

Name/Signature _____

CHILD ABUSE IN AN EDUCATIONAL SETTING
DEFINITIONS

Definitions contained in Section 1125 of Article 23-B, Title I of the Education Law

1. “Child abuse” shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:
 - a. intentionally or recklessly inflicting physical injury, serious physical injury or death, or
 - b. intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death, or
 - c. any child sexual abuse as defined in this section, or
 - d. the commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.
2. “Child” shall mean a person under the age of 21 years enrolled in a school district in this State, other than a school district within a city having a population of one million or more.
3. “Employee” shall mean any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.
4. “Volunteer” shall mean any person, other than an employee, who provides services to a school or school district, which involve direct student contact.
5. “Educational setting” shall mean the building and grounds of a public school district, the vehicles provided by the school district for the transportation of students to and from school buildings, field trips, co-curricular and extra-curricular activities, both on and off school district grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.
6. “Administrator” or “school administrator” shall mean a principal of a public school, charter school or board of cooperative educational services, or other chief school officer.
7. “Law enforcement authorities” shall mean a municipal police department, sheriff’s department, the division of state police or any officer thereof. Notwithstanding any other provision of law, law enforcement authorities shall not include any child protective service or society for the prevention of cruelty to children as such terms are defined in section four hundred twenty-three of the social services law.
8. “Parent” shall mean either or both of a child’s parents or other persons legally responsible for the child.
9. “Child sexual abuse” shall mean conduct prohibited by article one hundred thirty or two hundred sixty-three of the penal law.

Date of Last Review: August 26, 2006

**CHILD ABUSE IN AN EDUCATIONAL SETTING
NOTICE/REPORTING REQUIREMENTS**

Duties of Employees

The law imposes reporting requirements on teachers, administrators, school nurses, school guidance counselors, school psychologists, school social workers, school board members and all other school personnel required to hold a teaching or administrative license or certificate. When these employees receive an allegation of child abuse by an employee or volunteer in an educational setting, they must take the following steps:

- a. Upon receipt of an oral or written allegation of child abuse in an educational setting, the employee must promptly complete the “Child Abuse in an Educational Setting” report form (attached).
- b. Upon completion of the report form, the employee must personally deliver it to the school building administrator of the school in which the child abuse allegedly occurred.
- c. If the allegation(s) involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the employee must promptly forward the report form to the superintendent of schools of the school district of attendance and the school district where the abuse allegedly occurred.

Duties of School Building Administrators

In all cases, upon receipt of a report form, the school building administrator must review the form and determine if there is reasonable suspicion to believe that an act of child abuse, as defined by law, has occurred. If he or she finds reasonable suspicion to believe that an act of child abuse has occurred, additional steps must be taken which differ depending upon the individual who has made the allegation.

Child makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner’s regulations (8 NYCRR §100.2(hh)).
- c. Promptly provide a copy of the completed report form to the superintendent.

- d. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the superintendent.

Parent Makes the Allegation

- a. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner’s regulations (8 NYCRR §100.2(hh)).
- b. Promptly provide a copy of the completed report form to the superintendent.
- c. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the superintendent.

Person other than the Parent or the Child Makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner’s regulations (8 NYCRR §100.2(hh)).
- c. Ascertain from the reporting employee the source and basis for the allegation and complete that portion of the report form.
- d. Promptly provide a copy of the completed report form to the superintendent.
- e. Promptly forward a copy of the completed report form to appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the superintendent.

Duties of Superintendents

In most cases, the school building administrator will receive the completed report form from an employee and make the reasonable suspicion determination. However, there are situations in which the superintendent will receive the report form directly and he or she will be responsible for making the reasonable suspicion determination such as:

- a. Where the school building administrator receives the oral or written allegation and is required to complete the report form;
- b. Where it is alleged that a child was abused by an employee or volunteer of a school other than a school within the school district where the child attends.

In addition, a superintendent may receive an oral or written allegation of child abuse in an educational setting from local law enforcement officials or from child protective services. In these cases, the superintendent would be responsible for completing the report form and, subsequently, making the reasonable suspicion determination.

If the superintendent finds reasonable suspicion to believe that an act of child abuse has occurred, as defined by law, additional steps must be taken which differ depending on the individual who has made the allegation.

Child makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
- c. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

Parent Makes the Allegation

- a. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
- b. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

Person other than the Parent or the Child Makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
- c. Ascertain from the reporting employee the source and basis for the allegation and complete that portion of the form.
- d. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

In all cases where a completed report is forwarded to the appropriate law enforcement authorities and the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the Department, the superintendent must also refer such report to the Commissioner of Education.

Expungement

A report that does not, after investigation, result in a criminal conviction shall be expunged from any record which may be kept by a school or school district with respect to the subject of such a report after a period of five years from the date of the making of such report or at such earlier time as such school or school district determines.

Penalty Provisions

The requirements set forth within the law are mandatory. Willful failure of an employee to prepare and submit a report form as required by the law is a Class A misdemeanor. The law also provides that a willful failure of a school building administrator or superintendent to forward a copy of the report form to the appropriate law enforcement authority is a Class A misdemeanor. In addition, the Commissioner of Education can also fine a school building administrator or a superintendent up to \$5,000 for failure to forward a copy of the completed report form to the appropriate law enforcement authorities.

Immunity Provisions

The law provides immunity from civil liability for employees, volunteers, school building administrators and superintendents who reasonably and in good faith make a report of child abuse in an educational setting in the manner described in the law. The law also provides immunity from civil liability to school building administrators and superintendents who reasonably and in good faith forward a copy of the report form to a person or agency as required by law and in the manner described in the law.

Confidentiality of Records

In general, the only persons authorized to receive the written report form and any related materials are the school building administrator and the superintendent. The law requires that all reports, records, photographs and other material submitted remain confidential and may not be disclosed except to law enforcement authorities involved in the criminal investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. Willful disclosure of a written record required to be confidential, to a person not authorized to receive or review such record is a class A misdemeanor. The law requires that school building administrators and superintendents exercise reasonable care to prevent unauthorized disclosure.

Duties of District Attorneys

Where a criminal investigation is undertaken in response to a report forwarded to the appropriate law enforcement authorities, the district attorney must notify the superintendent of the school district where the acts of child abuse occurred and the superintendent of the school district where the child attends, if different, of the following:

- an indictment;
- the filing of an accusatory instrument;
- the disposition of the criminal case; or,
- the suspension or termination of the investigation.

Where a criminal conviction is obtained for a crime involving child abuse in an educational setting by a licensed or certified school employee, the district attorney is required to notify the Commissioner of Education, as well as the superintendent of the school district in which the acts of child abuse occurred and the superintendent of the school district where the child attends, if different.

Duties of the Commissioner of Education

Upon receiving notification of conviction from a district attorney, the Commissioner of Education must begin proceedings against the convicted individual pursuant to Part 83 of the Commissioner's regulations to determine whether the individual possesses good moral character. The determination may result in additional action taken against the individual related to his or her license or certification.

The Commissioner has also issued the attached form that must be used for the recording and transmission of allegations of child abuse in educational settings.

The Commissioner and the Board of Regents also promulgated §100.2(hh)(2), which sets forth the training requirements relating to child abuse in an educational setting.

Unreported Resignations or Voluntary Suspensions

The law prohibits school building administrators or superintendents from agreeing to withhold from the appropriate law enforcement authorities, a superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

Date of Last Review: August 26, 2006

INDEX

Acceptable Use of Computers and the Internet Regulation.....	4526-R
Alcohol and Drug Testing of Bus Drivers Exhibit....	8414.5-E
Alcohol and Drug Testing of Bus Drivers Regulation.....	8414.5-R
Child Abuse in an Educational Setting Exhibits.....	9620-E.1-2
Claims Auditor Exhibit.....	6650-E
Complaints About Curricula or Instructional Materials Regulation .	1420-R
Contagious Diseases Exhibit.....	8123.1-E
Contagious Diseases Regulation.....	8123.1-R
Display of the Flag Regulation.....	4311.1-R
Drug and Alcohol Abuse Regulation.....	5440-R
Expense Reimbursement Regulation.....	6830-R
Family and Medical Leave Regulation.....	9520.2-R
HIV/AIDS Regulation.....	0150-R
Homebound Instruction Regulation..	4327-R
Hygiene Precautions and Procedures Regulation	8123-R
Independent Educational Evaluations Regulation	4321.3-R
Independent/External Audits Exhibit.....	6660-E
Information Security Breach and Notification Regulation	8635-R
Internet Safety Regulation.....	4526.1-R
Library Materials Selection Exhibit..	4513-E
Library Materials Selection Regulation.....	4513-R
Notification of Sex Offenders Exhibit.....	5450.1-E

Public Use of School Facilities Regulation.....	1500-R
Request for Reevaluation of Instructional Materials	1420-E
School District Records Exhibit.....	1120-E
School District Records Regulation..	1120-R
Sexual Harassment Regulation	0110-R
Staff Complaints and Grievances Regulation	9140.1-R
Student Complaints and Grievances Regulation.....	5030-R
Student Health Services Regulation.....	5420-R
Student Records Regulation.....	5500-R
Student Wellness Internet Resources	5405-E
Summer Day Camp Regulation	4331-R
Suspected Child Abuse In A Domestic Setting Regulation.....	5460-R
Transportation of Students Regulation.....	8410-R
Use of District Laptop Computers, Workstations and Residential Internet Services Regulation	8331-R