

1999 1000

By-Laws

## **South Huntington Union Free School District**

### **BY-LAWS**

**(Section 1000)**

**NUMBER**

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## **MISSION STATEMENT**

Empower all children to maximize their potential by:

- Teaching them the necessary academic skills.
- Enabling them to develop the positive social and moral skills necessary to become contributing members of society.
- Providing them with a safe and secure environment where everyone is treated with respect.

## **BELIEFS**

“The statement of beliefs is the most logical, if not the most necessary, beginning of any plan. It is a formal expression of the organization’s fundamental values: its ethical code, its overriding convictions, its inviolate commitments.”

William J. Cooke

- Early intervention at all levels is better than later correction.
- No limits will be placed on achievement.
- Accountability is necessary for student success.
- In order to learn, students must be well-nourished and provided with a safe environment.
- Parents must have be an essential and active role in the education of their children.
- All people learn best when they actively participate in the learning process.
- Schools exist and function for the benefit of the students.
- We will never give up on a student nor will we ever allow students to give up on themselves.
- Students must be taught to assume responsibility for the consequences of the behavior.
- Education goes beyond the classroom to include social and moral skills.
- The schools have the responsibility to model and teach respect for all others.
- Each child’s potential is something to be developed, not predicted.
- The community’s fiscal responsibility should be balanced with the community’s educational responsibility.

## **PARAMETERS**

Parameters are the boundaries within which the district will operate. Parameters specify things that the district either will never do or will always do.

- No new or existing program or service will be allowed to operate unless it:
  - a) Meets a clearly demonstrated mission-related need.
  - b) Addresses the impact on other programs or services, including facilities.
  - c) Survives a cost-benefit analysis and provides supporting research where available.
  - d) Provides for adequate staffing.
  - e) Sets in place an evaluation procedure.
- No one is permitted to jeopardize the safety and welfare of another.
- We will not permit any action or circumstance that degrades any person.

## VISION

It is a warm, sunny, Sunday afternoon in the month of June 1996. The commencement ceremony is in progress at Walt Whitman High School and the speaker comments on a startling statistic regarding the graduates. The age of the students ranges from 15 to 21 and some of the students have been at Whitman for only two years, while others have been there for as many as seven years.

All of the graduates, however, have met the South Huntington student performance standards for their ability level and are receiving the appropriate diploma. Some students, because they have worked hard and diligently, are receiving diplomas at a level higher than their aptitudes would have indicated. Everyone is receiving a diploma that certifies that he or she has met or exceeded his or her academic potential. The lowest level still exceeds the State's minimum requirements for high school graduation. The highest level diploma is well above the State's Regents requirements.

All of this is possible because the South Huntington School District established student performance criteria at various checkpoints throughout a student's academic career. Unlike the old system that posed one set of minimum standards that everyone has to meet, the new system goes beyond the minimum standards and imposes higher criteria on students commensurate with their academic aptitude. Students are encouraged to perform at higher levels, but no one is allowed to "under-achieve."

The school system established procedures whereby support mechanisms are available to assist the "under-achieving" student. No longer must a child be two years below grade level to qualify for assistance. Any child can get help, including the "gifted," if they are performing below their expected ability level. Although most students still graduate after four years of high school, there are now many exceptions. Accelerated students can graduate after only two years, or stay to take enrichment college level courses. Students that are having difficulty meeting their potential can stay as long as necessary or up until age 21, as specified by law. Of course, there are many alternative programs at Whitman designed to help students meet their potential: the alternative high school, work-study programs, college campus programs, school-business partnerships, to name just a few.

Along with the academics, South Huntington students are taught to respect one another and to develop positive moral and social skills. Students are given ample opportunities to exert their leadership skills and to work for the betterment of the community in which they live. Students' pride in the community and in their schools has significantly reduced vandalism costs to the district. Learning is seldom interrupted by disruptive behavior. The new discipline code and the alternatives to suspension, along with student mentoring programs and home-based guidance systems, have significantly reduced classroom disruptions.

Had we visited an elementary classroom earlier in the school year, we would have been surprised to find youngsters of different ages working together on a problem-solving task. The teacher now functions more as a mentor, facilitator and a resource, helping to guide the students through their hands-on learning experiences. The students are not in a particular grade but, rather, they are working on a particular skill level. Groups are formed and reformed so that instruction takes place according to skill level as opposed to the grade or age of the student.

Thanks to the support generated by technological advances and the computer, the teachers has greater opportunities to provide instruction and assess knowledge gained. The computer even generates a "Home Education Learning Program (HELP)" for each child so that each parent can play a cooperative role in the educational process. Periodically, each parent comes to school to review with the teacher the child's progress on the HELP component.

### **VISION Cont'd.)**

The South Huntington School District has succeeded in empowering all of its students to maximize their potential. Our students are truly prepared for the challenges of the 21<sup>st</sup> century.



## By-Laws

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

The authority for the operation of school districts in New York State flows from Article XI, Section 1 of the New York State Constitution, which mandates that the State legislature provide for a system of free, common schools. The legislature empowers the New York State Education Department to organize the delivery of instruction throughout the State.

There are in excess of 700 school districts in the State. The Board of Education members serve as officials of the State in carrying out the responsibilities for providing for instruction in the public schools of the South Huntington Union Free School District.

Education Law is established by the New York State legislature and administered by the State Education Department, which promulgates rules and regulations for the operation of school districts.

The South Huntington Union Free School District was officially established on December 10, 1924, when the taxpayers voted to consolidate three local schools to form the new District. The District is located approximately 35 miles from New York City and encompasses an area of approximately 15 square miles.

The School District constitutes a corporate entity that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

The Constitution of the State of New York places the responsibility for public education on the State Legislature, and directs the establishment of a State Department of Education for general supervision over the schools and headed by a Commissioner of Education. The New York State Constitution further provides that local public schools under the general supervision of the State Education Department shall be maintained, developed and operated by locally elected boards. Legally, local boards are instruments of the New York State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

New York State Constitution  
Education Law Articles 35 and 37

Adopted: 6/16/99

## By-Laws

**SUBJECT: BOARD OF EDUCATION AUTHORITY**

As a body created under the Education Law of New York State, the Board of Education of the South Huntington Union Free School District has full authority, within the limitations of federal and state laws and the Regulations of the Commissioner of Education and interpretations of them, to carry out the will of the people of its District in matters of education.

In all cases where laws or regulations of the State Commissioner of Education do not provide, permit, or prohibit, the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Education Law Sections 1604, 1701,  
1709, 1804, and 1805

Adopted: 6/16/99

## By-Laws

**SUBJECT: NUMBER OF MEMBERS AND TERMS OF OFFICE**

The Board of Education of the South Huntington Union Free School District shall consist of seven (7) members elected by the qualified voters of the School District at the annual election as prescribed by law.

Members of the Board of Education shall serve for three (3) years beginning July 1 following their election and each term shall expire on the thirtieth day of June of the third year.

By holding elections for at least two Board seats annually, the cycle of the Board member elections provides a means by which maximum Board continuity and overlap is achieved.

7 Member Board - Education Law  
Section 1804.1  
Term of Office - Education Law  
Section 2105

Adopted: 6/16/99

## By-Laws

**SUBJECT: BOARD OF EDUCATION MEMBERS: QUALIFICATIONS**

A Board of Education member of the South Huntington Union Free School District must meet the following qualifications:

- a) A citizen of the United States;
- b) Eighteen (18) years of age or older;
- c) Able to read and write;
- d) A legal resident one (1) year prior to the election;
- e) Cannot be an employee of the South Huntington Union Free School District;
- f) The only member of his/her family (that is, cannot be a member of the same household) on the South Huntington Union Free School District Board;
- g) May not simultaneously hold another, incompatible public office;
- h) Must not have been removed from a school district office within one year preceding the date of election to the Board.

Education Law Sections 2102, 2103 and 2103-a  
Public Officers Law Section 3

Adopted: 6/16/99

## By-Laws

**SUBJECT: BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION**

- a) Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the District Clerk of the School District, shall be signed by at least twenty-five qualified voters of the District, or by two (2) percent of the number of voters who voted in the previous annual election of Board members, whichever is greater, shall state the residence of each signer, and shall state the name and residence of each candidate.

Vacancies upon the Board of Education shall not be considered separate specific offices and that the nominating petitions shall not describe any specific vacancy upon the Board of Education for which the candidate is nominated. Such procedure shall be followed with respect to all nominations and elections in subsequent years until and unless such proposition is repealed by the electors of the District at a regular election by the adoption of a proposition to repeal the original proposition.

- b) The notice of the annual District meeting must state that petitions nominating candidates for the office of member of the Board of Education must be filed with the District Clerk not later than the thirtieth day preceding the election at which time the candidates so nominated are to be elected.
- c) Voting will be by machine, and provision shall be made for the election by "write-in-vote" of any candidate not previously nominated.
- d) The hours of voting shall be as indicated by Board resolution.
- e) The position of candidates on ballots shall be determined by lot at a drawing conducted by the District Clerk on the day after the last filing. The candidates receiving the largest number of votes or, in the alternative, the largest number of votes for each specific vacancy, shall be declared elected in accordance with Education Law. Candidates or their proxies may be present for the drawing.
- f) At least ten days prior to the election, the Board shall appoint at least two inspectors of election for each voting machine, and set their salary.
- g) The District Clerk shall attend the election and record the name and legal residence of each voter. The District Clerk shall give notice immediately to each person declared elected to the Board, informing him/her of the election and his/her term of office.
- h) Only qualified voters as determined by Education Law (Section 2012) may vote at any District meeting or election.
- i) No electioneering will be allowed within one hundred (100) feet of the polling place.

(Continued)

## By-Laws

**SUBJECT: BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION  
(Cont'd.)**

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

Education Law Sections 2004, 2013,  
2018, 2025, 2029, 2031-a, 2032, 2034(7)(d),  
2105(14), and 2121

## By-Laws

**SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS**

Each candidate for the position of member of the Board of Education whose expenses and/or contributions received exceed five hundred dollars (\$500.00) must file a statement accounting for his or her campaign expenditures and contributions with the District Clerk and an additional statement with the Commissioner of Education. In the event the expenses do not exceed \$500.00, and the aggregate amount of all contributions made to the candidate do not exceed \$500.00, then a sworn statement to that effect must be filed with the District Clerk. All statements must be sworn before a notary public, a commissioner of deeds, a lawyer or a public official authorized by New York State law to administer oaths.

Required contribution statements shall include:

- a) The dollar amount and/or fair market value of any receipt, contribution or transfer which is other than money;
- b) The name and address of the transferor, contributor or person from whom received;
- c) If that transferor, contributor or person is a political committee as defined in Section 14-100 of the Election Law;
- d) The name and political unit represented by the committee;
- e) The date of receipt;
- f) The dollar amount of every expenditure;
- g) The name and address of the person to whom the expenditure was made, or the name of and political unit represented by the committee to which it was made; and
- h) The date of the expenditure.

The times for filing the statements are as follows:

- a) The first statement on or before the thirtieth day preceding the election to which it relates;
- b) A second statement on or before the fifth day before the election;
- c) A third statement within twenty days after the election.

Any contribution or loan in excess of \$1,000 received after the close of the period covered in the last statement filed before the election (b above) but before the election itself shall be reported within 24 hours after receipt.

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

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

Adopted: 6/16/99  
Amended: 4/13/05

## By-Laws

**SUBJECT: RESIGNATION AND DISMISSAL**

Board members may resign at any Board meeting, at which time the resignation shall be automatically accepted. A Board member may also resign by filing a written resignation with the District Clerk. The resignation shall take effect upon the date specified in the letter of resignation; however, if no effective date is specified, it shall take effect on the date of filing with the District Clerk.

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

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty, or willfully disobeying any decision, order or regulation of the Commissioner.

In the event of death, resignation, refusal to serve, or any disqualification of a Board member, the Board may appoint a new member to fill such a vacancy. If the Board chooses to fill the vacancy, it shall be only for a term ending with the next annual election of the School District at which time such vacancy shall be filled in a regular manner for the balance of the unexpired term. The Board, at its own option, may also elect to call a special election within ninety days to fill the unexpired term. If not so filled, the District Superintendent of the Supervisory District may appoint a competent person to fill the vacancy until the next annual election of the District. The Commissioner of Education may order a special election for filling a vacancy. When such special election is ordered the vacancy shall not be filled otherwise.

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

Education Law Sections 306, 1706, 1709(17)(18),  
2103(2), 2109, 2111, 2112, and 2113  
Public Officers Law Sections 30, 31 and 35

Adopted: 6/16/99



## By-Laws

**SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT SCHOOL DISTRICT MEETINGS**

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

- a) A citizen of the United States;
- b) Eighteen (18) years of age or older;
- c) A resident within the District for a period of thirty (30) days next preceding the meeting at which he/she offers to vote.

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

Education Law Section 2012  
Election Law Article 5

Adopted: 6/16/99

## By-Laws

**SUBJECT: SUBMISSION OF QUESTIONS AND PROPOSITIONS AT ANNUAL ELECTIONS AND SPECIAL DISTRICT MEETINGS**

The following rules and regulations shall apply to the submission of the questions or propositions at the annual elections or special district elections of this School District.

- a) Questions or propositions shall be submitted by petition directed to the District Clerk and shall be signed by twenty-five (25) qualified voters, or five percent (5%) of the registered voters of the District who voted in the previous annual election of Board members, whichever is greater.
- b) A separate petition shall be required for each question or proposition.
- c) Each petition shall be filed with the District Clerk. Petitions relating to an Annual Election must be filed not later than thirty (30) days preceding the election at which the question or proposition is to be voted upon.
- d) Questions or propositions submitted in accordance with these rules and accepted will be printed on the ballot for the voting machine.
- e) The Board of Education shall cause the rules and regulations set forth in this policy to be distributed within the District.
- f) Nothing herein contained shall affect the nominations of candidates as set forth in the Annual District Election notice pursuant to Section 2018 of the Education Law.

**Questions or Propositions to be Submitted at Special District Meetings**

The procedure for requesting the Board of Education to call a Special District Meeting to vote on a question or proposition shall be in accordance with subdivision 2 of Section 2008 of the Education Law.

Education Law Sections 2008, 2013(5b) and 2035(2)

Adopted: 6/16/99

## By-Laws

**SUBJECT: ABSENTEE BALLOTS**

The Board of Education authorizes the District Clerk or a Board designee to provide absentee ballots to qualified District voters. Absentee ballots may be used for the election of School Board members and for the adoption of the annual budget and referenda.

A District voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason he/she will not be able to appear in person on the day of the District election. The application must be received by the District Clerk/designee at least seven (7) days before the election if the ballot is to be mailed to the voter, or the day before the election if the ballot is to be delivered personally to the voter.

Pursuant to the provisions of Education Law, a District voter is eligible to vote by absentee ballot under the following conditions:

- a) Illness or physical disability;
- b) Business responsibilities or studies which require travel outside of the county or city of residence on the day of the election;
- c) Vacation outside of the county or city of residence; or
- d) Detention or confinement to jail after conviction for an offense other than a felony.

An absentee ballot must reach the office of the District Clerk/designee not later than 5:00 p.m. on the day of the election.

A list of all persons to whom absentee ballots have been issued shall be maintained by the District Clerk/designee and made available for public inspection. Any qualified voter challenging the acceptance of an absentee ballot must file a written statement with the District Clerk/designee or inform the election inspectors on the day of the District election.

Education Law Sections 2014 and 2018-a

Adopted: 6/16/99

## By-Laws

**SUBJECT: POWERS AND DUTIES OF THE BOARD**

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

Education Law Sections 1604, 1709 and 1804

**Indemnification**

The District will provide legal defense for School Board members being sued for events arising from the individual's performance of duties, provided the member was, at the time of the incident, acting in the discharge of his/her duties within the scope of his/her authority as a Board member.

Education Law Sections 3023, 3028 and 3811

Adopted: 6/16/99

## By-Laws

**SUBJECT: BOARD OPERATIONAL GOALS**

The Board is committed to the education of all students; to an awareness of the concerns and aspirations of the community regarding the quality and performance of the School District; and, to the employment of a Superintendent who will see that the District maintains a position as an outstanding school system and under whose leadership school personnel will carry out the policies of the Board.

Additionally, the Board will strive to achieve the following:

- a) Interpret the educational needs and aspirations of the community, and to meet them through the formulation of policies that stimulate the learner and the learning process.
- b) Manage the School District in accordance with Board policy.
- c) Provide leadership in order that the goals and objectives of the School District (as set forth in the Board's policy manual) can be effectively carried out.
- d) Maintain communication with the various publics served by the schools.
- e) Develop and provide the data appropriate for the management functions of planning, evaluating, organizing, controlling, and executing.
- f) Preview goals annually with community input and set priorities for future goals.

The Board shall adopt goals for upcoming school year at its first meeting in September. A copy of said goals shall be included with this section.

## By-Laws

**SUBJECT: HUMAN RELATIONS**

The Board's goal is to develop programs to improve relationships among administrators, teachers, students, parents and community members. Through these efforts, the Board hopes to tap the resources of the community and find strength through its diversity.

Adopted: 6/16/99

## By-Laws

**SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS**

Officers of the Board of Education shall be nominated and elected by the simple majority of the Board at its annual Organizational Meeting for a term of one year. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board of Education are:

- a) President;
- b) Vice President.

Education Law Sections 1701 and 2105(6)

Adopted: 6/16/99

## By-Laws

**SUBJECT: DUTIES OF THE PRESIDENT OF THE BOARD OF EDUCATION**

The President's duties include the following:

- a) Presides at all meetings of the Board;
- b) Calls special meetings as necessary or on request;
- c) Appoints members to all committees of the Board;
- d) Serves ex-officio as a member of all committees;
- e) Executes documents on behalf of the Board;
- f) Votes at all meetings of the Board and all Committee Meetings;
- g) Performs the usual and ordinary duties of the office.

Education Law Section 1701

Adopted: 6/16/99



## By-Laws

**SUBJECT: DUTIES OF THE VICE PRESIDENT OF THE BOARD OF EDUCATION**

The Vice President shall have the power to exercise the duties of the President in case of the absence or disability of the President. In case of vacancy in the office of the President, the Vice President shall act as President until a President is elected.

In the absence of the President and Vice-President, a majority of the Board members present will select a Vice-President pro tem.

Education Law Section 1701

Adopted: 6/16/99

**SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION****Appointments**

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

The following shall be appointed annually:

- a) District Clerk and Deputy;
- b) District Treasurer and Chief Accounting Officer;
- c) District Auditor (independent);
- d) Treasurer, Extraclassroom Activities Account.

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

- a) Census Enumerator and Attendance Officer;
- b) District Physician;
- c) Committee on Special Education and Committee on Preschool Special Education;
- d) Records Management Officer;
- e) AHERA Local Educational Agency (L.E.A.) designee.
- f) Title IX, Section 504/ADA, Compliance Officer

The following may also be appointed:

- a) District Attorney;
- b) Internal Claims Auditor;
- c) Insurance Advisor.

(Continued)

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

**Designations**

The following designations shall be made by the Board of Education at the Annual Organizational meeting in July:

- a) Petty Cash Fund(s);
- b) Official Newspaper(s);
- c) Official Bank Depositories;
- d) Official Bank Signatories;
- e) Purchasing Agent;
- f) Certifier of Payrolls;
- g) Workers' Compensation Claims Handler.

Education Law Section 1709

Adopted: 6/16/99

## By-Laws

**SUBJECT: DUTIES OF THE DISTRICT CLERK**

The Clerk of the Board will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The Clerk's duties include the following:

- a) Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;
- b) Prepares minutes of the meetings of the Board, obtains approval of the minutes by the Board at the next meeting and forwards copies of the minutes to each member of the Board of Education;
- c) Sends notices of special meetings to members of the Board; contacts and communicates with members as required;
- d) Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;
- e) Maintains an up-to-date record of Board policies and by-laws;
- f) Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;
- g) Distributes notices to the public announcing availability of copies of the budget to be presented at the annual District meeting in compliance with the requirements of the State Education Law;
- h) Prepares and delivers to each member of the Board, before each Board meeting, an agenda listing all known items of business to be considered at the meeting;
- i) Administers oaths of office, as required by Section 10, Public Officers Law;
- j) Gives written notice of appointment to persons appointed as inspectors of election;
- k) Calls all meetings to order in the absence of the President and Vice President;
- l) Assumes other duties customary to the office.

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

Education Law Section 2121  
Public Officers Law Section 104

Adopted: 6/16/99

## By-Laws

**SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER**

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

- a) Receives and deposits all receipts; signs all disbursements authorized by the Board of Education.
- b) Prepares monthly report of receipts and disbursements;
- c) Projects cash flow, invests idle funds, solicits quotations from banks, etc.
- d) Prepares necessary materials for sale of tax anticipation notes, including contracts with attorneys; preparation of notes, resolutions, etc.
- e) Maintains general ledger for all School District funds and reconciles data processing subsidiaries monthly.
- f) Prepares financial reports (ST-3, SA 122) as required.
- g) Maintains liaison with auditors.
- h) Makes payments of bond principal and interest; maintains bond and note register and verifies cremation charges from paying agent.
- i) Attends regular meetings of the Board of Education.
- j) Prepares monthly reconciliation of all bank accounts.
- k) Distributes public library funds.
- l) Makes periodic reports of withholding and sales taxes to proper agencies as required.
- m) Prepares cafeteria monthly statement of profit or loss.
- n) Records and receives fees for use of facilities by outside organizations.
- o) Assumes other duties customary to the office.

Duties-Education Law Section 2122  
Bond-Education Law Section 2130, Part 5  
8 New York Code of Rules and  
Regulations(NYCRR) Section 170.2(o) and (p)

Adopted: 6/16/99

## By-Laws

**SUBJECT: DUTIES OF THE INDEPENDENT AUDITOR**

The Board by law shall appoint an independent certified public accountant or an independent public accountant, and a copy of the certified audit in a form prescribed by the Commissioner must be accepted by the Board and furnished annually to the State Education Department.

Education Law Section 2116-a  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.2

Adopted: 6/16/99

## By-Laws

**SUBJECT: APPOINTMENT AND DUTIES OF THE INTERNAL CLAIMS AUDITOR**

The Board shall appoint an internal claims auditor who shall hold the position subject to the pleasure of the Board. No person shall be eligible for appointment to the office of internal claims auditor who shall be:

- a) A member of the Board;
- b) The Clerk or Treasurer of the Board;
- c) The official of the District responsible for business management;
- d) Clerical personnel directly involved in accounting and purchasing functions.

Valid claims against the District shall be paid by the Treasurer only upon the approval of the internal auditor. The internal auditor shall:

- a) Examine all claim forms with respect to the availability of funds within the appropriate codes;
- b) Substantiate receipts or other revenues or expenditures;
- c) Meet such other requirements as may be established by the Regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law Section 1709(20-a)

Adopted: 6/16/99

## By-Laws

**SUBJECT: DUTIES OF THE EXTRACLASSROOM ACTIVITIES FUNDS  
TREASURER(S)**

The Extraclassroom Activities Funds Treasurer is appointed by the Board of Education and is responsible for the supervision of the extraclassroom activities funds.

The Treasurer's duties include the following:

- a) Countersigns all checks disbursing funds from the Extraclassroom Activities Account;
- b) Provides general supervision to insure that all receipts are deposited and that disbursements are made by check only;
- c) Maintains records of all receipts and expenditures;
- d) Submits records and reports to the Board as required;
- e) Assumes other duties customary to the position.

8 New York Code of Rules and Regulations  
(NYCRR) Part 172

Adopted: 6/16/99



## By-Laws

**SUBJECT: DUTIES OF THE SCHOOL ATTORNEY**

The Board of Education shall employ a School Attorney who shall be responsible to the Board of Education for guidance on all affairs which are of a legal nature, including, but not limited to:

- a) Negotiation of all legal charges and processes for each bond issue and construction and/or reconstruction of new buildings;
- b) Legal counsel on matters referred to him/her to determine legality of procedure;
- c) Matters related to "due process" hearings or procedures.

## By-Laws

**SUBJECT: DUTIES OF THE SCHOOL PHYSICIAN**

The School Physician shall be appointed annually by the Board of Education. The duties of the School Physician shall include, but are not limited to, the following:

- a) Performs professional medical services in the examination and care of school children;
- b) Supervises routine examinations of school children by the school nurse practitioner to detect the presence of contagious diseases and physical defects;
- c) Serves as an on call member on the Committee on Special Education;
- d) Reports to the Board on school health services;
- e) Offers for fee physical examinations to all students participating in interscholastic athletics;
- f) Develops the program of health service in accordance with policies approved by the Board and as directed by the Superintendent of Schools;
- g) Conducts physical exams for all bus drivers and substitutes annually (prior to employment);
- h) Conducts physical exams for all new employees (instructional and non-instructional);
- i) Conducts a medical evaluation on any employee at the request of the Board of Education.

Education Law Sections 902 and 913

Adopted: 6/16/99

## By-Laws

**SUBJECT: PRINCIPLES FOR SCHOOL BOARD MEMBERS**

A School Board member, operating under the highest ethical standards, should:

- a) Assure the opportunity for high-quality education for every student.
- b) Observe state and federal laws and regulations pertaining to education.
- c) Accept office as a Board member as a means of unselfish service.
- d) Take official actions only in public sessions, except where otherwise provided or required by law.
- e) Represent the entire community without fear or favor.
- f) Remember at all times the Board member is one of an educational team.
- g) Maintain confidentiality of privileged information.
- h) Recognize that the strength of a School Board is as a Board, not as individuals.
- i) Delegate authority to the chief school administrator as the Board executive and confine Board action to policy-making, planning and appraisal.
- j) Employ only competent, trained personnel.
- k) Preserve the obligation of having controversial issues presented fairly and without bias.
- l) Instill respect toward our country and each other.

Adopted: 6/16/99

## By-Laws

**SUBJECT: POLICY****Board Policy Development Process**

The Board considers policy development its chief function, along with appraisal of the results achieved through its policies.

In this regard, it is the intent of the Board to continually develop policies that will serve as guidelines and goals for the successful and efficient functioning of the public schools.

It is through the development and adoption of written policies that the Board will exercise its leadership in the operation of the School District.

Changes in needs, conditions, purposes and objectives will require an ongoing policy development process that includes the review, discussion, development, revision, adoption and dissemination of Board policies.

**Formulation of Bylaws and Policies**

The Board of Education is a legislative body and will provide rules (bylaws) for its own operation. The formulation and adoption of bylaws will constitute the guides for the Board of Education in its internal operations. The formal adoption of the bylaws will be recorded in the official minutes of the Board. Written statements so adopted and so recorded will be regarded as official bylaws of the Board of Education. For the purpose of State Law requirements, any written rule or policy of the School District will constitute a bylaw.

**Development**

While reserving for itself the responsibility and authority to determine policies for the School District, the Board may seek input from the school/community in the development of policies.

After receiving such input, final action on any policy will be taken by the Board in accordance with its policy adoption procedures. The Board will take action on policy matters as part of its regular business meeting.

**Adoption**

Since adoption of new policies or changing existing policies is a legal responsibility of the Board, policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

(Continued)

## By-Laws

**SUBJECT: POLICY (Cont'd.)**

To permit time for study of all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will usually be presented as an agenda item. This will allow for discussion prior to revision, adoption or rejection of policies.

**Administrative Action in the Absence of Policy**

In cases where emergency action must be taken within the school system and where the Board has no written policy and has provided no guidelines for administrative action, the Superintendent will have power to act, subject to Board review at a regular or special meeting. It will be the Superintendent's duty to inform the Board promptly of such emergency action and of the need for appropriate policy development.

Education Law Sections 1604(9) and 1709(1) and (2)

Adopted: 6/16/99

## By-Laws

**SUBJECT: EXECUTION OF POLICY: ADMINISTRATIVE REGULATIONS**

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

Adopted: 6/16/99

## By-Laws

**SUBJECT: REGULAR BOARD MEETINGS**

All Board of Education meetings must be open to the public except those portions of the meetings which qualify as executive sessions. A "meeting" is defined as an official convening of a public body for the purpose of conducting public business and a "public body" is defined as an entity of two (2) or more persons which requires a quorum to conduct business, including committees and subcommittees.

Whenever such a meeting is to take place, there must be at least seventy-two (72) hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of other meetings shall be given as soon as is practicable in accordance with law.

A schedule for regular meetings of the Board of Education of the South Huntington Union Free School District shall be established by the Board of Education in the spring prior to the commencement of the subsequent fiscal school year. All meetings of the Board of Education shall start at 7:30 p.m. and shall terminate at or before 11:30 p.m. However, on motion duly made, seconded, and approved by a majority of the members of the Board of Education, the aforesaid time limitation may be extended.

It is the responsibility of the Superintendent to prepare the agenda and review it with the Board Officers for each meeting of the Board. The agenda for each meeting shall be prepared during the week prior to the meeting. The agenda shall be distributed to Board members no later than the Friday before such regular meeting. Whenever the President or other members of the Board wish to bring a matter to the attention of the Board, such request should be made to the Board secretary who will bring them to the attention of the Superintendent and the Board President. Whenever individuals or groups wish to bring a matter to the attention of the Board, such request shall be addressed to the Superintendent. The Superintendent shall present such matter to the Board.

The Board will follow the order of business established by the agenda, except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Board, or to expedite Board business.

The Clerk of the Board of Education shall notify the members of the Board of Education in advance of each regular meeting. Such notice, in writing, shall include an agenda and the time of the meeting.

A Board member who expects to be absent from a regular or special meeting shall notify the Board secretary of the reason for such absence in advance of the scheduled meeting.

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

(Continued)

**SUBJECT: REGULAR BOARD MEETINGS (Cont'd.)**

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

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

Public Officers Law Article 7  
Education Law Section 1708

Adopted: 6/16/99  
Amended: 4/28/2009



**SUBJECT: AGENDA FORMAT**

For regular Board meetings, the following format is used:

- a) Call to order;
- b) Adoption of Agenda;
- c) Approval of minutes;
- d) Financial Items;
- e) Bids;
- f) Schedule of Bills;
- g) Change Orders;
- h) Communications;
- i) Guests and Delegations;
- j) Old Business;
- k) New Business;
- l) Personnel;
- m) Information and Reports;
  - 1. Follow-up Items List;
  - 2. Conference Reports.
- n) Future Meetings List;
- o) Comments by Board Members;
- p) Voice of the Residents;
- q) Adjournment.

(Continued)

1999

1511  
2 of 2

By-Laws

**SUBJECT: AGENDA FORMAT (Cont'd.)**

For special and emergency meetings, the regular meeting agenda format shown above may be shortened and/or adapted to fit the purpose of the meeting.

Education Law Section 1606  
Public Officers Law, Section 104(2)

Adopted: 6/16/99

## By-Laws

**SUBJECT: SPECIAL MEETINGS OF THE BOARD OF EDUCATION**

Special meetings of the Board shall be held on call by any member of the Board. A reasonable and good faith effort shall be made by the Superintendent or the Board President, as the case may be, to give every member of the Board twenty-four hours' notice of the time, place and purpose of the meeting. All special meetings shall be held at a regular meeting place of the Board.

In an emergency, the twenty-four hour notice may be waived by having each Board member sign a waiver-of-notice form.

Public notice of the time and place shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior to the meeting.

Adopted: 6/16/99

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By-Laws

**SUBJECT: ANNUAL DISTRICT MEETING**

The Annual District Meeting for the South Huntington Union Free School District will be held on the third Tuesday in May.

The Clerk of the Board shall give notice of the time and place of holding the Annual Meeting by publishing such notice four (4) times within seven (7) weeks preceding the meeting, the first publication to be at least forty-five (45) days before in the official District newspaper(s).

Meetings - Education Law Sections 1804(4) and 2002  
Notice - Education Law Section 2004.1

Adopted: 6/16/99

## By-Laws

**SUBJECT: BUSINESS OF THE ANNUAL DISTRICT ELECTION**

The Board of Education will appoint at a regular or special meeting prior to the Annual Election, a qualified voter as chairperson.

The chairperson will call the meeting to order and proceed to the following order of business:

- a) Designation of District Clerk as clerk of the election and assistant clerks;
- b) Designation of tellers and/or inspectors of election as previously appointed by the Board;
- c) Reading of notice of call of the election by the Clerk;
- d) Opening of the booths for voting;
- e) Closing of the booths;
- f) Receiving the report of the Clerk of the results of the elections;
- g) Adjournment.

Education Law Sections 1716 and 2025

Adopted: 6/16/99

## By-Laws

**SUBJECT: ANNUAL ORGANIZATIONAL MEETING**

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

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

Education Law Section 1707

Adopted: 6/16/99

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By-Laws

**SUBJECT: HEARINGS**

The District complies with all applicable laws and precedent, including Commissioner's Ruling and Regulations, in holding required and discretionary hearings.

Adopted: 6/16/99

## By-Laws

**SUBJECT: QUORUM**

The quorum for any meeting of the Board shall be four members. No formal action shall be taken at any meeting at which a quorum is not present. When only a quorum exists, the Board shall act by unanimous vote unless otherwise required by the laws of the State of New York.

If a quorum is not present within thirty (30) minutes after the time set for the meeting, the members in attendance may adjourn.

General Construction Law Section 41

Adopted: 6/16/99



## By-Laws

**SUBJECT: MINUTES**

The minutes are a legal record of the activities of the School Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes of all meetings shall be kept by the District Clerk or, in his/her absence, by the Superintendent or his/her designee. The minutes shall be complete and accurate and stored in a minutes file. However, minutes of executive sessions need not include any matter which is not required to be made public by the Freedom of Information Law.

The minutes of each meeting of the Board of Education shall state:

- a) The type of meeting;
- b) The date, time of convening, and adjournment;
- c) Board members present and absent;
- d) Board members' arrival and departure time, if different from opening or adjournment times;
- e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;
- f) The nature of events that transpire, in general terms of reference;
- g) Topics of Community Input.

Communications and other documents that are too long and bulky to be included in the minutes shall be referred to in the minutes and shall be filed in the District Office.

All Board minutes shall be signed by the Clerk of the Board when approved and stored in a locked room or locked file cabinet. Unless otherwise provided by law, minutes shall be available to the public through a Freedom of Information request presented to the District Clerk within two (2) weeks following the date of a meeting; draft copies, so marked, are acceptable, subject to correction.

Public Officers Law Section 106

Adopted: 6/16/99

## By-Laws

**SUBJECT: EXECUTIVE SESSIONS**

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the area or areas of the subject or subjects to be considered, the Board of Education may conduct an executive session for discussion of the below enumerated purposes only, provided, however, that no action by formal vote shall be taken except on a 3020-a probable cause finding. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting.

- a) Matters that will imperil the public safety if disclosed;
- b) Any matter that may disclose the identity of a law enforcement agent or informer;
- c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
- d) Discussions regarding proposed, pending or current litigation;
- e) Collective negotiations pursuant to Article 14 of the Civil Service Law;
- f) Medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;
- g) Preparation, grading or administration of examinations;
- h) Proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

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

Public Officers Law Article 7  
Education Law Section 3020-a

Adopted: 6/16/99

## By-Laws

**SUBJECT: RESOLUTIONS**

The Board of Education is a municipal body corporate and therefore only agreements executed by an officer of the Board, when duly authorized by a resolution of the Board, shall be binding upon the Board and/or District. Any exception to the aforesaid shall be valid only when provided otherwise by statute.

Adopted: 6/16/99

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Internal Operations

**South Huntington Union Free School District**

**INTERNAL OPERATIONS**

**(Section 2000)**

**NUMBER**

**INTERNAL OPERATIONS**

- 1.1 Orienting New Board Members..... 2110
- 1.2 Use of Parliamentary Procedure ..... 2120

**BOARD OF EDUCATION COMMITTEES**

- 2.1 Committees of the Board ..... 2210
  - 2.1.1 Participation of Parents and Teachers in School-Based Planning  
And Shared Decision Making..... 2211

**BOARD OF EDUCATION ACTIVITIES**

- 3.1 Attendance by Board Members at Conferences, Conventions and  
Workshops ..... 2310
- 3.2 Compensation and Expenses ..... 2320
- 3.3 Board Self-Evaluation ..... 2330

## Internal Operations

**SUBJECT: ORIENTING NEW BOARD MEMBERS**

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

- a) The electee shall be given selected material on the job of being part of the Board, which material is supplied by the New York State School Boards Association, the National School Boards Association, and/or other professional organizations;
- b) The electee shall be invited to attend Board meetings and to participate in its discussions;
- c) The District Clerk shall supply material pertinent to meetings and shall explain its use;
- d) The electee shall be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board;
- e) A copy of the Board's policies and by-laws shall be given to the electee by the District Clerk;
- f) The opportunity shall be provided for new Board members to attend the New York State School Boards Association orientation program.

## Internal Operations

**SUBJECT: USE OF PARLIAMENTARY PROCEDURE****Rules of Order**

Insofar as they can reasonably be applied, Robert's Rules of Order will be the parliamentary guide for all Board meetings except as state law or special policies of the Board establish other procedures. The Superintendent will advise the Board on parliamentary procedure.

Commissioner's Decision Numbers 8018 and 8873  
General Construction Law Section 41

Adopted: 6/16/99

## Internal Operations

**SUBJECT: COMMITTEES OF THE BOARD**

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

At the request of the Board, the President shall appoint temporary committees consisting of fewer than the full membership for special purposes. These committees shall be discharged on the completion of their assignment. The President of the Board shall be an ex-officio member of such committees.

**Advisory Committees**

The Board of Education recognizes that it may be necessary from time to time to authorize advisory committees for the purpose of enlisting opinions and counsel of the general public. Such committees shall be appointed by the Board of Education.

The following procedures will govern the appointment and functioning of District advisory committees, except as otherwise specified by law:

- a) Advisory committees may be created by the Board for special purposes. There will be no standing overall advisory committee to the Board.
- b) The composition of advisory committees will be broadly representative and will take into consideration the specific tasks assigned to the committee; members of the professional staff may be appointed to the committee as members or consultants, as desirable.
- c) Appointments to advisory committees and appointment of staff members to such committees will be made by the Board upon recommendation of the Superintendent.
- d) The Board will instruct each advisory committee as to length of time each member is being asked to serve and the service the Board wishes the committee to render, as well as the extent and limitations of the committee's responsibilities.
- e) Recommendations of advisory committees will be arrived at based on research and fact. Their recommendations will be channeled to the Board through the Superintendent.
- f) The Board of Education possesses legal powers and prerogatives that cannot be delegated to others. Therefore, all recommendations of an advisory committee must be considered as advisory only.

The Board will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of an advisory committee.

Education Law Section 1708

Adopted: 6/16/99

## Internal Operations

**SUBJECT: PARTICIPATION OF PARENTS AND TEACHERS IN SCHOOL-BASED  
PLANNING AND SHARED DECISION MAKING**

As required by Section 100.11 of the Commissioner's Regulations, by February 1, 1994, the Board of Education must develop and adopt a District plan for the participation by teacher and parents with administrators and School Board members in school-based planning and shared decision making or implement a plan through its excellence and accountability program. Although the Regulations stipulate the groups that must be included, boards of education have the latitude to expand membership.

In South Huntington the District's "Plan for the Participation by Teachers and Parents in School-Based Planning and Shared Decision Making" will be developed in collaboration with a standing SBM Steering Committee composed of: the Superintendent of Schools, the President of the Board of Education; administrators selected by the South Huntington Administrators Association; teachers selected by South Huntington Teachers Association; parents not employed by District's remaining bargaining units; two students selected by the high school principal; a resident representing the District's minority population and a resident representing the senior citizens. The latter two members are selected by the Superintendent of Schools and shall not be employed by the District, SHAA or SHTA.

This District plan shall specify the educational issues which will be subject to cooperative planning and shared decision making at the building level, the manner and extent of the expected involvement of all parties, means and standards to evaluate improvement in student achievement, means for accountability for decisions makers, a process for resolution of disputes about educational issues and the manner in which state and federal requirements for parent involvement will be coordinated and met by the plan.

This plan will be adopted at a public meeting of the Board of Education after consultation with the SBM Steering Committee. The plan will be distributed to the Administrative Council, PTA Council Executive Board, South Huntington Public Library, employee bargaining unit officers, each school and to other interested residents and staff members, upon request, as available.

The SBM Steering Committee shall oversee the process of school-based management/shared decision making in South Huntington. The Steering Committee is a standing committee and exists as long as the school-based management/shared decision making process is in place. Members are appointed by their constituent groups. Tenure of membership is determined by the constituent group that the member represents. The Committee will meet at least three times per year to monitor the process and assess the progress of the building teams. In addition, the Committee will address any issues and concerns that arise.

Although this process speaks to the schools, it does not exclude sites or programs from participating as subcommittees within the process.

(Continued)



## Internal Operations

**SUBJECT: PARTICIPATION OF PARENTS AND TEACHERS IN SCHOOL-BASED PLANNING AND SHARED DECISION MAKING (Cont'd.)****Guidelines for SBM Building Teams**

An SBM building team shall be created at each school site.

**Membership**

- a) Each team shall consist of representatives of the teachers, administrators, parents, school related personnel\*\* students (primary excepted) and optional membership by a community representative who is not a parent of a school-age child or eligible to represent any other group on the team.
- b) Each team shall have a minimum of 10 members and a maximum of 14. Suggested representation and term:

<u>Representative</u>	<u>Number</u>	<u>Term*</u>
Teacher	4 or 5	2 year term
Administrator	1 or 2	2 year term
School related personnel**	2 or 3	2 year term
Parent	2 or 3	1 year term
Student (primary excepted)	2 or 3	1 year term
Community representative (optional)	1	1 year term

\*Representatives may serve for more than one term.

\*\*School Related Personnel refers to paraprofessionals, (instructional and non-instructional) secretaries, custodians, transportation workers, cafeteria personnel, health related services (nurses), and building and grounds personnel.

**Qualifications**

- a) A person qualifies for team membership if she/he has been selected by his/her constituency and;
- b) Parent - has child(ren) in the building during the term of office;
- c) Student- must attend school during term of office;
- d) Staff member - must have responsibilities in the building.

(Continued)

## Internal Operations

**SUBJECT: PARTICIPATION OF PARENTS AND TEACHERS IN SCHOOL-BASED  
PLANNING AND SHARED DECISION MAKING (Cont'd.)****Selection Process**

- a) Teachers - In each building, interested teachers shall have their names placed on a ballot to be voted on by the building teaching staff.
- b) Administrators - In each building where there is more than one administrator, interested administrators shall have their names placed on a ballot to be voted on by the building administrative staff.
- c) School related personnel - In each building, interested school related personnel shall have their names placed on a ballot to be voted on by the building school related personnel.
- d) Parents - In each building, interested parents shall have their names placed on a ballot to be voted on by the building parent teacher association.
- e) Students - In each building, students shall be (s)electd by the building student government organization.
- f) Community representative - The community representative shall be selected by the SBM building team.

NOTE: Individuals who volunteer to participate as a member of an SBM team should be cognizant of the time commitment involved.

**Elections**

- a) Elections are to be held in the Spring. Final team membership is to be in place by June 30.
- b) Parent Elections:
  - 1. A current member of any PTA unit is eligible to run for a SBM position.
  - 2. Parents of entering kindergartners will be invited to a PTA unit meeting in May. At that time they may join the PTA. They are then eligible to run for a position on an SBM team.

**Practices and Procedures**

- a) Teams shall establish a regular time and day for meetings.

(Continued)

## Internal Operations

**SUBJECT: PARTICIPATION OF PARENTS AND TEACHERS IN SCHOOL-BASED PLANNING AND SHARED DECISION MAKING (Cont'd.)**

- b) Ideally, meetings shall be held weekly with a minimum of bi-weekly.
- c) The building team shall establish standards for membership on the committee.
  - 1. Regular attendance is a requirement for SBM team membership.
  - 2. An attendance plan with criteria for continued participation should be in place.
  - 3. A copy of the attendance records and minutes of each building meeting shall be submitted to the Steering Committee.
- d) No alternates are to be elected to the building team. If the total representation of a constituency resigns, an immediate election may be held to fill the vacancies.
- e) If a team member wishes to resign, written notification must be submitted to the building team.
- f) If the status of a member changes and she/he no longer fits the criteria for his/her constituent group, the person must resign.
- g) SBM teams are encouraged to involve greater segments of the school community by establishing action teams to focus on specific issues on a needs basis. Members of action teams should be chosen from outside the building team. One member of the building team should serve on the action team to facilitate communication and act as liaison to the building team

**Issues and Concerns**

Building SBM teams are encouraged to submit issues of concern to the SBM Steering Committee for discussion at the next regularly scheduled meeting. Issues and concerns shall be sent in writing to the Superintendent. The District's Teacher/Parent Resource Center will act as a resource to the SBM building teams.

**Conflict Resolution**

- a) Pressure tactics have no place in the SBM process. Everyone has an equal voice. The idea is not to influence other opinions but strive for solutions acceptable to all.
- b) If a team is unable to function, an outside facilitator may be brought in to mediate. Team members are encouraged to contact their representatives on the Steering Committee to arrange facilitation.

Adopted: 6/16/99

## Internal Operations

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

The Board encourages its members to participate in appropriate conferences, workshops and conventions in order to provide continuing inservice training and development for Board members, as well as to support the continuing improvement of the overall education program and District operation. To most effectively implement this policy, the Board establishes the following procedure for its guidance:

- a) The Superintendent will compile, maintain, and distribute to each Board member a listing of School Board conferences, conventions and workshops so that Board members can identify those most likely to be of direct benefit to the School District.
- b) Funds for participation at such meetings will be budgeted for on an annual basis. Application for travel and conference reimbursement will be in accordance with District regulations and procedures.
- c) Board members attending conferences, conventions or workshops will be expected to share information, recommendations and materials acquired at the meeting.

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

Adopted: 6/16/99

## Internal Operations

**SUBJECT: COMPENSATION AND EXPENSES**

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

General Education Law §1724 prohibits a Union Free School District from paying a claim unless an itemized voucher therefore approved by the officer whose action gave rise or origin to the claim, shall have been presented to the Board of Education of the District and shall have been audited and allowed. However, General Municipal Law §77-b gives statutory authority for governing Board of Education to authorize the advancement of money for estimated expenditures (hotel and travel expenses) for members of the Board of Education who attend a conference by a majority vote. The cash advance amount is limited to \$500 per board member. When returning from the conference, the board member must provide itemized vouchers showing actual expenditures within thirty (30) days of the conference return date.

NY Educ. Law 1724 & 2118  
General Municipal Law 77-b  
South Huntington UFSD Board Policy 5350  
(Travel & Conference Reimbursement)

Adopted: 6/16/1999  
Amended: 10/15/2008

## Internal Operations

**SUBJECT: BOARD SELF-EVALUATION**

The Board will review the effectiveness of its internal operations at least once annually. At the Board's discretion, the Superintendent and others may be asked to participate in this review and to suggest ways by which the Board can improve its functioning as a deliberative and legislative body.

The Board considers the following conditions crucial to self-evaluation that has as its primary purpose to improve the effective operation of the School Board.

- a) Board members should be involved in development of the standards by which they will evaluate themselves.
- b) Self-evaluation should be at a scheduled time and place, with no other items on the agenda, or at a planning or executive session with all Board members present.
- c) The self-evaluation should be a composite of the individual Board members' opinions, and the Board as a whole should meet to discuss the results.
- d) The self-evaluation should include a discussion of strengths as well as weaknesses.
- e) The Board should not limit itself to those items that appear on a self-evaluation form. No form or set of guidelines could encompass the totality of a school Board's responsibilities.
- f) Each judgment should be supported by as much rational and objective evidence as possible.

When the Board has received the composite self-evaluation profile, the Board members will discuss the results in detail and formulate a series of objectives for the ensuing year. These objectives will be stated in the form of behavioral change or productivity gains. This approach assumes that both the Board as a whole and the individual Board members are concerned with improvement and that chances for improvement are enhanced if self-evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

The Board in cooperation with the administration will maintain a plan for Training and Board Development.

Community Relations

**South Huntington Union Free School District**

**COMMUNITY RELATIONS**

**(Section 3000)**

**NUMBER**

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Community Relations

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**(Section 3000)**

**NUMBER**

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## Community Relations

**SUBJECT: SCHOOL SPONSORED MEDIA**

Official School District notices are prepared for distribution by the School District administration. Such notices, whether to parents, students, staff or school/community groups, will be prepared on South Huntington School District official stationery and distributed through building administration or District mailings.

Approval for all non-school notices (scouts, soccer, etc.) must be obtained from the Superintendent prior to distribution. Should building administrators have questions with regard to the content and/or authenticity of a particular notice, such question should be referred to the Superintendent's office before distribution.

## Community Relations

**SUBJECT: BOARD STATEMENTS**

The Board believes that one of its major responsibilities is to keep the public informed of its agendas, deliberations, policies, and actions. Therefore, the Board encourages media representatives attendance at all public Board meetings. In addition, the Board, through its authorized channels, provides timely public information as follows:

- a) The Board president is authorized to serve as public spokesperson for the Board. In the absence of the president, the vice president will serve as the Board spokesperson. The president may also designate the Superintendent to serve as Board spokesperson.
- b) Statements issued in the name of the Board must represent the expressed intent or opinion of the Board.
- c) In order that the Board may transact its business with dispatch, while meetings are in progress, questions from the media will be entertained during the public participation period.
- d) When individual Board members receive requests from news media or other public agencies for information about Board meetings, members will refer the information-seekers to the Superintendent or the Board president who will be the Board spokespersons, except as they specifically delegate this responsibility to others.
- e) The intent of this policy is to provide accurate reports of Board business to the public. This policy does not prohibit individual Board members from expressing individual views. However, all Board members must make it clearly understood in all written and oral communications that they are expressing their own opinion and not speaking for the Board.

In the event that representatives of the news media are unable to attend a meeting, they will be provided, on request, with a summary of important Board actions.

Adopted: 6/16/99

## Community Relations

**SUBJECT: PUBLIC RELATIONS PROGRAM****Communication With the Public**

It will be the policy of the Board to place a high priority on maintaining a continuing information program for compiling and distributing news of events, noteworthy facts, statistics, plans and forecasts necessary for the education of an interested and informed public.

**Release of Information**

In keeping with the policy to maintain a continuous program for informing the public about the District, the Board encourages the release of information through the following procedures:

- a) Information regarding the Board itself will be issued only by the president of the Board, the Superintendent of Schools or designated spokespersons.
- b) Information about school and PTA activities, student performances, athletic events, instructional or social programs conducted at individual schools will be released through the office of the principal or through the office of public information.
- c) Information about the District as a whole will be released by the public information office. Such communications covered in this policy include, but are not limited to:
  - 1. Newsletters
  - 2. Special reports
  - 3. Informational calendars and handbooks
  - 4. Notices
  - 5. Fairs
  - 6. Exhibits
  - 7. Performances
  - 8. Displays
  - 9. School newspapers and bulletins
- d) Representatives of the media who are developing material for release must have the prior written approval of the Superintendent, or his/her designee, in order to be allowed in the school building or on school grounds. The specific purpose and nature of the visit must be stated at the time of the request. If individual students are to be interviewed, consent of the parent, guardian or principal will be obtained prior to the interview. This does not apply to media coverage of public events such as Board meetings, athletic meets and student performances or to District programs receiving media coverage at the invitation of the School District.

## Community Relations

**SUBJECT: RELATIONS WITH THE MUNICIPAL GOVERNMENTS**

It is the policy of the Board to establish and maintain a positive working relationship with the governing bodies of the municipality. The Board shall also cooperate with municipal, county and state agencies whose work affects the welfare of the children of the District, including the County Social Service Department, the Board of Health, the Recreation Department, the Public Library, and all community emergency service agencies.

Adopted: 6/16/99

## Community Relations

**SUBJECT: SENIOR CITIZENS**

The Board of Education encourages school related programs for the elderly. Such programs include special use of school buses, school lunches and partial tax exemptions.

Education Law Sections 1502 and 1709(22)  
Real Property Tax Law Section 467

Adopted: 6/16/99

## Community Relations

**SUBJECT: FLAG DISPLAY**

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

When ordered by the President, Governor, or local official, to commemorate a tragic event or the death of an outstanding individual, the flag shall be flown at half-staff. The Superintendent's approval shall be required for the flag to be flown at half-staff upon any other occasion. Regulations for seeking such approval shall be established in the Administrative Manual of the District.

**Use of Flagstaffs**

The flag of the United States of America shall be the sole emblem flown from the flagstaffs on all properties of the South Huntington public schools. Upon authorization of the Superintendent's office, additional emblems may be flown on a temporary basis if such emblems are authorized for public display by the Board of Education.

Education Law Sections 418 and 419  
Executive Law Section 402 and 403

Adopted: 6/16/99

## Community Relations

**SUBJECT: SCHOOL VOLUNTEERS**

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

- a) Assist employees in providing more individualization and enrichment of instruction;
- b) Build an understanding of school programs among interested citizens, thus stimulating widespread involvement in a total educational process;
- c) Strengthen school/community relations through positive participation.

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

An application shall be filled out by each volunteer and forwarded to the Associate Superintendent for Personnel and District Service for evaluation. All persons performing volunteer services shall be screened and interviewed by one or more members of the regular school staff. A volunteer may or may not be added to the District list pending approval from the Superintendent of Schools.

The Board of Education directs the Superintendent/designee to develop regulations to implement this policy.

Education Law Sections 3023 and 3028

Adopted: 6/16/99

## Community Relations

**SUBJECT: BOARD-STAFF COMMUNICATIONS**

The Board wishes to maintain open channels of communication between itself and the staff. The basic line of communication will be through the Superintendent.

**Board Communications to Staff**

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep the staff fully informed of the Board's problems, concerns and actions.

**Visits to Schools**

Board members recognize that their presence in the schools could be subject to a variety of interpretations by school employees. Therefore, an individual Board member, interested in visiting schools or classrooms in his/her role as a Board member, will inform the Superintendent of such visits and make arrangements for visitations through the principals of the various schools. The Board member will indicate to the principal the reason(s) for the visit if other than general interest. Such visits will be regarded as informal expressions of interest in school affairs rather than official visits by Board members, which will be carried on only under Board authorization. Each year the Board, as a whole, conducts regular official visits to each school.



## Community Relations

**SUBJECT: BOARD-COMMUNITY COMMUNICATIONS**

The community is encouraged to bring to the Board its ideas, thoughts and concerns for consideration in the Board's future planning of the School District.

All avenues of communication available will be considered.

Adopted: 6/16/99

## Community Relations

**SUBJECT: BOARD-STUDENT COMMUNICATIONS**

Students, in keeping with their level of maturity, should be encouraged to take a role in communicating their concerns regarding school procedures and regulations that affect them. Their communications regarding learning procedures, school classroom rules, and student activities will be considered part of the educational process. Appropriate channels of student communication will be provided through the building administration.

As appropriate to the age of students, class or school organizations, including student councils, may be formed to offer practice in self-government and to provide opportunities for the expression of student opinions.

Students will be welcomed at Board meetings and granted privileges of speaking in line with those extended the general public. At the request of the Board, administration or students (appropriately channeled through their administration), student leaders or student groups may be invited to Board meetings to discuss their activities.

The Board will also regularly invite students to attend Board meetings in recognition of outstanding individual and group achievements.

## Community Relations

**SUBJECT: RECOGNITION FOR ACCOMPLISHMENT**

It is the Board's intent to give appropriate recognition on behalf of the School District for outstanding accomplishments by students, staff members, citizens or Board members.

The Board will consider, as appropriate, the presentation of a citation expressing its gratitude and that of the people of the community to those so recognized who have rendered unique or outstanding service and who have earned the high regard of the School District and the community.

This recognition will take place as part of a regular business meeting and will be so reflected in the Board minutes.

## Community Relations

**SUBJECT: VISITORS TO THE SCHOOL**

The Board will encourage parents and other residents of the District to visit the schools in the belief that there is no better way for the public to learn what the schools are actually doing.

The Superintendent will establish procedures that will:

- a) Provide for appropriate opportunities for visitors to observe the instructional program.
- b) Ensure that such visits will not hinder the educational program.
- c) Encourage visits to the school while maintaining student safety.

In order to assure that no unauthorized persons enter buildings, all visitors to schools will report to the school office when entering, receiving authorization before visiting elsewhere in the building. This does not apply to visitors who have been invited to an assembly program.

Unauthorized persons will not be permitted in school buildings or on school grounds. School principals are authorized to take appropriate action to prevent such individuals from entering buildings and from loitering on grounds. The individuals will be prosecuted to the full extent of the law.

Education Law Section 2801  
Penal Law Sections 140.10 and 240.35

Adopted: 6/16/99

## Community Relations

**SUBJECT: PUBLIC PARTICIPATION AT BOARD MEETINGS**

The Board recognizes its responsibility to conduct its business in an orderly and efficient manner, while at the same time being accessible and responsive to the school community. Toward this end, residents are invited and encouraged to attend all public meetings of the Board of Education.

The right to make formal or informal presentations is restricted to District residents and employees. The Board may, however, permit appropriate representative parties to participate.

Adopted: 6/16/99

## Community Relations

**SUBJECT: COMMUNICATIONS FROM THE PUBLIC**

The Board of Education recognizes its obligations to respond to personal or personnel questions and concerns arising from community residents regarding the education of their children.

To facilitate this process, the communication should first proceed from the resident/parent to the classroom teacher. If the question or concern cannot be resolved at that level, the process should continue from the classroom teacher to the department chairperson (secondary only), assistant principal or principal.

If a question or concern is building-wide in scope, the communication should be first directed to the principal, then to the Assistant Superintendent, Superintendent and, ultimately, to the Board of Education,

Every effort should be made to satisfy the petitioner at the earliest possible stage. Matters not resolved at the point of origin must be submitted in writing before receiving further consideration.

Whenever an appeal is made directly to a Board member as an individual, it should be referred to the Superintendent who will request a statement from the petitioner as a basis for study and possible solutions.

Individuals so involved shall be given every opportunity for explanation, comment and presentation of the facts as they see them.

At each regular business meeting, residents, have opportunities to address the Board at three points on the agenda: Communications, Guests and Delegations, and Voice of the Residents.

However, in both personal and personnel matters, the Board must maintain confidentiality and, accordingly, limits its public discussion of these matters.

Adopted: 6/16/99

## Community Relations

**SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES**

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

**Complaints and Grievances Coordinator**

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA). The Superintendent shall designate a District employee as the Title IX/Section 504/ADA Coordinator and shall implement regulations and procedures to resolve complaints of discrimination based on sex or disability.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, age, veteran or marital status.

Title VII of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.)  
Section 2000-e, et seq. - Prohibits  
discrimination on the basis of race,  
color, religion, sex or national origin.

Title VI of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.)  
Section 2000-d, et seq. - Prohibits  
discrimination on the basis of race, color  
or national origin.

(Continued)



## Community Relations

**SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES (Cont'd.)**

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (U.S.C.) Section 794 et seq.; The Americans With Disabilities Act, 42 United States Code (U.S.C.) Section 12101 et seq. - Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972, 20 United States Code (U.S.C.) Section 1681 et seq. - Prohibits discrimination on the basis of sex.

New York State Executive Law Section 290 et seq. - Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, disability or marital status.

Age Discrimination in Employment Act, 29 United States Code (U.S.C.) Section 621.

Military Law Sections 242 and 243

## Community Relations

**SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS**

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b) Developing an appeals process;
- c) Ensuring that students have full understanding and access to these regulations and procedure; and
- d) Providing prompt consideration and determination of student complaints and grievances.

**Complaints and Grievances Coordinator**

In addition, students and parents/guardians will receive annual notification of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. This notice shall include the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, age or marital status.

Title VII of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.)  
Section 2000-e, et seq. - Prohibits  
discrimination on the basis of race,  
color, religion, sex or national origin.

Title VI of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.)  
Section 2000-d, et seq. - Prohibits  
discrimination on the basis of race, color  
or national origin.

(Continued)

## Community Relations

**SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS (Cont'd.)**

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (U.S.C.) Section 794 et seq.; The Americans With Disabilities Act, 42 United States Code (U.S.C.) Section 12101 et seq. - Prohibits discrimination on the basis of disability.

Title IX of the Education Amendments of 1972, 20 United States Code (U.S.C.) Section 1681 et seq. - Prohibits discrimination on the basis of sex.

New York State Executive Law Section 290 et seq. - Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, disability or marital status.

Age Discrimination in Employment Act, 29 United States Code Section 621.

## Community Relations

**SUBJECT: STUDENT PARTICIPATION**

Students provide an important channel of communication with parents and the entire community. Information concerning the schools may be properly disseminated through students. The School District's administrators shall review all messages and materials prior to authorizing their distribution through the student body.

## Community Relations

**SUBJECT: PARENT-TEACHER ASSOCIATION**

The Board of Education recognizes that the goal of the Parent-Teacher Association is to develop a united effort between educators and the general public to secure for every child the highest achievement in physical, academic and social education. Therefore, staff members and parents are encouraged to join the Parent-Teacher Association and to participate actively in its programs.

Adopted: 6/16/99

## Community Relations

**SUBJECT: BOOSTER CLUBS**

Booster clubs or other related organizations may be created to promote community support and to raise funds for specific school activities or programs. These groups must receive official Board approval and may not discriminate on the basis of sex, color, national origin, ethnic background, disability, religion or any other arbitrary criteria.

The Board of Education directs the Superintendent or his/her designee to establish rules and regulations governing the activities of booster clubs and other related organizations. The Board further requires that:

- a) Financial records be maintained and made available, upon request, for Board and/or public inspection;
- b) Fund raising activities be approved in advance by the Superintendent; and
- c) Groups wishing to make a contribution adhere to the District's policy and regulations regarding the acceptance of gifts.

Violations to District policy or regulations may result in the dissolution of the club or organization.

## Community Relations

**SUBJECT: SOLICITATION OF CHARITABLE DONATIONS**

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

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

- a) Fund raising activities which take place off school premises, or outside of regular school hours during before-school or after-school extracurricular periods;
- b) Arms-length transactions, where the purchaser receives a consideration for his/her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity, shall not be prohibited as the purchaser will receive consideration - the concert or social event - for the funds expended;
- c) Indirect forms of charitable solicitation on school premises that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money. However, collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.

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

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

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

Adopted: 6/16/99

## Community Relations

**SUBJECT: ADVERTISING IN THE SCHOOLS**

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

- a) Schools may cooperate in furthering the work of any non-profit, community-wide, social service agency, provided that such cooperation does not restrict or impair the educational program of the schools or conflict with Section 19.6 of the Rules of the Board of Regents;
- b) The schools may use films or other educational materials bearing only simple mention of the producing firm;
- c) The Superintendent of Schools may, at his/her discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit;
- d) The schools may, upon approval of the Superintendent of Schools, cooperate with any agency in promoting activities in the general public interest that are non-partisan and non-controversial, and that promote the education and other best interests of the students.

No materials of a commercial nature shall be distributed through the children in attendance in the South Huntington Union Free Schools except where authorized by law or the Commissioner's Regulations or the Superintendent.

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

Adopted: 6/16/99



## Community Relations

**SUBJECT: SOLICITING FUNDS FROM SCHOOL PERSONNEL**

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

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

**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES**

The use of buildings, grounds, and facilities of the South Huntington School District as community centers, for legitimate and appropriate activities by residents of the community, is encouraged by the Board of Education. An organization whose membership is comprised of 65% of South Huntington residents may apply to use district facilities. Such use shall be subject to appropriate sections of New York State Education Law, decisions by the New York State Commissioner of Education, and regulations of the Board of Education. Priority for the use of these facilities shall always be given to the various aspects of the educational program for which they were primarily provided, including activities relating to the regular school program, intramural and other extracurricular activities, adult education, summer school, and in-service education programs. Further, the Board of Education encourages the joint development of recreational facilities with municipal governmental agencies.

**Permitted Uses**

District facilities may be used for the purposes listed below, subject to the conditions and restrictions set forth in this policy.

- A. Instruction in any branch of education, learning or the arts.
- B. Public library purposes, subject to provisions of the Education Law, or as stations of public libraries.
- C. Social, civic and recreational meetings and entertainments, or other uses pertaining to the welfare of the community as long as such uses are non-exclusive and open to the general public.
- D. Meetings, entertainment and occasions where admission fees are charged, when the proceeds are to be spent for an educational or charitable purpose.
- E. Polling places for holding primaries and elections, for the registration of voters and for holding political meetings.
- F. Civic forums and community centers.
- G. Recreation, physical training and athletics, including competitive athletic contests of children attending a private, nonprofit school.

**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES**

- H. Graduation exercises held by not-for-profit elementary and secondary schools, provided that no religious service is performed.

**Prohibited Uses**

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

- A. Meetings sponsored by political organizations unless authorized by a vote of a district meeting, held as provided by law. It shall be the duty of the Board of Education to call a special meeting for such purpose upon the petition of at least ten per centum of the qualified electors of the district.  
(Education Law §414(1)(e)).

**Conditions of Use for District Facilities**

- A. Use of district facilities may be permitted unless such facilities are in use for school purposes, or during educational programs. The district reserves exclusive and non-reviewable judgment to determine if a requested use would interfere with or disturb the district's educational programs.
- B. To ensure the district facilities are preserved for the benefit of the greater district community, only community-based groups and organizations (that is, groups which are located within the geographic area covered by the district) may be granted access to district facilities. Sixty-five percent (65%) of the participants must be South Huntington residents.
- C. Use of district facilities by the Boy Scouts or other patriotic youth groups listed as a patriotic society in Title 36 of the U.S. Code will be permitted to the same extent as other outside groups.

The district shall not deny access to or otherwise discriminate against youth groups based solely on the group's membership or leadership criteria or oath of allegiance to God and country.

- D. United States military recruiters will be provided the same access to high school students on school grounds that are generally provided to colleges and universities or prospective employers.

Community Relations

**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES**

- E. Use of district facilities will be permitted only where the applicant agrees to pay the district a user fee according to a schedule adopted by the district to cover the costs of heat, electricity, maintenance, custodial services, and any other expenses associated with the requested use. Use is further conditioned upon the applicant's agreement to pay additional fees associated with the use of any additional services or equipment. The district retains the right to condition use upon an applicant depositing with the district a sum equaling the estimated costs and fees associated with the proposed use 10 days in advance of the requested use. The district retains the further right to waive user fees for groups that are associated with or sponsored by the district.
- F. Where, in the judgment of the district, the requested use of district facilities requires special equipment or supervision, the district reserves the right to deny such use, or in the alternative, to condition such use upon the applicant's payment of additional fees in accordance with paragraph E above. Only authorized personnel shall operate district equipment.
- G. Use of district facilities will only be permitted where the organization provides the district timely evidence of adequate insurance coverage (\$1,000,000 minimum) to save the district harmless from all liability, property damage, personal injuries and/or medical expenses and name the district as additional insured. The district will exercise complete and non-reviewable discretion regarding what constitutes adequate insurance coverage for each proposed use. The Board reserves the discretion to deny use of district facilities described above, or to terminate use of district facilities:
  - 1. by an applicant who has previously misused or abused district facilities or property or who has violated this policy;
  - 2. for use which could have the effect of violating the Establishment Clause of the United States or New York State Constitution;
  - 3. for any use which, in the estimation of the Board, could reasonably be expected to or actually does give rise to a riot or public disturbance;
  - 4. for any use which the Board deems inconsistent with this policy;
  - 5. for any use by a private for-profit entity that has the direct or indirect effect of promoting the products or services of such entity;
  - 6. in any instance where alcoholic beverages or unlawful drugs are sold, distributed, consumed, promoted or possessed;
  - 7. for any use prohibited by law.
- H. Food will not be stored, refrigerated or heated in the school cafeteria facilities.

Relations

**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES**

**Application Procedure**

- A. All requests for the use of facilities by any outside organization wishing to use the buildings or facilities are to be initiated through the building principal concerned, who will file all requests with the Business Office so as to ascertain the availability of buildings or facilities. An application fee of \$10 must be attached to each application.
- B. The timeframes listed below will not pertain to PTAs or PTAs affiliated with district schools. For single events, applications will be accepted no earlier than 60 days and no later than 15 days prior to the event. For a series of events, applications will be accepted no earlier than 60 days and not later than 15 days prior to the first event in the series. Applications for a series of events will only be accepted for events that are similar in nature. Separate applications must be submitted for events that occur in each of the following periods:

	<u>Last Acceptance Date</u>
Fall/Winter Field Use:	June 1
Fall/Winter Gym Use:	August 1
Spring/Summer Field/Gym Use:	January 1

Only completed applications will be accepted. A complete application includes a fully-executed South Huntington Application to Rent or Use School Buildings and Grounds, and a signed statement of understanding and proof of insurance and a \$10 application fee. All applicable fees must be received no later than one week prior to the first event on the application.

- C. Building use may not commence until approval is given by the Superintendent of Schools or his/her designee.
- D. The applicant must clearly and completely describe the intended use of the district facility in the application.

- E. All applicants must review this policy prior to submitting the application. All applications must be signed by an authorized agent of the group or organization requesting use. The applicant's signature on the application shall attest to the group or organization's intent to comply with all board policies and regulations and to use district facilities strictly in accordance with the use described in the application.

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Community

Relations

**SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES**

- F. All applicants must agree to assume responsibility for all damages resulting from its use of district facilities. Proof of adequate insurance must be provided by the applicant at least 30 days before the date of the requested use.
- G. Permits shall be valid only for the facility, use, dates and time specified in the permit. No adjustment to the permit is allowed except with the prior written approval of the Superintendent or his/her designee. Permits shall not be transferable.
- H. The Superintendent or his/her designee is authorized to alter or cancel any permit if it becomes necessary to use the facility for school purposes or for other justifiable reason.
- I. With regard to scheduling activities, the district retains the right to give preference to groups and organizations which are associated with or sponsored by the district.

Such application shall be made on approved forms obtainable from each school and shall be submitted at such an early date to the Business Office to allow proper processing.

**Fees**

The sponsors of the activity for which permission is granted shall pay all fees and charges to the district in accordance with a schedule established by the Board of Education. Fees must be received by the Business Office no later than one week prior to the event or first event in a series. The fee structure will be based upon the relationship of the organization

to the South Huntington School District, the community at large and the nature of the organization. This schedule shall be based upon the expenses incurred by the district in making the buildings and personnel available.

The fee schedule will be established by the Board of Education and shall be based on current compensation rates for personnel required at the function as preparing for or following up same. This fee structure shall be reviewed from time to time, but at a minimum each July by the Business Office who will make appropriate recommendations to the Superintendent of Schools.

Education Law §414

Adopted: 6/16/99

Amended: 2/24/2010

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Community

Relations

## **SUBJECT: USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT**

### Use of Equipment

Use of school-owned, movable equipment is prohibited. This prohibition is extended to musical instruments, business equipment, audiovisual equipment, athletic equipment, as well as school buses and other district-owned vehicles.

### Liability

Because it's in the public interest for the Board of Education to protect the school district against substantial financial loss, liability insurance will be required for individuals or groups who use school facilities or school district sites. Individuals and organizations shall attach a certificate of insurance to the application requesting the use of a school district-owned facility or an outdoor site. The face amount of the insurance certificate will be equal to \$1,000,000 or higher if required by the school district when the application is made.

Exemptions from this policy are Board of Education authorized for school district-sponsored events or for events sponsored by school-related organizations such as student groups and parent organizations. A further modification of this policy is authorized to be

made by the Superintendent of Schools for certain community organizations such as civic associations or incorporated groups. In these instances, the Superintendent of Schools may waive the liability insurance. No exemption, however, will be granted to any organization which intends to use school facilities for recreational, athletic, physical fitness, or similar activities. Organizations whose meetings are of a nature which require the participants to be sedentary are those to be considered for a waiver of liability insurance. Should such an organization wish to depart from its usual business meeting activity to sponsor a recreational, athletic, or physical fitness activity, the minimum insurance will be required and written evidence of same must be filed, in advance, pursuant to the established building use application procedure.

#### Exceptions

Exceptions to any aspect of this policy will be made only upon application to the Assistant Superintendent for Business and subsequent approval by the Board of Education.

Education Law §414

Adopted: 6/16/99

Amended: 2/24/2010



## Community Relations

**SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY**

The use of motor-driven vehicles, including cars, snowmobiles, mini-bikes, mopeds, motorcycles, all-terrain vehicles (ATV's) and other such vehicles is prohibited on any school grounds or areas except for authorized school functions or purposes. Any unauthorized person found using a motor-driven vehicle on school property will be reported directly to the Security Office or Suffolk County Police.

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

Middle School students may not bring private vehicles to school.

Vehicle and Traffic Law Section 1670

Adopted: 6/16/99

## Community Relations

**SUBJECT: PUBLIC ACCESS TO RECORDS**

Access to records of the District shall be consistent with the rules and regulations established by the State Committee on Open Government and shall comply with all the requirements of the New York State Public Officers Law Section 84 et seq.

Regulations and procedures pertaining to accessing District records shall be as indicated in the South Huntington Administrator's Manual.

The Records Access Officer shall be the District Clerk.

Education Law Section 2116  
Public Officers Law Section 84 et seq.

Adopted: 6/16/99

## Community Relations

**SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION**

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data while still conforming to the New York State Freedom of Information Law. The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data shall be limited only to authorized personnel of the School District.

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

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

Public Officers Law Sections 84 et seq.

Adopted: 6/16/99

## Community Relations

**SUBJECT: MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY**

The South Huntington Union Free School District Board of Education shall approve and/or adopt the appropriate rules and regulations for maintenance of public order on school property and shall file with the Regents and the Commissioner of Education such rules and regulations, and any amendments thereto, to the extent required by the law. Administration shall publish a copy of these rules and regulations.

Education Law Section 2801

Adopted: 6/16/99

## Community Relations

**SUBJECT: UNLAWFUL POSSESSION OF A WEAPON UPON SCHOOL GROUNDS**

The possession of a weapon on school property is strictly prohibited, except by law enforcement personnel. Any person possessing a weapon for educational purposes in any school building must have written authorization of the Superintendent of Schools or his/her designee.

It shall be unlawful for any person to knowingly possess any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge upon school grounds or in any District building without the express written authorization of the Superintendent or his/her designee.

Unlawful possession of a weapon upon school grounds may be a violation of the New York State Penal Law, and is a violation of School District policy and the Student Discipline Code of Conduct.

Penal Law Sections 265.05 and 265.06

NOTE: Refer also to Policies #7360 -- Gun-Free Schools.

Adopted: 6/16/99

## Community Relations

**SUBJECT: STATEWIDE UNIFORM VIOLENT INCIDENT REPORTING SYSTEM  
(UVIRS)**

In compliance with the Uniform Violent Incident Reporting System, the District will record each violent or disruptive incident that occurs on school property or at a school function. On or before September 30 of each year (commencing 2002), the District will submit an annual report of violent or disruptive incidents to the Commissioner in the manner prescribed.

The District will establish local procedures for the reporting of violent or disruptive incidents by each building and/or program under its jurisdiction. Copies of such incident reports will be retained for the time prescribed by the Commissioner in the applicable records retention schedule. These reports will be available for inspection by the State Education Department upon request.

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

Beginning with the 2002-2003 school year, the District will include a summary of the District's annual violent or disruptive incident report in its School District Report Card in the format prescribed by the Commissioner.

Education Law Section 2802  
8 New York Code of Rules and  
Regulations (NYCRR) Section 100.2  
(gg)

## Community Relations

**SUBJECT: EMERGENCY CLOSINGS**

When hazardous weather conditions or other emergencies threaten the health or safety of students and staff, the Superintendent may:

- a) Close the District's schools;
- b) Delay the opening; or
- c) Dismiss early.

While it may be necessary to implement one of the above options, the Superintendent also has the responsibility of seeing that appropriate administrative, supervisory and operational activities are continued to the extent possible. In this regard, if conditions affect only a single school, only that school shall be closed.

The following principle health and safety factors will be considered regarding school closings:

- a) Weather conditions, both existing and predicted.
- b) Driving, traffic and parking conditions affecting student/staff transportation safety.
- c) Actual or imminent emergency conditions.

Community and staff will be informed of the procedures to be used for notification of emergency situations.

1999 4000

Administration

**South Huntington Union Free School District**

**ADMINISTRATION**

**(Section 4000)**

**NUMBER**

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## Administration

**SUBJECT: ADMINISTRATIVE PERSONNEL**

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

These employees shall meet all certification and/or Civil Service requirements as outlined in New York State Civil Service Law, and the Rules and Regulations promulgated by the Commissioner of Education of New York State. The administrative and supervisory staff must be eligible to meet these requirements at the time of employment.

8 New York Code of Rules and Regulations  
(NYCRR) Section 80.4  
Education Law Section 1709

Adopted: 6/16/99

**SUBJECT: LINE RESPONSIBILITY AND ORGANIZATIONAL CHART**

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

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

(Continued)

## Administration

**SUBJECT: ADMINISTRATIVE AUTHORITY DURING ABSENCE OF THE  
SUPERINTENDENT OF SCHOOLS**

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

## Administration

**SUBJECT: USE OF COMMITTEES**

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

Adopted: 6/16/99

## Administration

**SUBJECT: EVALUATION OF THE SUPERINTENDENT AND OTHER  
ADMINISTRATIVE STAFF****Superintendent**

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

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

**Purpose**

Through evaluation of the Superintendent, the Board of Education will strive to accomplish the following:

- a) Clarify for the Superintendent his/her role in the school system as determined by the Board.
- b) Clarify for all Board members the role of the Superintendent as outlined in the job description and as determined by the District's goals established by the Board of Education.
- c) Develop harmonious working relationship between the Board and the Superintendent.
- d) Promote the professional improvement and growth of the Superintendent.

**Evaluation of Administrative Staff**

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

The purposes of this evaluation are:

- a) To determine the adequacy of administrative staffing;
- b) To improve administrative effectiveness;
- c) To encourage and promote self-evaluation by administrative personnel;
- d) To provide a basis for evaluative judgments by the Superintendent and the Board;
- e) To make decisions about continued employment with the District.

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

Adopted: 6/16/99

## Administration

**SUBJECT: SUPERINTENDENT OF SCHOOLS****Basic Function**

As chief executive officer of the Board of Education the Superintendent is responsible for the effective operation of the School District and the educational system; for the general administration of all educational programs, projects, and services; for the general administration of all business operations, or other affairs of the School District; and for advising and making recommendations to the Board of Education with respect to these activities.

**Principal Activities**

Consistent with legal requirements and with high professional standards, and within the limits of policies adopted by the Board of Education, the Superintendent is responsible for and has commensurate authority to accomplish the duties set forth below. The Superintendent may delegate portions of his/her responsibilities, consistent with sound operations and authorized policies and procedures, together with proportionate authority for their fulfillment, but may not delegate or relinquish any portion of his/her accountability for results.

- a) Sees that the Board of Education is kept fully informed on the conditions of the District's educational system; prepares the agenda for meetings of the Board in conjunction with Board Officers.
- b) Develops and recommends to the Board of Education the overall goals of the educational system; sees to the development of internal objectives which support the Board of Education's goals.
- c) Develops and recommends to the Board of Education long-range plans consistent with population trends, educational needs and appropriate use of District facilities, and sees to the development of long-range plans which are consistent with established goals.
- d) Sees to the development of specific policies, procedures and programs to implement the intentions established by the Board of Education.
- e) Sees to the execution of all decisions of the Board of Education.
- f) Sees that sound plans of organization, educational programs and services are developed and maintained for the Board of Education.
- g) Authorizes entry into or departure from specific programs, projects and services, or the transfer of internal activities or functions.

(Continued)

## Administration

**SUBJECT: SUPERINTENDENT OF SCHOOLS (Cont'd.)**

- h) Provides for the optimum use of the staff of the District. Sees that the District is staffed with competent people who are delegated authority commensurate with their responsibilities; and that appropriate inservice training is conducted.
- i) Subject to action by the Board of Education, authorizes the appointment, promotion, retirement or release of all personnel of the District.
- j) Sees to the development throughout the District of high standards of performance in educational achievement, use and development of personnel, public responsibility and operating efficiency.
- k) Sees that effective relations with employee organizations are maintained.
- l) Sees that the development, authorization and maintenance of an appropriate budgetary procedure is properly administered, and its use is extended throughout the organization, and that the annual proposed budget is prepared and submitted to the Board of Education.
- m) Sees that all funds, physical assets and other property of the District are appropriately safeguarded and administered.

**Superintendent**

The Superintendent observes and conducts the following relationships:

- a) Board of Education
  - 1. As the chief executive officer he/she is accountable solely to the Board of Education for the administration of the educational system and for the proper interpretation and fulfillment of his/her functions, responsibilities, authority, relationships, and:
  - 2. Attends all meetings of the Board of Education.
  - 3. Represents the District as the chief executive officer in dealings with other school systems, professional organizations, social institutions, business firms, agencies of government and the general public.
  - 4. Reports directly to the Board of Education and, as required, to all appropriate agencies of government.
  - 5. Acts as reference agent for problems brought to the Board of Education.

(Continued)

## Administration

**SUBJECT: SUPERINTENDENT OF SCHOOLS (Cont'd.)**

## b) Central Office Staff

1. Directs the operations and activities of these administrators; sees that they effectively guide and coordinate the operations and activities of the educational system; secures their assistance in formulating the internal objectives, plans and programs; and stands ready at all times to render them advice and support.
2. Directly oversees the work of the members of his/her cabinet.

## c) School Principals

1. Supervises the school principals and is directly responsible for their evaluations.

## d) Other

1. Works with other School District employees and advisors, including the auditor, architect, attorney and consultants.

Education Law Sections 1711 and 3003  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2(m)



## Administration

**SUBJECT: SUPERINTENDENT - BOARD OF EDUCATION RELATIONS**

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

- a) With respect to School District goals and objectives, the Board will establish broad guidelines to be observed in the development of further policy and action. The Board reserves the right to issue either restrictive or general policy statements.
- b) Generally, the Superintendent will be empowered to assign and use resources; employ, promote, discipline and deploy staff; to translate policies of the Board into action; to speak as agent of the Board; to organize and delegate administrative responsibilities; and to exercise such other powers as are customary for chief executives.
- c) The Superintendent may not perform, cause, or allow to be performed any act that is unlawful, in violation of commonly accepted business and professional ethics; in violation of any contract into which the Board has entered; or, in violation of policies adopted by the Board that limit the Superintendent's authority.
- d) Should the Superintendent or his/her designee consider it unwise or impractical to comply with an explicit Board policy, the Superintendent will inform the Board of that determination. The Board will decide whether such judgment was warranted.
- e) When law or other authority calls for Board approval of decisions that the Board has delegated to the Superintendent, Board approval will be routinely given if those decisions have been made within the limits of Board policies.

Education Law Section 1711

Adopted: 6/16/99

## Administration

**SUBJECT: ADMINISTRATIVE STAFF****Assistant Superintendents**

The Assistant Superintendents shall be responsible for those tasks indicated in their respective job descriptions and shall report directly to the Superintendent of Schools.

**Business Manager**

The Business Manager shall be responsible for all phases of the District's business activity as set forth in Section 5000 of the Policy Manual and shall report directly to the Superintendent.

**Building Principals**

The building principals are the educational executives of the school centers. They have the responsibility for executing Board of Education policies in the schools. They are directly responsible to the Assistant Superintendents and Superintendent of Schools.

**Assistant Principals**

The assistant principal is responsible for all duties assigned to him/her by the building principal and shall report directly to the principal.

**Subject Coordinators**

Coordinators are staff officers who shall have various ranges of responsibilities as indicated by their respective titles and job descriptions.

8 New York Code of Rules and Regulations  
(NYCRR) Section 80.4

## Administration

**SUBJECT: PROFESSIONAL DEVELOPMENT OPPORTUNITIES**

The Board of Education shall encourage administrators to keep themselves informed of current educational theory and practice by study, by visiting other school systems, by attendance at educational conferences, and by such other means as are appropriate.

The approval of the Superintendent shall be required for any conference attendance or visitations requested by administrators.

Participation shall be limited by available resources and reimbursement guidelines.

General Municipal Law Section 77-b

Adopted: 6/16/99

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Administration

**SUBJECT: COMPENSATION AND RELATED BENEFITS**

The salaries and related benefits of administrators not covered by collective bargaining units shall be set annually by the Board of Education upon the recommendation of the Superintendent.

Adopted: 6/16/99

Non-Instructional/Business  
Operations

**South Huntington Union Free School District**

**NON-INSTRUCTIONAL/BUSINESS OPERATIONS  
(Section 5000)**

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Non-Instructional  
Business Operations

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**SUBJECT: BUDGET PLANNING AND DEVELOPMENT**

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

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

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

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

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

The budget will be presented in three components which are to be voted upon as one proposition:

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

(Continued)



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

- b) A capital component which shall include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the School District, including facilities leases expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and
- c) An administrative component which shall include, but need not be limited to, office and central administrative expenses, traveling expenses and salaries and benefits of all certified school administrators and supervisors who spend a majority of their time performing administrative or supervisory duties, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent of Schools, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

Each component must be separately delineated in accordance with Commissioner's Regulations.

Additionally, the Board of Education shall append to the proposed budget the following documents:

- a) A detailed statement of the total compensation to be paid to the Superintendent of Schools, and any Assistant or Associate Superintendent of Schools in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified; and
- c) A School District Report Card, prepared pursuant to Commissioner's Regulations, which includes measures of the academic performance of the School District, on a school by school basis, and measures of the fiscal performance of the District.

(Continued)

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5110  
3 of 3

Non-Instructional/Business  
Operations

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

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

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

Education Law Sections 1608(3)-(6), 1716(3)-(6),  
and 2601-a(3) and (7)  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 170.8 and 170.9  
General Municipal Law Section 36  
State Education Department  
Handbook No. 3 on Budget

Adopted: 6/16/99

**SUBJECT: PROPERTY TAX REPORT CARD/SIX-DAY SCHOOL BUDGET NOTICE****Property Tax Report Card**

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

The Property Tax Report Card shall include:

- a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the School District budget for the preceding year; and
- b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and
- c) The percentage increase in the Consumer Price Index, from January first of the prior school year to January first of the current school year.

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

Education Law Sections 1608(7); 1716(7) and 2601-a(3)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.8

(Continued)

**SUBJECT: PROPERTY TAX REPORT CARD/SIX-DAY SCHOOL BUDGET NOTICE****Six-Day School Budget Notice**

The School District Clerk shall mail a School Budget Notice to all qualified voters of the School District after the date of the Budget Hearing, but no later than six (6) days prior to the Annual Meeting and Election or Special District Meeting at which a school budget will occur. The School Budget Notice shall compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School district budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

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

Education Law Section 2022(2-a)

Adopted: 4/10/02

**SUBJECT: SCHOOL DISTRICT BUDGET HEARING**

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

The budget hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

Copies of the proposed annual operating budget for the succeeding year may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election. The availability of this budget information shall be included in the legal notice of the Annual Meeting; and copies of the proposed budget will also be available to District residents at the time of the Annual Meeting. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

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

All School District budgets which are submitted for voter approval shall be presented in three components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

Additionally, the Board of Education will prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board of Education shall also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation.

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents.

**Notice of Budget Hearing/Availability of Budget Statement**

Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), and 2601-a(2)

(Continued)

1999

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2 of 2

Non-Instructional/Business  
Operations

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

**Election and Budget Vote**

Education Law Sections 1804(4), 1906(1), 2002(1),  
2017(5) and (6), 2022(1), and 2601-a(2)

**Budget Development and Attachments**

Education Law Sections 1608(3), (4), (5), and (6);  
1716(3), (4), (5), and (6); and 2601-a(3)

8 New York Code of Rules and Regulations (NYCRR)  
Sections 100.2(bb), 170.8 and 170.9

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: BUDGET ADOPTION**

The method and time of voting on the budget shall be stated in the Notice of the Annual District Election.

The budget shall be presented by the Board of Education at the budget information meeting and time shall be given for an explanation of its elements by the Superintendent and such other persons as the Board may designate.

Upon acceptance of the budget by the voters and the making of any final adjustments, it shall be entered into the books of record.

Education Law Sections 1716, 2022, 2023, and 2024

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: ADMINISTRATION OF THE BUDGET**

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

- a) He/she shall acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.
- b) Under his/her direction the District shall maintain such records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board of Education, and such other procedures as are deemed necessary and shall keep the various operational units informed through periodic reports as to the status of their individual budgets.
- c) Board approval is required prior to the expenditure of District funds. The Internal Auditor may annually be given authorization to expend regular payments of District funds in limited categories prior to Board approval.

Education Law Section 1720

Adopted: 6/16/99



**SUBJECT: DISTRICT INVESTMENTS AND REVENUES****Revenues**

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

**Scope**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

**Objectives**

The primary objectives of the local government's investment activities are, in priority order:

- a) To conform with all applicable federal, state and other legal requirements (legal);
- b) To adequately safeguard principal (safety);
- c) To provide sufficient liquidity to meet all operating requirements (liquidity);
- d) To obtain a reasonable rate of return (yield).

**Delegation of Authority**

The governing board's responsibility for administration of the investment program is delegated to the District Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**Prudence**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the South Huntington UFSD to govern effectively.

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

(Continued)

**SUBJECT: DISTRICT INVESTMENTS AND REVENUES (Cont'd.)**

All participants involved in the investment process shall refrain from personal business activity that would conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**Diversification**

It is the policy of the South Huntington UFSD to diversify its deposits and investments by financial institution, by investment, and by maturity scheduling.

**Internal Controls**

It is the policy of the South Huntington UFSD for all moneys collected by an officer or employee of the government to transfer those funds to the treasurer within one day of deposit, or within the time period specified in law, whichever is shorter.

The treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**Designations of Depositories**

The banks and trust companies authorized for the deposit of monies are those adopted by Board at Annual Organization Meeting.

The balances in these accounts will vary on a daily basis.

**Collateralizing of Deposits**

In accordance with the provisions of General Municipal Law, 10, all deposits of South Huntington UFSD, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by a pledge of "eligible securities" with an aggregate "market value" as provided by GML 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.

**Safekeeping and Collateralization**

Eligible securities used for collateralizing deposits shall be held by third party bank or trust company subject to security and custodial agreements.

(Continued)

**SUBJECT: DISTRICT INVESTMENTS AND REVENUES (Cont'd.)**

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the South Huntington UFSD or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**Permitted Investments**

As authorized by General Municipal Law, 11, the South Huntington UFSD authorizes the District Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- a) Special time deposit accounts;
- b) Certificate of deposit;
- c) Obligations of the United States of America;
- d) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- e) Obligations of the State of New York;
- f) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities of whose specific enabling legislation authorizes such investment.

(Continued)

**SUBJECT: DISTRICT INVESTMENTS AND REVENUES (Cont'd.)**

All investment obligations shall be payable or redeemable at the option of the South Huntington UFSD within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys shall be payable or redeemable at the option of the South Huntington UFSD within two years of the date of purchase.

**Authorized Financial Institutions and Dealers**

The South Huntington UFSD shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits of the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the South Huntington UFSD. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The District Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

**Purchase of Investment**

The District Treasurer is authorized to contract for the purchase of investments:

- a) Directly, including through a repurchase agreement, from an authorized trading partner.
- b) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing Board.
- c) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing Board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the South Huntington UFSD by the bank or trust company. Any obligation held in the custody of the bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law 10.

(Continued)

**SUBJECT: DISTRICT INVESTMENTS AND REVENUES (Cont'd.)**

The Custodial Agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**Repurchase Agreements**

Repurchase agreements are authorized subject to the following restrictions:

- a) All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- b) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- c) Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- d) No substitution of securities will be allowed.
- e) The custodian shall be a party other than the trading partner.

**Appendix A****Schedule of Eligible Securities**

— Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

General Municipal Law Section 39  
Education Law Sections 1604-a and 1723(a)  
Local Finance Law Section 165

Adopted: 6/16/99

Non-Instructional/Business  
Operations

**SUBJECT: ACCEPTING GIFTS**

**Board of Education**

When considering acceptance of a gift, the Board of Education shall (1) determine that it is in the best interest of the District to accept the gift as well as any conditions attached to the gift, and (2) that such acceptance is within the laws pertaining thereto.

Gifts that are offered with certain conditions will first be reviewed by the school attorney, who will review the conditions to assure their legality, or to develop an alternative plan to satisfy the conditions.

The acceptance of a gift shall be made by the Board of Education by resolution. However, the Superintendent is authorized to accept a gift that does not exceed a value of \$1,000. In this regard, the Business Office will determine the value of the gift. The Board will be promptly notified by the Superintendent of the acceptance of a gift of less than \$1,000. Should the Superintendent elect to reject a gift, the situation will be reported to the Board of Education for their information and review.

Gifts of books and /or supplementary material shall be subject to the same standards and procedures used by the District in the selection of library books and/or supplementary material.

Upon the District's acceptance of a gift, the donor shall be given written acknowledgment from the Board of Education and appropriate publication of the gift shall be made.

Gifts of money shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

**Student Gifts to Personnel**

The spirit of giving is a valuable trait to develop in young people; however, the educational values inherent become overshadowed with great frequency by the problems created. Hence, substantial gift giving and acceptance is forbidden. However, a holiday or end-of-year token that is a genuine expression of the student's desire may be accepted by the employee at his/her discretion.

**Business Contacts**

All business contacts will be informed that gifts exceeding \$75.00 to District employees will be returned or donated to charity.

Education Law Section 1709(12) and 1709(12-a)  
General Municipal Law Section 805-a(1)

Adopted: 6/16/99

1999

5230

Non-Instructional/Business  
Operations

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION**

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

Real Property Tax Law Sections 1300 - 1342  
Education Law Section 2130

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS**

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

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

Real Property Tax Law Section 467

Adopted: 6/16/99



**SUBJECT: SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY****Sale of School Property**

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

**Disposal of District Personal Property**Equipment

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

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

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or usable, the procedures for disposal shall adhere to the following order of preference:

- a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then
- b) Donation to charitable organizations; or
- c) Disposal as trash.

General Municipal Law  
Sections 51 and 800 et seq.

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: BONDING OF EMPLOYEES AND SCHOOL BOARD MEMBERS**

In accordance with New York State Education Law and the Commissioner's Regulations, the Board of Education directs that the Treasurer of the Board of Education, the tax collector and the internal auditor be bonded prior to assuming their duties. Such bonds shall be in the amounts as determined and approved by the Board of Education.

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

Education Law Sections 1709(20-a),  
1720, 2130(5), 2526, and 2527  
Public Officers Law Section 11(2)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.2(d)

Adopted: 6/16/99

1999

5320

Non-Instructional/Business  
Operations

**SUBJECT: EXPENDITURES OF SCHOOL DISTRICT FUNDS**

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

All claims shall be properly confirmed and verified before payment.

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

Education Law Section 1720

Adopted: 6/16/99

2007

5330

Non-Instructional/Business  
Operations

**SUBJECT: BUDGET TRANSFERS**

The Superintendent is authorized to transfer funds within the budget to a maximum of \$250,000 within one fund on a per transfer basis. Requests for transfers over \$250,000 must have Board of Education approval prior to the transfer.

Whenever changes are made, they are to be incorporated in the next Board agenda for information only.

8 New York Code of Rules and Regulations  
(NYCRR) Section 170.2  
Education Law Section 1718

Adopted: 6/16/99  
Amended: 6/20/07

1999

5340

Non-Instructional/Business  
Operations

**SUBJECT: BORROWING OF FUNDS**

The School District may borrow money only by means of serial bonds, bond anticipation notes, capital notes, tax anticipation notes, revenue anticipation notes and budget notes.

New York State Local Finance Law  
Section 20

Adopted: 6/16/99

Non-Instructional/Business  
Operations

**SUBJECT: USE OF CELL PHONES**

The Board of Education recognizes that certain district employees will be required to carry district-owned cell phones in order to meet their job responsibilities. Such phones should be provided only when a less costly alternative (e.g., pager, radio) is not available or is not appropriate in the circumstances.

A list of job titles requiring district-owned cell phones shall be maintained in the Business Office and reported to the Board for its approval each year at its reorganizational meeting in July. All cellular telephone contracts shall be secured through the appropriate purchasing process (e.g., competitive bid, RFP process) and shall be subject to review and approval by the Board.

Cell phones are to be used for school district business purposes only. Employees will be responsible for reimbursing the school district for all personal use of the cell phone, even if the total minutes used did not exceed the number of minutes permitted in the district's cell phone plan. Reimbursement to the district for personal calls shall be made within 30 days of written notice provided to the employee. Failure to follow these guidelines may result in revocation of the phone and discipline of the employee.

As with any district-owned equipment, employees must take proper care of cell phones and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office. Since employees are responsible for the safe return of district-owned cell phones, employees who use district-owned cell phones may be liable for damages or loss which occur during the period of its use.

District-owned cellular telephones shall be returned immediately upon the employee's termination of employment or upon request at any time during employment. Any employees who fail to comply with this provision will be billed for the actual cost of the equipment and for all charges incurred after the termination of employment or the district's request.

Employees are responsible for complying with all laws pertaining to the use of cell phones while driving. The district will not be responsible for reimbursing employees for fines pertaining to the improper use of a cell phone while driving. The district will provide each employee authorized to use a district-owned cell phone with a one-time reimbursement not to exceed \$15 for the purchase of a hands-free device. The employee must submit a Reimbursement Request form with an itemized receipt attached to it.

At least once per year, the Business Office shall evaluate and report to the Board on the cost and effectiveness of the district's cellular telephone plan.

Non-Instructional/Business  
Operations

**SUBJECT: MEALS AND REFRESHMENTS**

The Board of Education recognizes that, occasionally, it may be appropriate to provide refreshments and/or meals at district meetings or events that are being held for a district or educational purpose during normal meal times or for an extended period of time. Any expenditure on such refreshments and/or meals must be approved in advance by the appropriate Building Administrator. Meal requests may be approved when:

- officers and/or employees of the district will be prevented from taking time off for food consumption due to a pressing need to complete the business at hand;
- the district is faced with business of an immediate nature and meetings of district employees are essential at mealtime;
- the district wishes to recognize the services provided by volunteers or other unsalaried members of the district (in such cases, however, only the meals of those being recognized may be reimbursed and the cost of the meals must be reasonable).

Examples of an authorized expenditure include, but are not limited to, refreshments and/or meals for staff assigned to participate in assessment day grading of standardized tests; for staff on Teacher Orientation Day at the beginning of each year and on Staff Recognition Day; Superintendent's Conference Day; community/district meetings at which school district business is conducted; a committee or working group, which may include a consultant employed by the district, where it is necessary to work through the meal hour on district related business.

All expenses must be appropriately documented, including the date, purpose of the meeting and the group in attendance, and submitted to the district's Business office for the purposes of audit and possible reimbursement.

NY Constitution, Art. VIII, §1  
(constitutional prohibition against gifts)  
Education Law §2118  
Ops. St. Compt. 77-667; 79-522; 82-66; 82-213 82-298;  
83-57; 98-2

Adopted: 7/05/2005

2006

5370

Non-Instructional/Business  
Operations

**SUBJECT: TRAVEL WITHIN DISTRICT/REIMBURSEMENT**

The South Huntington School District shall reimburse employees for approved school-related travel within the school district. Reimbursement shall be at the allotted mileage allowance approved by the Internal Revenue Service for business travel. Each building will be provided with a table of the mileage between the various locations within the district.

Approved school related travel within the district shall be that travel as defined in the bargaining unit's contract, if applicable, or approved by the Board of Education.

Adopted: 7/05/2005



**SUBJECT: TRAVEL/CONFERENCE EXPENSE REIMBURSEMENT**

School district employees, officials and members of the Board of Education will be reimbursed for reasonable, actual and necessary out-of-pocket expenses which are legally authorized and incurred in the performance of their district-related activities or while traveling for district-related activities.

Travel shall be by the most practical means available, whether by private automobile, school vehicle, or common carrier. Reimbursements for air travel shall not exceed the cost of coach class airfare. Reimbursements for travel by private automobile shall be limited to the prevailing mileage rate established for business travel by the Internal Revenue Service. Only expenses necessary to the purpose of the travel shall be reimbursable. Transportation costs such as taxi cabs are allowable only for essential transportation.

Likewise, lodging and meals shall be reasonable and practical.

The Board, by majority vote, shall determine and approve which meetings and conferences may be attended by Board members and the Superintendent of Schools.

The Superintendent, or his/her designee, shall reserve the right to determine whether attendance by district staff at any conference or professional meeting is in the best interest of the district and eligible for reimbursement of expenses under this policy.

To obtain reimbursement, the claimant must complete and sign a Travel/Conference Reimbursement form with all receipts or other expense documentation attached, together with a copy of the approved Travel/Conference Request form and the evaluation report stating the benefits derived from the conference. After the appropriate administrator has approved the reimbursement form, the claimant shall submit all documentation to the Business Office for final determination of reimbursable expenses.

Regulations concerning expense reimbursement shall be attached to this policy and shall be reviewed annually by the internal auditor and revised as appropriate.

Education Law §§1604(27); 1709(30); 1804; 2118;  
3023; 3028  
General Municipal Law §77-b

Adopted: 7/05/2005  
Amended: 12/21/05

## EXPENSE REIMBURSEMENT REGULATIONS

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:

### Definitions

Out-of-district – shall be defined as all travel to locations other than a facility operated by the District where such travel is not considered part of the normal job function (i.e. interscholastic activities, field trips, etc.). To be eligible for reimbursement, one-way travel mileage must be 50 miles or more, excluding travel to New York City, measured from the employee's normal work location to the location of the conference.

Reasonable expenses – shall be defined as those expenses that would be incurred out of necessity to maintain a normal living standard rather than to fulfill personal desires.

### Procedures

All employees, officials and members of the Board of Education who plan on attending a conference or traveling out-of-district for school related activities must complete a Travel/Conference Request Form. The request forms must be pre-approved as follows:

<b>Cost incurred by</b>	<b>Required Approval</b>
Building staff	1) Department Chairperson and Building Principal AND 2) Designated Assistant Superintendent
Department Chairperson	1) Building Principal AND 2) Designated Assistant Superintendent
Principal	1) Designated Assistant Superintendent AND 2) Additional Cabinet member
District Office staff	1) Designated Assistant Superintendent AND 2) Additional Cabinet member
Superintendent	Board of Education (Business Manager if total costs are less than \$250)
Board Members	Board of Education

In addition to the aforementioned approvals, all Travel/Conference Requests for estimated expenditures of \$1,500 or more must also be approved by the Board of Education.

Final approval for all requests for reimbursement shall be determined by the Business Manager. Under no circumstances may an employee approve their own expense. Final approval for reimbursement requests by the Business Manager shall be issued by the Superintendent.

### Transportation

- Travel shall be by the most practical method, whether by private automobile, school vehicle or common carrier.
- 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 as this is factored into the IRS mileage allowance. Fines for parking and traffic violations incurred during district approved travel are not reimbursable.
- Car rental expenses will be reimbursed only if authorized in advance. Reimbursement shall be limited to the rental cost for a mid-size car (full-size if more than 2 people are traveling together). Rental cars should be refueled prior to being returned as the cost charged by rental agencies is prohibitive. Original receipts must be attached.
- Air travel is only allowed when determined by the Board President or the Superintendent 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.
- Rail travel shall be reimbursed provided it is less than the covered air fare to the destination or if used for travel within the metropolitan area.
- Local transportation costs, such as taxis, shall be reimbursed for essential transportation purposes only. Examples of reimbursable expenses include airport drop-off and pick-up, and travel between conference site and hotel accommodations.

### Lodging

- Persons traveling on district-related business are expected to secure the most reasonable rate for necessary hotel accommodations.
- 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 conference rate. 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 (for all others) prior to the stay. If accommodations cannot be secured within these guidelines, it is necessary to obtain and attach three rates from the area.

### Meals

Reimbursement for actual meal expenses shall be limited to the maximum per diem rate established by the Board of Education Guidelines. Those guidelines are Breakfast, \$15; Lunch, \$20; and Dinner, \$40. Alcoholic beverages are not reimbursable. Itemized receipts showing the individual items must be attached to the reimbursement request form.

Non-Instructional/Business  
Operations**SUBJECT: AUTHORIZED USE OF SCHOOL-OWNED  
MATERIALS AND EQUIPMENT**

The Board of Education permits the use of district-owned materials and equipment (e.g., laptop computers, cell phones, audio-visual equipment, etc.) by Board members, officers and employees of the district when such material and equipment is needed for district-related purposes.

The following regulations shall govern the loan and use of district-owned materials and equipment:

- Staff members who require the use of such equipment to conduct school business outside the school district may borrow the equipment according to the terms outlined in this policy.
- The use of this equipment shall be in accordance with all other district policies including the Computer Internet Agreement.
- It is the responsibility of the borrower to properly care for and maintain the equipment.
- All loaned equipment must be returned to the district. No item may be sold to or purchased by the borrower unless such equipment has been returned to the district for evaluation and, if necessary, disposed of in accordance with district policy and procedures.

All equipment shall be inventoried and a list shall be maintained of the date such equipment was loaned, to whom it was loaned, and the date of expected and actual return.

Individuals borrowing district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use and shall be responsible for its safe return.

The Business Office shall maintain records of all equipment that is loaned for long-term use (e.g., school year, term of office, etc.) and shall review such list yearly.

Adopted: 6/20/07

### 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.

**SUBJECT: PURCHASING**

The Purchasing Agent identified within this policy refers to Mrs. Sheila Buhse, the District's School Purchasing Agent.

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board of Education. The purchasing process should enhance school operations and educational programs through the procurement of goods and services deemed necessary to meet District needs.

**Competitive Bids and Quotations**

As required by law, the Purchasing Agent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year, (similarly for public works-construction, repair, etc.) and in such other cases that seem to be to the financial advantage of the School District.

A bid bond may be required if considered advisable.

No bid for supplies shall be accepted that does not conform to specifications furnished unless specifications are waived by Board action. Contracts shall be awarded to the lowest responsible bidder who meets specifications. However, the Board may choose to reject any bid.

Rules shall be developed by the administration for the competitive purchasing of goods and services.

The Purchasing Agent may authorize purchases within the approved budget without bidding if required by emergencies and are legally permitted.

The Purchasing Agent is authorized to enter into cooperative bidding for various needs of the School District.

**Procurement of Goods and Services**

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

- a) Assure the prudent and economical use of public moneys in the best interest of the taxpayer;
- b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
- c) Guard against favoritism, improvidence, extravagance, fraud and corruption.

**SUBJECT: PURCHASING (Cont'd.)**

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

- a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;
- b) With certain exceptions (purchases pursuant to General Municipal Law, Section 186; State Finance Law, Sections 175-a and 175-b; State Correction Law, Section 184; or those circumstances or types of procurements set forth in (f) of this section), provide that alternative proposals or quotations for goods and services shall be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of Section 104-b of General Municipal Law;
- c) Set forth when each method of procurement will be utilized;
- d) Require adequate documentation of actions taken with each method of procurement;
- e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons; and
- f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District.

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

The Board of Education shall solicit comments concerning the District's policies and procedures from those employees involved in the procurement process. All policies and procedures regarding the procurement of goods and services shall be reviewed annually by the Board.

**Alternative Formats for Instructional Materials**

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

**SUBJECT: PURCHASING (Cont'd.)**District Plan

The District will develop a plan to ensure that all instructional materials to be used in the schools of the District are available in a usable alternative format for each student with a disability, including students requiring Section 504 Accommodation Plans, in accordance with his or her educational needs and course selection, at the same time as such instructional materials are available to non-disabled students. The District Plan shall include those provisions mandated by Education Law and Commissioner's Regulations.

**Contracts for Goods and Services**

No contracts for goods and services shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.

No Board member or employee of the School District shall have an interest in any contract entered into by the Board or the School District.

Upon the adoption of a resolution by a vote of at least three-fifths of all Board members stating that for reasons of efficiency or economy there is need for standardization, purchase contracts for a particular type or kind of equipment, materials or supplies of more than ten thousand dollars may be awarded by the Board to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided in law.

Education Law Sections 305(14), 1604, 1709, 1950, 2503,  
2554 and 3602

General Municipal Law Articles 5-A and 18

8 New York Code of Rules and Regulations (NYCRR)  
Sections 170.2, 200.2(b)(10), 200.2(c)(2) and 200.2(i)

Adopted: 6/16/1999  
Amended: 7/05/2005  
Amended: 11/18/2009  
Amended: 1/19/2011



**SUBJECT: PURCHASING - VENDOR BUSINESS GUIDELINES**

- 1) Vendor, as defined for this regulation, includes any business, organization, or individual doing business with the School District; any of its organizations, or employees; and student organizations, approved to operate within the policies and regulations of the School District.
- 2) The Board shall not enter into contracts with vendors and/or sales representatives in which an individual Board member, school official or employee is in a position to benefit personally from the exercise of his/her official authority with respect to that contract. Any violation of this regulation would bar the vendor from doing business with the District.
- 3) For vendors of instructional materials, preference will be given to vendors who agree to provide materials in alternative formats (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for a student with a disability). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio or an electronic file in an approved format as defined in Commissioner's Regulations.
- 4) Apparel and Sports Equipment Purchases

Competitive Bidding Purchases

The Board of Education will only accept bids from "responsible bidders." The Board has established criteria that bidders must meet in order to be considered a responsible bidder. In addition to these criteria, a determination that a bidder on a contract for the purchase of apparel or sports equipment is not a "responsible bidder" shall be based upon either or both of the following considerations:

- a. The labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
- b. The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

Non-Competitive Bidding Purchases

The Board's internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to competitive bidding requirements, shall prohibit the purchase of apparel or sports equipment from any vendor based upon either or both of the following considerations:

(Continued)

**SUBJECT: PURCHASING: VENDOR BUSINESS GUIDELINES (Cont'd.)**

- a. The labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
  - b. The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.
- 5) The District will maintain a list of responsible bidders, suppliers and vendors.
- 6) The Business Office shall develop, maintain, and upon request provide the names of potential vendors and bidders for various types of materials, equipment, and supplies to schools and organizations.
- 7) All staff and students will comply with the School District's procedures and applicable state law. Any building, department, program, or organization shall obtain quotations if required by District procedures.
- 8) School facilities may be used by an outside or private vendor when such use satisfies a legitimate school purpose. Such practice may be authorized only upon:
- a. Approval of the Superintendent and Board of Education,
  - b. The full and equal opportunity for all approved prospective vendors to compete,
  - c. The involvement of students in the process, and
  - d. Students are not compelled to use a designated vendor.

**District Plan Regarding Alternative Formats for Instructional Materials**

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

(Continued)

**SUBJECT: PURCHASING: VENDOR BUSINESS GUIDELINES (Cont'd.)**

"Alternative format" is defined as any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a student with a disability enrolled in the School District, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file. An electronic file must be compatible with at least one alternative format conversion software program that is appropriate to meet the needs of the individual student.

The Plan shall:

- 1) Ensure that the District gives a preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;
- 2) Specify, when an electronic file is provided, how the format will be accessed by students and/or how the District will convert to an accessible format;
- 3) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the District for alternative format materials;
- 4) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and
- 5) Include procedures so that when students with disabilities move into the School District during the school year, the process to obtain needed materials in alternative formats for such students is initiated without delay.

Adopted: 7/5/2005

Non-Instructional/Business  
Operations**SUBJECT: COMPETITIVE BIDS AND QUOTATIONS**

As required by law, the Superintendent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year, (similarly for public works-construction, repair, etc.) and in such other cases that seem to be to the financial advantage of the School District.

A bid bond may be required if considered advisable.

No bid for supplies shall be accepted that does not conform to specifications furnished unless specifications are waived by Board action. Contracts shall be awarded to the lowest responsible bidder who meets specifications. However, the Board may choose to reject any bid.

Rules shall be developed by the administration for the competitive purchasing of goods and services.

The Superintendent may authorize purchases within the approved budget without bidding if required by emergencies and are legally permitted.

The Superintendent is authorized to enter into cooperative bidding for various needs of the School District.

General Municipal Law Article 5-a  
Education Law Section 305(14)

Adopted: 6/16/99

**SUBJECT: PROCUREMENT GUIDELINES**

This resolution sets forth the guidelines to meet the requirements of General Municipal Law, Section 104-b.

**Purpose**

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, in the best interest of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing Board has adopted internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or any other general, special or local law.

**Procedures for Determining Whether Procurements are Subject to Bidding**

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and determining that competitive bidding is not required by law is as follows:

- 1) The Board is required by law to award all purchase contracts for supplies, materials and equipment involving expenditures in excess of ten thousand dollars (\$10,000) and all contracts for public works in excess of twenty thousand dollars (\$20,000) to the lowest responsible bidder after advertising for public sealed bids.
- 2) When a contract involves acquisition of both goods and services, a judgment must be made as to the primary purpose of the contract. If the services are minor, incidental or customarily provided by the vendor in connection with the goods purchased, the contract should be viewed as a purchase contract. If the service component is extensive or predominant or involves special skills, the contract should be treated as one for public works.
- 3) In determining the necessity for competitive bidding, the aggregate amount to be expended during the fiscal year on an item or those of a similar nature (a "reasonable commodity grouping") must be considered when these quantities can be reasonably anticipated or estimated. For example, office supplies or art materials would constitute an appropriate grouping for bidding purposes.

Additionally, in determining whether the dollar requirements have been reached, allowances for any trade-in related to the purchase must be treated as an expenditure; the estimated gross cost of the item is controlling. Net cost is relevant only to the determination of the low bid.

(Continued)

**SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)****Guidelines for Purchasing Supplies and Equipment**

<u>Estimated Amount of Purchase</u>	<u>Procedure/Requirements</u>	<u>Responsibility</u>
Less than \$1,000	At the discretion of the Purchasing Agent.	
\$1,001 - \$7,500	Three (3) written quotations (includes e-mail and fax copies), name of vendor and date of quote.	Obtained by the Purchasing Department.
In excess of \$7,500	Public advertised bids in accordance with General Municipal Law.	Obtained by the Purchasing Department.

- NOTE:
- 1) For products available under State contract that can be purchased below the State contract price, no further quotes are required provided the product is the same brand and model number.
  - 2) When procurement can be accomplished through the following sources, competitive bidding or procedure requirements listed above are not required.
    - a. From State Correctional Institutions (Corrections Law Sections 184 and 186);
    - b. From State agencies for the blind and severely disabled (State Finance Law, Section 175-b);
    - c. Under State Contract;
    - d. Under a County contract;
    - e. Under a municipal contract;
    - f. Emergencies (General Municipal Law, Section 103[4]);
    - g. Sole source, professional services, true leases and insurance;
    - h. Second-hand equipment from another government agency.

(Continued)

**SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)****Guidelines for Public Works Projects**

<u>Estimated Amount of Purchase</u>	<u>Procedure/Requirement</u>	<u>Responsibility</u>
Less than \$1,000	At the discretion of the Purchasing Agent.	
\$1,001 - \$7,500	Three (3) written quotations (includes e-mail and fax copies), name of vendor and date of quote.	Obtained by the Purchasing Department.
In excess of \$7,500	Public advertised bids in accordance with General Municipal Law.	Obtained by the Purchasing Department.

**Annual Review**

Comments concerning the policies and procedures shall be solicited from employees of the South Huntington Union Free School District involved in the procurement process from time to time.

The Board shall annually review these policies and procedures. The school business official shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

**Unintentional Failure to Comply**

The unintentional failure to fully comply with the provisions of General Municipal Law, Section 104-b, shall not be grounds to void action taken or give rise to a cause of action against the South Huntington Union Free School District or any officer or employee thereof.

Adopted: 6/16/1999  
Amended: 7/5/2005  
Amended: 10/15/2008

**SUBJECT: COMPETITIVE PURCHASING OF GOODS AND SERVICES****General Statements**

The purchasing policy of the South Huntington Union Free School District is to secure supplies, materials, equipment and services in an efficient, economical and timely fashion to meet the District's needs.

The purchasing procedures employed shall comply with all applicable laws and regulations of the State and Commissioner of Education.

**Authority/Responsibility**

The purchasing function will be centralized in the business office under the general supervision of the Purchasing Agent designated by the Board of Education. The Purchasing Agent shall be responsible for developing and administering the purchasing program of the South Huntington School District.

**Quality**

The purchasing function shall consider circumstances and use as determining factors in quality selection. The Board of Education expects the Purchasing Agent to make every effort to receive the maximum educational value for every dollar expended.

Items commonly used in the various schools therefore shall be standardized whenever consistent with the educational goals and in the interest of efficiency and economy.

**Vendors and Contractors**

One of the purposes of the purchasing function is to purchase competitively, without prejudice or favoritism. Each order shall be placed on the basis of quality, price, delivery and past service being a factor if all other considerations are equal.

No Board member, officer or employee of the South Huntington Union Free School District shall be interested financially in any contract entered into by the Board. This shall also preclude acceptance of any gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the District.

(Continued)



**SUBJECT: COMPETITIVE PURCHASING OF GOODS AND SERVICES (Cont'd.)****Requesting Bids and Quotations**

The purpose of obtaining bids or quotations is to encourage competition in the procurement of supplies, equipment and services which will be paid for from public funds. Competitive bids for quotations shall be solicited in connection with all purchases whenever feasible and in the best interest of the South Huntington Union Free School District.

Contracts will be awarded to the lowest responsible bidder; residence or place of business of the bidders within the South Huntington School District, and/or time that the bid was received, may be a consideration only in cases where identical bids have been submitted.

All purchase contracts for materials, equipment or supplies involving an annual expenditure of over ten thousand dollars (\$10,000) and all public works involving an expenditure of more than twenty thousand dollars (\$20,000) will be awarded on the basis of public advertising and competitive bidding, in accordance with the requirements of General Municipal Law, Section 103. If it believes it is in the best interest of the South Huntington School District, the Board may adopt policies establishing lower thresholds for the District's use of the competitive bidding process.

All contracts requiring public advertising and competitive bidding will be awarded by resolution of the Board. Recommendations for the award of all such contracts shall be forwarded by the Purchasing Agent to the Business Manager for his/her review. If approved, recommendations for award shall be submitted to the Board.

A statement of "General Conditions" will be included with all specifications submitted to suppliers for their bids.

**Bid Opening**

Sealed bids should be received, time-stamped, recorded and kept in a safe place until the appointed day and time when they are publicly opened and read. It is important to note that the law requires SEALED BIDS; therefore, "FAXED" bids MAY NOT be accepted.

Bids should be checked and analyzed for compliance with specifications and law. The right to reject all bids for valid cause is reserved to the South Huntington School District. Also reserved is the right to reject, for cause, any bid in whole or in part; to waive technical defects, qualifications, irregularities and omissions if in its judgment the best interests of the District will be served. Also reserved is the right to reject bids and to purchase items on State or Municipal Contract if such items can be obtained on the same terms, conditions, specifications, and at a lower price.

(Continued)

Instructional/Business

Non-

Operations

**SUBJECT: COMPETITIVE PURCHASING OF GOODS AND SERVICES (Cont'd.)****State Contracts**

Purchases shall be made through available State contracts of the Office of General Services Division of Standards and Purchase, whenever such purchases are in the best interest of the South Huntington School District. However, whenever possible, if quotations can be obtained from suppliers locally at similar prices and equal quality to the State contract, then residence or place of business may be considered if all bidding conditions are met.

**Purchase Orders**

The Purchasing Agent shall be authorized to issue pre-numbered purchase orders for all goods and services where a budgetary appropriation has been made. When formal bidding procedures are required by law, the purchase order will be issued after the Board award of the bid and will refer to the bid submitted, to the specifications which will be attached as part of the contract and will bear the price or prices indicated by the bidder in the bid.

Blanket purchase orders issued yearly to local dealers shall be used only for day-to-day custodial needs or minor repairs.

Purchase orders shall also indicate the address for delivery. All goods received must be accepted by an authorized South Huntington School District employee who shall certify that the goods were received in good condition, before payment can be approved.

No payment for goods or services shall be made unless both an itemized invoice showing name of the person or firm to whom payment is due, and a receiving copy of the purchase order, bearing the signature of an authorized school employee are present. Furthermore, the invoice must have been issued in response to an approved purchase order.

Adopted: 7/5/2005

**SUBJECT: CRITERIA FOR AWARDING CONTRACTS TO THE LOWEST  
RESPONSIBLE BIDDER**

The award of public contracts is of vital interest to the taxpayers and citizens. Many state laws provide for award to the lowest responsible bidder in order to avoid favoritism and its concomitant evils. It would be unfair to bidders, who have expended time and money in the preparation of bids, to be denied equal consideration.

The basis of making awards to the lowest responsible bidder has been adopted with the view of enabling a public body to enter into contracts with the same efficiency and economy that a prudent business person does in the conduct of everyday business affairs. This beneficial result cannot always be obtained when the award goes to the lowest bidder. Definite specifications must be adopted to enable all bidders to make intelligent bids. This establishes a common standard by which to measure the respective bids to determine the lowest responsible bidder.

The New York Courts define the term lowest responsible bidder as one able to respond or answer in accordance with what is expected or demanded. More specifically, the lowest responsible bidder has been interpreted as requiring the successful bidder to possess:

- 1) Financial or procuring ability to complete the contract;
- 2) Integrity and trustworthiness;
- 3) Skill;
- 4) Judgment;
- 5) Ability to perform faithful and conscientious work;
- 6) Promptness;
- 7) Experience;
- 8) Previous performance of satisfactory work;
- 9) Other essential factors which may depend upon the type and kind of contract involved. For example, for vendors of instructional materials, preferences will be given to vendors who agree to provide materials in alternative formats. For apparel or sports equipment vendors, responsible bidders will be considered to be those that comply with fair and proper labor standards including those related to child labor, employee compensation, employees' rights to form unions, and working conditions.

(Continued)

**SUBJECT: CRITERIA FOR AWARDING CONTRACTS TO THE LOWEST  
RESPONSIBLE BIDDER (Cont'd.)**

On opening and tabulating the bids, the public official must determine two things to make a valid award:

- 1) The responsibility of the bidder;
- 2) Which of the responsible bidders has submitted the lowest bid.

Awarding a contract required to be let to the lowest responsible bidder is mandatory. No authority, except by statute, authorizes the official to accept any other bidder.

Determination of the responsibility of a bidder by the official requires the exercise of judgment and discretion in favor of the institution for which he/she works. This discretion must be exercised honestly and fairly, not arbitrarily nor capriciously. The decision must be based on facts obtained after investigation into the responsibility of the bidders which show that the lowest bidder to whom the award was not made was not a responsible bidder. Failure to make such an investigation invalidates the contract award and such award will not be upheld.

The lowest bidder who is not the lowest responsible bidder must prove that the investigation of the responsibility of bidders was not made or that such action was not the result of the exercise of honest and fair discretion in determining the responsibility of the bidders, but was arbitrary or capricious. The ultimate facts must be recorded.

It is the policy of the District to provide equal opportunities for awarding contracts regardless of race, color, creed, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, or disability.

Adopted: 6/16/1999  
Amended: 7/5/2005

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Non-Instructional/Business  
Operations

**SUBJECT: CONTRACTS FOR SERVICES AND MATERIALS**

No contracts for services or materials shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.

No Board member or employee of the School District shall have an interest in any contract entered into by the Board or the School District.

Education Law Section 305(14)  
General Municipal Law, Article 18  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.2

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: ACCOUNTING OF FUNDS**

Accounting and reporting procedures shall be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts.

Books and records of the District shall be maintained in accordance with statutory requirements.

Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

**Internal Auditor**

The internal auditor appointed shall be restricted to allowing or rejecting self insurance claim payments, utility bills, and/or such accounts, charges, claims or demands against the District that require summary action to obtain discount benefits, or avoidance of penalty for late payment, and notwithstanding the aforesaid, a statement of said bills approved by the auditor as aforesaid shall be made available to the Board of Education at the subsequent Board of Education meeting.

Education Law Section 2116-a

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: CAPITAL ASSETS ACCOUNTING – GASB 34**

The District defines capital assets as non-consumable assets with a normal service life of more than two years. In order to provide for the proper control and conservation of district property, the Superintendent or designee shall maintain Inventory Records and account for Capital Expenditures in accordance with the following guidelines:

## Inventory Records:

- All equipment items costing in excess of \$1,500 shall be inventoried.
- All equipment costing less than \$1,500 shall be inventoried for accountability purposes if requested by the responsible program administrator.
- All non-equipment capital assets costing in excess of \$15,000 shall be inventoried.

## Capital Expenditure Accounting:

- Fixed assets having an estimated useful life of at least two years following the date of acquisition will be capitalized.
- Capitalization thresholds will be applied to individual fixed assets rather than groups of fixed assets.
- The threshold to be used for fixed assets is \$1,500.

Note: Property inventory requirements and capitalization thresholds are different subjects that are commonly confused because of their overlapping terminology.

- An inventory is an itemized list for tracking and controlling property.
- Capitalization is an accounting treatment whereby an item is recorded as a long-term asset on the balance sheet rather than as a consumable expense of the current period.

The following information must be maintained on the equipment/fixed asset inventory:

- Name and description of property
- Location of equipment
- Serial number and other identification number
- Cost of the asset at acquisition
- Acquisition date

2008

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2 of 2

Non-Instructional/Business  
Operations

**SUBJECT: CAPITAL ASSETS ACCOUNTING – GASB 34**

Donated items will be capitalized at a fair-market value on the date of the donation.

Some assets individually may fall below the capitalization threshold but may be purchased in large quantities by the district, examples include library books, textbooks, and computers. The district may choose to capitalize these assets as groups.

All assets will be depreciated using the straight-line method. Residual value will be considered.

Useful lives will be determined in the year of purchase based on general guidelines obtained from professional organizations and asset's present condition. Depreciation expense will be calculated beginning in the year of acquisition.

Adopted: 6/16/1999

Amended: 12/21/2005

Amended: 10/15/2008



Non-Instructional/Business  
Operations

**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

**Organizational Procedures**

Student extraclassroom activities may only be formed for educational and school service purposes.

Students wishing to form an extraclassroom activity shall petition the building principal in writing. The petition should state the purpose and nature of the activities of the proposed extraclassroom organization, and should be signed by at least seven students. If the principal determines that the activity falls within the scope of educational or school service purposes and that the necessary space and equipment is available, he and the petitioning students will select a suitable adviser for the activity. When this process has been completed, the principal will recommend to the Superintendent that the extraclassroom activity be approved by the Board of Education.

Each extraclassroom activity shall adopt a charter which shall define the purpose of the organization, duties of its officers, objectives of the activity, and such other matters that are deemed necessary. All officers should sign the charter. The charter should incorporate any rules and regulations of the Board of Education and general student organization that are applicable. The charter should be approved and signed by the Faculty Adviser and building principal and a copy should be on file in the building principal's office. The charter needs to be updated each school year.

The members of each extraclassroom activity shall annually elect a president, vice president, secretary and treasurer.

All extraclassroom activity funds shall be handled and accounted for in accordance with the New York State publication Regulations for the Safeguarding, Accounting and Auditing of Extraclassroom Activity Funds, New York established rules, regulations and procedures, Board of Education policies, Administrative Regulations, and in compliance with generally accepted accounting principles.

The District Treasurer will review annually the accounting procedures of the Central Treasurers and the Activity Treasurers.

Non-Instructional/Business  
Operations**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

All extraclassroom activity organization fundraising activities require prior approval of the principal, be in accordance with District and school rules and must be supervised by the Faculty Advisor.

While school is in session, all extraclassroom activities shall meet at least once a month. All meetings should be held on school property unless the prior consent from the building principal has been received. The Faculty Advisor must be present at all meetings.

**Appointment of Officers**

With the Superintendent's recommendation, the Board of Education will appoint the following officers on an annual basis:

- Central Treasurer
- Internal Auditor (cannot be a building principal or Superintendent)
- Chief Faculty Counselor (building principal) for each building

The Chief Faculty Counselor of each building will appoint a Faculty Adviser for each organization on an annual basis.

The students from each organization will elect the Activity Treasurer for their organization on an annual basis.

**Major Responsibilities of Appointed Officers**

The major responsibilities of each appointed officer shall include, but not be limited to, the following:

*Central Treasurer*

- Maintain custody of all funds
- Issue signed receipts for all funds received from the Activity Treasurer and promptly deposit them in a bank account designated by the Board.
- Disburse funds only after (i) receiving a payment order signed by both the Activity Treasurer and Faculty Adviser, and (ii) verifying that there are sufficient funds in the activity's account and (iii) an invoice or a cost document of purchase are attached.

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**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

- Maintain a record of all receipts and expenditures for each individual activity.
- Reconcile balances with the bank statement on a monthly basis.
- Prepare monthly reports for the Internal Auditor and Board of Education showing, at a minimum, beginning balances, a list of receipts for the month, a list of disbursements for the month, and the ending balance. A copy of the bank reconciliation should be included.

*Internal Auditor*

- Should not be involved in the planning of income, approval of payments or in the recordkeeping of the extraclassroom activity.
- Review the monthly financial report prepared by the Central Treasurer.
- Compare the ledger of the Activity Treasurer to the balance shown on the Central Treasurer's report at least twice a year and on a rotating basis.
- Review various transactions and paperwork to verify that proper procedures are being followed.
- Certify the accuracy of the Central Treasurer's report to the Superintendent for transmittal to the Board of Education.
- On a quarterly basis, assemble the monthly reports and prepare a composite report listing the financial condition of each activity for the Superintendent and Board of Education.

*Chief Faculty Counselor/Building Principal*

- Appoint a Faculty Adviser for each activity on an annual basis.
- Coordinate the financial planning of all projects of the various student organizations in his building.
- Consult with the Faculty Advisers.
- Investigate all problems and disputes concerning the student organizations, and shall effect action that will enable their resolution.
- Request Board approval for new activity organizations.

*Faculty Adviser*

- Attend all meetings of the extraclassroom activity.

Non-Instructional/Business  
Operations

**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

- Guide and advise student officers in planning extraclassroom activities and financial budgets.
- Assist the Activity Treasurer in the preparation of income statements.
- Audit and verify the income statement by signing it.
- Periodically check the balances in the Activity Treasurer's accounts and review the completeness of the supporting documentation.
- Ensure that funds are available before approving purchase orders and payment orders. Verify that all goods are received.
- Determine which activities are subject to sales tax and for taking steps to see that all tax information is recorded and sent to the Central Treasurer.

*Activity Treasurer*

- Receives all funds raised by the activity and immediately deposits them with the Central Treasurer.
- Duplicate deposit slips should be filled out and signed by the Activity Treasurer and Faculty Adviser. One is retained by the Central Treasurer and the other should be signed by the Central Treasurer and returned, along with a Central Treasurer's receipt to the Activity Treasurer.
- Prepare purchase orders, verify that goods are received and issue payment orders.
- Record all receipts and expenditures in the activity's fund register.

**Receipt of Funds**

This section describes the responsibility of each individual regarding the receipt of funds. All funds should be kept in the school vault until they are ready to be deposited by the Central Treasurer. Extraclassroom activity funds should not be taken home by anyone at anytime.

*Activity Treasurer*

1. Is responsible for the collection and verification of all funds. Shall verify the money count to the proof of funds submitted (number of tickets sold, membership dues, admissions statement, etc.). Pre-numbered receipts should be issued in order to facilitate proof of funds.
2. Prepares and signs a deposit slip in duplicate, has the Faculty Adviser sign the slips, and submits the funds and deposits slips to the Central Treasurer. The Central Treasurer verifies the funds, signs the duplicate deposit slip and

**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

immediately returns it, along with a pre-numbered receipt, to the Activity Treasurer as proof that the funds were received.

3. Records the deposit in the activity fund register.
4. Files all supporting documentation for review by the auditors.

*Faculty Adviser*

1. Assists the Activity Treasurer in the preparation of income statements and proof of funds submitted.
2. Acknowledges that he/she verified the amount of funds collected by signing the deposit slip prepared by the Activity Treasurer.
3. Reviews the activity fund register to verify that the deposit was recorded.

*Central Treasurer*

1. Receives and verifies all funds submitted to him/her by the Activity Treasurer. Acknowledges his verification by signing the duplicate deposit slip and immediately returning it, along with a pre-numbered receipt, to the Activity Treasurer.
2. Promptly deposits the funds in the bank account designated by the Board of Education.
3. Records the deposit for that activity in his register.

**Disbursement of Funds**

This section describes the responsibility of each individual regarding the disbursement of funds.

*Activity Treasurer*

1. Issues a purchase order to the vendor, after it has been reviewed and approved by the Faculty Adviser. The review includes verifying that sufficient funds are available in the activity's account.
2. Verifies the receipt of all goods, with oversight by the Faculty Adviser.
3. Prepares a payment order in duplicate signed by both the Faculty Adviser and himself/herself.
4. Submits both copies of the payment order, along with the approval signatures to pay original invoice, to the Central Treasurer.

Non-Instructional/Business  
Operations

**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

5. After receiving proof of payment from the Central Treasurer, records the payment in the activity fund register.

*Faculty Adviser*

1. After verifying that funds are available, signs the purchase order prepared by the Activity Treasurer.
2. Oversees the receipt of all goods.
3. Along with the Activity Treasurer, signs all payment orders thereby authorizing the disbursement of funds by the Central Treasurer.
4. Reviews the activity fund register to verify that the disbursement was recorded.

*Central Treasurer*

1. Verifies that there are sufficient funds in the activity's account to satisfy the payment order.
2. Draws a check on the activity's account and sends payment to the vendor and stamps the invoice paid.
3. Sends proof of payment to the Activity Treasurer to be recorded
4. Records the disbursement in his/her register.

**Disposal of Inactive Activity Accounts**

An extraclassroom activity fund that does not have a Faculty Adviser and Activity Treasurer for more than one year is inactive. The funds of an inactive extraclassroom activity shall be transferred to the Student Council Fund and shall be expended in accordance with the Student Council Constitution.

**Investing Account Monies**

The Central Treasurer is authorized and required to invest the extraclassroom activity funds in a commercial bank's savings account and/or interest bearing checking account.

**Sales Tax**

A school district is not exempt from the provisions of the Sales Tax Law whenever it becomes the vendor of services or property ordinarily sold by private persons. Each

**SUBJECT: EXTRACLASSROOM ACTIVITY FUNDS**

Faculty Adviser should know which of the activities his organization undertakes are subject to sales tax and take steps to see that all sales tax information is accurately recorded and sent to the Central Treasurer.

**Graduating Class Accounts**

Upon graduation, all funds in the Senior Class Treasury will remain in the custody of the Central Treasurer for six months and then must be transferred to the Student Council.

**Annual Audit by the District's Independent Auditor**

The annual audit performed by the Board appointed independent auditor shall include an audit of the extraclassroom activity fund.

Adopted: 6/16/99

Amended: 12/21/2005

Amended: 11/1/2006

**SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS****Petty Cash Funds**

A petty cash fund of not more than one hundred dollars (\$100) shall be maintained in the District Office and in each school building. Payments from petty cash funds may be made for materials, supplies or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, shall be submitted. Such accounts shall be authorized by Board resolution at their annual meeting.

The Superintendent shall develop appropriate regulations for implementation of this policy.

**Cash In School Buildings**

Not more than \$250, whether District or extraclassroom funds, shall be held in the vault in the main office of each District school building. Under no circumstances shall cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extra-classroom funds, shall be deposited prior to close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the main office vault.

Education Law Section 1709(29)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.4

Adopted: 6/16/99



1999

5540

Non-Instructional/Business  
Operations

**SUBJECT: PUBLICATION OF THE DISTRICT'S ANNUAL FINANCIAL  
STATEMENT**

In compliance with Education Law, the Board of Education shall direct the District Clerk to publish annually during the month of July or during the month of August a full and detailed account of all moneys received by the Board or the Treasurer of the District for its account and use, and all of the money expended therefore, giving the items of expenditure in full.

The account shall be published in the official District newspaper once each year.

Education Law Sections 1610, 1721 and 2117  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.2

Adopted: 6/16/99

1999

5550

Non-Instructional/Business  
Operations

**SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)**

It is the policy of the District to establish a budget which will insure full allocation of Title I money. This responsibility shall fall on the Business Manager.

Title I of the Elementary and Secondary  
Education Act of 1965, as amended by  
the Improving America's Schools Act of 1994  
34 Code of Federal Regulations (CFR)  
Part 200

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES**

The Board of Education prohibits the use of any federal funds for partisan political purposes or expenditures of any kind by any person or organization involved in the administration of federally-assisted programs.

This policy refers generally, but is not limited to, lobbying activities, publications, or other materials intended for influencing legislation or other partisan political activities.

In recognition of this stricture, the Board of Education assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that said funds are not used for partisan political purposes by any person or organization involved in the administration of any federally-assisted programs.

Compliance Supplement for Single Audit  
of State and Local Governments (revised  
September 1990) supplementing OMB  
Circular a-128

NOTE: Refer also to Policy #6430 -- Employee Activities.

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: AUDIT COMMITTEES**

No later than January 1, 2006, an Audit Committee shall be established by Board resolution. The Audit Committee may consist of:

- a) The Board of Education as a whole;
- b) A subcommittee of the Board of Education; or
- c) An Advisory Committee that may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, such membership is advisable to provide accounting and auditing expertise.

The Audit Committee shall consist of at least three (3) members who shall serve without compensation, but shall be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee shall be deemed School District Officers, but shall not be required to be residents of the School District.

The role of the Audit Committee shall be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board shall not substitute for any required review and acceptance by the Board of Education.

The responsibilities of the Audit Committee include the following:

- a) Provide recommendations regarding the appointment of the External (Independent) Auditor for the District;
- b) Meet with the External (Independent) Auditor prior to commencement of the audit;
- c) Review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;
- d) Receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board of Education in interpreting such documents;
- e) Make a recommendation to the Board on accepting the annual audit report; and
- f) Review every corrective action plan developed by the School District and assist the Board in its implementation.

Non-Instructional/Business  
Operations**SUBJECT: AUDIT COMMITTEES (Cont'd.)**

Additional responsibilities of the Audit Committee include: assisting in the oversight of the Internal Audit Function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor; monitoring the School District's implementation of such recommendations; and evaluating the performance of the Internal Audit Function.

The Audit Committee may conduct an Executive Session pursuant to [Public Officers Law Section 105](#) pertaining to the following matters:

- a) Any matter which may disclose the identity of a law enforcement agent or informer;
- b) Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed; and
- c) Discussions regarding proposed, pending or current litigation.

Any Board member who is not a member of the Audit Committee may be allowed to attend an Audit Committee meeting if authorized by a Board resolution. However, if such Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

[Education Law Sections 2116-c, and 3811-3813](#)  
[Public Officers Law Sections 105\(b\), 105\(c\)](#)  
[and 105\(d\)](#)

Adopted: 1/18/2006

**Non-Instructional/Business  
Operations****SUBJECT: INTERNAL AUDIT FUNCTION**

No later than July 1, 2006, the District shall establish an Internal Audit Function to be in operation no later than December 31, 2006. The Internal Audit Function shall include:

- a) Development of a risk assessment of District operations including, but not limited to, a review of financial policies and procedures and the testing and evaluation of District internal controls;
- b) An annual review and update of such risk assessment;
- c) Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings; and
- d) Recommendation of changes for strengthening controls and reducing identified risks, and the specification of timeframes for implementation of such recommendations.

The District is permitted to utilize existing District personnel to fulfill the Internal Audit Function, but such persons shall not have any responsibility for other business operations of the District while performing Internal Audit Functions. The District shall also be permitted to use inter-municipal cooperative agreements, shared services to the extent authorized by [Education Law Section 1950](#) or independent contractors to fulfill the Internal Audit Function as long as the personnel or entities performing this Function comply with any Regulations issued by the Commissioner of Education and meet professional auditing standards for independence between the auditor and the District.

Personnel or entities performing the Internal Audit Function shall report directly to the Board of Education. The Audit Committee shall assist in the oversight of the Internal Audit Function on behalf of the Board.

[Education Law Sections 1950, 2116-b and 2116-c](#)

Adopted: 1/18/2006

Non-Instructional/Business  
Operations**SUBJECT: FINANCIAL ACCOUNTABILITY**

School districts must have internal controls in place to ensure that the goals and objectives of the District are accomplished; laws, regulations, policies, and good business practices are complied with; operations are efficient and effective, assets are safeguarded; and accurate, timely and reliable data are maintained.

The District's governance and control environment will include the following:

- a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.
- b) The Board requires corrective action for issues reported in the Certified Public Accountant's (CPA's) management letter, audit reports, the Single Audit, and consultant reports.
- c) The Board has established the required policies and procedures concerning District operations.
- d) The Board routinely receives and discusses the necessary fiscal reports including the:
  1. Treasurer's cash reports,
  2. Budget status reports,
  3. Revenue status reports,
  4. Monthly extra-classroom activity fund reports, and
  5. Fund balance projections (usually starting in January).
- e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.
- f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors and others to ensure they understand their duties and responsibilities and the data provided to them.
- g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.
- h) The District's information systems are economical, efficient, current, and up-to-date.
- i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site location.
- j) The District periodically verifies that its controls are working efficiently.
- k) The District requires all staff to take vacations during which time another staff member performs the duties of the staff on vacation.

8 New York Code of Rules and Regulations  
(NYCRR) Section 170.12

Adopted: \_\_4/11/2007

Non-Instructional/Business  
Operations**SUBJECT: ALLEGATIONS OF FRAUD****Reporting and Investigations of Allegations of Fraud**

All Board members and officers, District employees and third-party consultants are required to abide by the District's policies, administrative regulations and procedures in the conduct of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the District is to disclose such information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as enumerated in the District's organizational chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report shall be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the Independent (External) Auditor, or the School Attorney, or the Board of Education. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with the law.

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, when school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).



**SUBJECT: ALLEGATIONS OF FRAUD****Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices**

Any employee of the District who has reasonable cause to believe that the fiscal practices or actions of an employee or officer of the District violates any local, state, federal law or rule and regulation relating to the financial practices of the District, and who in good faith reports such information to an official of the District, or to the Office of the State Comptroller, the Commissioner of Education, or to law enforcement authorities, shall have immunity from any civil liability that may arise from the making of such report. Further, neither the District, nor employee or officer thereof, shall take, request, or cause a retaliatory action against any such employee who makes such a report.

The Board also prohibits any retaliatory behavior directed against any witnesses and/or any other individuals who participate in the investigation of an allegation of illegal or inappropriate fiscal practices or actions. Follow-up inquiries shall be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

**Knowingly Makes False Accusations**

Any individual who knowingly makes false accusations against another individual as to allegations of financial improprieties/fraud may also face appropriate disciplinary action.

Education Law Section 3028-d

Adopted: 4/11/2007

Non-Instructional/Business  
Operations**SUBJECT: INSURANCE**

The objective of the Board of Education is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus and student accident insurance.

The Board shall carry insurance to protect the District's real and personal property against loss or damage. This property shall include school buildings, the contents of such buildings, school grounds and automobiles.

The Board shall also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent shall review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Public Officers Law Section 18  
General Municipal Law Section 6-n  
Education Law Sections 1709(8), 3023, 3028, and 3811

Adopted: 6/16/99

Non-Instructional/Business  
Operations

**SUBJECT: INVENTORIES**

The Superintendent or his/her designee shall be responsible for maintaining a continuous and accurate inventory of equipment owned by the District in accordance with "The Uniform System of Accounts for School Districts".

All supplies and equipment purchased and received by the School District shall be checked, logged, and stored through an established procedure.

Uniform System of Accounts for School  
Districts (Fiscal Section)

Adopted: 6/16/99

**SUBJECT: ACCOUNTING OF FIXED ASSETS**

The School Business Official shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations. These accounts will serve to:

- a) Maintain a physical inventory of assets;
- b) Establish accountability;
- c) Determine replacement costs; and
- d) Provide appropriate insurance coverage.

Fixed assets with a minimum value established by the Board that have a useful life of one year or more and physical characteristics not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis. Fixed assets shall include land, buildings, equipment and materials.

The Board shall establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. Such threshold shall ensure that at least 80 percent of the value of all assets is reported. However, it is recommended that such threshold shall not be greater than \$5,000. A standardized depreciation method and averaging convention shall also be established for depreciation calculations.

Fixed assets acquired having a value equal to or greater than the established threshold are considered depreciable assets and shall be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the NY State Comptroller's Office or the IRS.

Assets shall be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets shall be recorded at estimated fair value at the time of the gift. A property record will be maintained for each asset and will contain, where possible, the following information:

- a) Date of acquisition;
- b) Description;
- c) Cost or value;
- d) Location;
- e) Asset type;
- f) Estimated useful life;
- g) Replacement cost;
- h) Current value;

**SUBJECT: ACCOUNTING OF FIXED ASSETS**

- i) Salvage value;
- j) Date and method of disposition; and
- k) Responsible official.

The School Business Official shall arrange for the annual inventory and appraisal of School District property, equipment and material. Any discrepancies between an inventory and the District's property records on file should be traced and explained.

Adopted: 6/16/99  
Amended: 12/21/2005

Non-Instructional/Business  
Operations**SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE****Operation and Maintenance**

The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.

It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

**Construction and Remodeling of School Facilities**

Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the School District shall be submitted to the Commissioner when the contemplated construction costs of such work are \$10,000.00 or more, and for all projects affecting the health and safety of pupils.

Plans and specifications submitted to the Commissioner shall bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications shall also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816).

For remodeling or construction projects costing \$5,000 or more, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR 600 through 1250) and Part 155 of the Commissioner's Regulations, and shall retain the services of an architect or engineer licensed to practice in New York State.

For remodeling or construction projects costing less than \$5,000, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.

**Inspections**

The administration of the School System shall cooperate with officials conducting health, fire, asbestos, bus, and boiler inspections. The administration shall keep the Board of Education informed of the results of such inspections in a timely fashion.

(Continued)

**SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE  
(Cont'd.)**

Structural Safety Inspections

It shall be the duty of the Board of Education to ensure that each facility owned by the District which is used for instructional purposes shall be inspected annually for structural deficiencies.

Every annual structural safety inspection shall be a visual inspection which will examine the structural elements of each building, and may also include inspection of building systems such as heating, plumbing and electrical systems.

If a visual inspection results in a determination that a building may have a structural deficiency, then the building shall be inspected by a licensed architect or a licensed professional engineer.

The annual structural safety inspection shall be made prior to June thirtieth of every school year, and reports of the inspections shall be made available to the public.

Fire Inspection: 8 New York Code of Rules  
and Regulations (NYCRR) Section 155.4  
Education Law Section 807-a  
Health Inspection: Education Law  
Section 906  
Asbestos Inspection: Education Law,  
Article 9-a  
40 Code of Federal Regulations  
(CFR) Part 763, Subpart E  
Plans and Specifications: Education  
Law Sections 408, 408-a and 409  
8 New York Code of Rules and  
Regulations (NYCRR)  
Sections 155.1 and 155.2  
Structural Safety Inspections:  
Education Law Sections 409-d and 3602(6)(d)

Non-Instructional/Business  
Operations

**SUBJECT: HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY  
EMPLOYEES**

The Board of Education recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.

The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific Federal and State laws.

The Board directs the Superintendent to adopt rules to insure District implementation of applicable Federal and State laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

Environmental Protection Agency  
40 Code of Federal Regulations  
(CFR) 261 and 262]  
6 New York Code of Rules and Regulations  
(NYCRR) Part 371

Adopted: 6/16/99



Non-Instructional/Business  
Operations**SUBJECT: SMOKING/TOBACCO USE****School Grounds**

Tobacco use shall not be permitted and no person shall use tobacco on school grounds at any time. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds contained within the District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as any vehicles used to transport children or school personnel.

For purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco (smokeless, dip, chew and/or snuff) in any form.

**Posting/Notification of Policy**

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of Article 13-E of the New York State Public Health Law, the federal Pro-Children Act of 1994, and District policy.

The District shall also ensure that this policy is communicated to staff, students, parents/guardians, volunteers and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

**Prohibition of Tobacco Promotional Items/Tobacco Advertising**

Tobacco promotional item (e.g., brand names, logos and other identifiers) are prohibited:

- a) On school grounds;
- b) In school vehicles;
- c) At school-sponsored events;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District's Code of Conduct and applicable collective bargaining agreements.

\*This prohibition of tobacco promotional items shall be implemented in accordance with the Code of Conduct and applicable collective bargaining agreements. In addition, tobacco advertising is also prohibited in all school-sponsored publications and at all school-sponsored events.

Adopted: 6/16/99  
Amended: 4/29/2008

Safe and Drug-Free Schools and Communities Act  
20 United States Code (U.S.C.) Section 7107 et seq.  
Pro-Children Act of 2001  
20 United States Code (U.S.C.) Sections 7181-7184  
Public Health Law Article 13-E  
Education Law Sections 409 and 3020-a

Adopted: 6/16/99

**Amended:**

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Non-Instructional/Business  
Operations**SUBJECT: SMOKING/TOBACCO USE**

It has been established that smoking and secondhand smoke are significant health hazards. Under the circumstances, therefore, the Board of Education of the South Huntington School District desires to enact a policy for the protection of its students, staff and all those who use School District premises. The stated policy with respect to smoking premises shall be as follows:

- a) There shall be no smoking in any South Huntington facility or any property within the South Huntington School District.
- b) A copy of this policy shall be posted in all buildings within the School District and a copy of this policy will be supplied to any present or prospective employee upon request.
- c) "No Smoking" signs shall be posted in all buildings of the School District or, in the alternative, the international "No Smoking" symbol may be posted in all buildings. Signs shall be protected from tampering, damage, removal or concealment.

Goals 2000: Educate America Act,  
(Pro-Children Act of 1994)  
Public Health Law Article 13-E  
Education Law Sections 409 and 3020-a

Adopted: 6/16/99

**SUBJECT: ENERGY/WATER CONSERVATION AND RECYCLING OF SOLID  
WASTE**

The Board of Education recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption.

**Recycling**

The Superintendent will develop a program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan shall include:

- a) A conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials;
- b) A concerted effort to purchase recycled items and biodegradable rather than non-biodegradable products;
- c) Separation of waste into appropriate categories for the purpose of recycling;
- d) A cooperative effort with community recycling programs.

General Municipal Law Section 120-aa

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)**

The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch and Breakfast Programs and to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the District.

Cafeteria kitchens are maintained in the District schools -- one in each elementary school, one at Memorial, one at Stimson, and two at Walt Whitman. The school lunch program is directed from the Business Office through a School Lunch Director. All cafeteria personnel are employees of the District.

The Superintendent or his/her designee shall have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Superintendent or his/her designee. Appeals regarding eligibility should be submitted to the Superintendent.

Free or reduced price "Type A" school meals may be allowed for qualifying students attending South Huntington Union Free schools upon written application of the student's parent or guardian. Applications will be provided by the School District. Credit cannot be extended to any student or adult for a meal.

Procedures for the administration of the free and reduced price meal program of this School District will be the same as those prescribed in current state and federal laws and regulations.

The cafeteria may supply food services to outside organizations upon Board of Education approval.

**Use of Surplus Commodities**

Surplus foods, made available by the Bureau of Government-Donated Foods Distribution, shall be used to offset some of the costs of the lunch program. The School Lunch Director must make every effort to maximize the use of these foods. Obtaining storage and use of surplus commodities must be accomplished within the guidelines of the United States Department of Agriculture.

**Records/Reports**

A financial statement of all cafeteria operations will be prepared monthly for review by administration and the Board of Education.

**Child Nutrition Program**

Because of the District's participation in the child nutrition program, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Superintendent is directed to develop rules which address:

- a) What can be charged;

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)  
(Cont'd.)**

- b) The limit on the number of charges per student;
- c) The system used for identifying and recording charged meals;
- d) The system used for collection of repayments.

**Restriction of Sweets in School**

The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices.

**Competitive Services**

The school lunch program shall be the vendor for the sale of food and drink items sold during the hours the cafeterias are open.

Organized sales of food or drink items may be authorized by the Principal, or his/her designee, during the hours in which the cafeterias are closed. Such sales, however, are limited to fund-raising events by students or PTA units. This policy is not inclusive of incidental sales during the hours the cafeterias are open.

Vending machines are authorized in faculty rooms only and must be approved by Central Administration.

**Equipment**

Outside use of cafeteria equipment must be approved by the School Lunch Director. Charges for repairs or replacement of damaged equipment will be the responsibility of the outside organization.

Replacement, maintenance and purchase of cafeteria equipment will be charged to cafeteria operations unless approved by the Assistant Superintendent for Business Affairs as a charge elsewhere.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)  
(Cont'd.)**

All equipment shall be inventoried every June, after the closing of the kitchens for the summer. This inventory shall be sent to the Business Office for record keeping. Requests for the use of District kitchens and equipment must be made three (3) weeks in advance, and such use must be supervised by cafeteria employees.

Education Law Sections 915, 1709(22) and (23)  
National School Lunch Act 1946  
Child Nutrition Act 1966

Adopted: 6/16/99

**SUBJECT: RECORDS MANAGEMENT****Initial Designation of Records Management Officer**

- 1) The District shall, in writing, designate one (1) local officer to be Records Management Officer.
- 2) The Board of Education shall notify the Commissioner of Education, in writing, of the name, title or position in the District, mailing address and telephone number of the designated Records Management Officer within one (1) month of such designation.

**Vacancy in the Position of Records Management Officer**

- 1) Whenever a vacancy shall occur in the position of Records Management Officer, a replacement shall be designated within sixty (60) days.
- 2) Within one (1) month of such designation, the Superintendent shall notify the Commissioner of Education, in writing, of the records management officer's name, title or position in the District, mailing address and telephone number.

**Responsibilities of the Records Management Officer**

The Records Management Officer's job is varied and often complex. Regulations implementing the law state that "the records management officer shall initiate, coordinate and promote the systematic management of the District's records in consultation with records custodians." Duties of the Records Management Officer according to regulations include:

- 1) Recommending and guiding the development of records management practices for local government employees;
- 2) Coordinating the continuous disposition of obsolete records in accordance with legal requirements through the adoption and use of records retention and disposition schedules;
- 3) Recommending to the Commissioner of Education suitable retention periods for any records not covered by records retention and disposition schedules;
- 4) Coordinating the storage and management of inactive records (those no longer needed for the conduct of day-to-day business of the District);
- 5) Reviewing and making recommendation on requests for storage equipment;
- 6) Participating in the development of, reviewing proposals for, or coordinating any micrographics or automated data processing systems;
- 7) Organizing or coordinating a program for the identification, administration and use of records of enduring value.



**SUBJECT: RECORDS MANAGEMENT****Other Activities May Include**

- 1) Surveying and analyzing existing records. Surveying records means checking storage areas and containers to determine what records exist regardless of physical format (paper, microfilm, computer tape or disk), where they are located, what condition they are in, how old they are, and what information they contain. An analysis of these record holdings will indicate which ones are obsolete and may be disposed of; which are needed for current use; and, which have enduring legal, fiscal, administrative or historical value and should be retained permanently.
- 2) Conferring regularly with colleagues and department heads to determine their records management needs. How long does the department or agency need a particular records series to conduct routine business? How often do staff refer to the files for information? Has the office retained files longer than applicable State Archives' Records Retention and Disposition Schedules or the local government's needs require? How do officials dispose of out-dated information? The Records Management Officer and the department heads should work together to answer these questions.
- 3) Conducting meetings when problems arise, or when the Records Management Officer has an agenda item to be reviewed by the Board. Situations may occur where Records Management Officer will need the advice of the Board, or its assistance in gaining support for the program.
- 4) Keeping colleagues informed about records management techniques and the records management program. Workshops, manuals and other publications can provide this valuable information. The Records Management Officer may develop educational programs to present to staff and colleagues.
- 5) Consulting with New York State Archives and Records Administration (SARA) as often as advisory services to all school districts in New York State, except New York City. Professional organizations such as the Society of American Archivists (SAA), the Association of Records Managers and Administrators (ARMA) and the National Association of Government Archivists and Records Administrators (NAGARA) may also be contacted.
- 6) Reporting the economic advantages and the tax dollar savings which the records program

provides to other government officials and the public whenever possible. Various public information tools, such as news releases, annual reports, newsletters and the news media may be used to publicize the records program.

Adopted: 6/16/99

Amended: 4/11/2007

Non-Instructional/Business  
Operations**SUBJECT: SAFETY AND SECURITY**

The Board of Education of the South Huntington Union Free School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons, students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

It shall be the responsibility of the Superintendent to establish and carry out written regulations that will:

- a) Identify those staff members who will be responsible for the effective administration of the regulations;
- b) Provide staff time and other necessary resources for the effective administration of the regulations;
- c) Establish periodic written review of the activities of the staff to insure compliance with applicable laws and regulations;
- d) Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;
- e) Provide for semi-annual reports to the Board of Education regarding the significant aspects of safety and security of the District.

## Labor Law Section 27-a

**Student Safety**

All staff who are made aware of physical and/or verbal threats to students must immediately report these threats against students to the next level of supervisory authority for prompt action. The immediate supervisor must then inform the Superintendent/designee, including any action taken, after learning of such threats to students.

The District shall disseminate this policy to all employees in order to ensure staff awareness.

**Hazard Communication Management Plan**

Employees are our School District's most important assets - their health and safety our greatest responsibility.

(Continued)

**SUBJECT: SAFETY AND SECURITY (Cont'd.)**

When employees enter our employ they have a right to know what hazardous chemicals they work with or could be exposed to, and what they can do to avoid injury or illness when working with these chemicals.

The South Huntington School District will provide information and training in order to reduce the possibility of accidental exposure and to comply with the OSHA Hazard Communication Standard which is enforced by the New York State Department of Labor.

New York State Labor Law  
12 New York Code of Rules and  
Regulations (NYCRR) Part 820  
Article 28  
Occupational Safety and Health  
Administration (OSHA)  
29 Code of Federal Regulations  
(CFR) 1910.1200

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: EMERGENCY MANAGEMENT PLAN**

To be prepared for an emergency or crisis in the District and to insure a prompt, thoughtful response, the Board of Education directs the Superintendent to require each building principal and non-instructional supervisor to prepare guidelines for the development of a District Emergency Management Plan. The plan shall make provision for:

- a) Shelter,
- b) Evacuation,
- c) Early dismissal,
- d) Annual written notification to students and staff,
- e) An annual drill, and
- f) Coordination with local and county emergency preparedness coordinators.

An Emergency Planning Committee may be established to supervise the plan, and an Emergency Management Plan Coordinator may be appointed with responsibility for overall coordination and decision-making should an emergency occur.

The Board of Education may create and sustain a control center in anticipation of an emergency. Further, a survey shall indicate the location of potential emergency sites on School District property as well as within the community itself.

8 New York Code of Rules and Regulations  
(NYCRR) Section 155.13

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: CRISIS RESPONSE**

When a crisis arises no school system is immune to the negative, physical or mental effect on its students, staff and the local community. Immediate, effective and responsible management and communication can address the crisis and maintain a District's integrity and credibility. Therefore, the District shall develop and maintain a unified position by:

- a) Identifying a crisis response team to develop a plan and maintain a strong, ongoing communications program in each school. This is the foundation for long range success.
- b) Identifying a media spokesperson who will be briefed on all details. This spokesperson shall be the Superintendent or his/her designee. Only this spokesperson shall talk to and maintain a timely flow of information to the media.

The Superintendent/designee shall be responsible for informing staff of the crisis plan that was developed by both administration and the crisis response team.

**SUBJECT: IT DISASTER RECOVERY PLAN**

The District has developed a comprehensive Disaster Recovery Plan to respond to a disaster that destroys or severely cripples the District's central computer systems operated by the IT Department. The intent is to restore operations as quickly as possible with the most up-to-date available data.

The disaster recovery plan has the following primary objectives:

1. Present an orderly course of action for restoring critical computing capability to the South Huntington School District.
2. Set criteria for making the decision to recover at a cold site or repair the affected site.
3. Describe an organizational structure for carrying out the plan.
4. Provide information concerning personnel that will be required to carry out the plan and the computing expertise required.
5. Identify the equipment, floor plan, procedures, and other items necessary for the recovery.

All disaster recovery plans assume a certain amount of risk, the primary one being how much data is lost in the event of a disaster. We recognize that the District's data recovery efforts are targeted at getting essential systems up and running with the last available off-site backups. Significant effort will be required after the system operation is restored to (1) restore data integrity to the point of the disaster and (2) to synchronize that data with any new data collected from the point of the disaster forward.

**SOUTH HUNTINGTON EMPLOYEE ACCOUNT POLICY****Network Account Creation:**

Network accounts are created for employees of the District upon agreeing to the South Huntington Employee Computer Services and Internet Use Regulations and Procedures. An account consists of a logon to the South Huntington network, network space to store documents, access to shared instructional network resources, and an email address in the shufsd.org domain.

**Password Policy:**

Passwords are an important aspect of computer security. They are the front line of protection for network access, district-wide databases and user accounts. Users are given an initial password when their account is created. They are required to change this password the first time that they log on to the network. This ensures that no one will know another user's password.

To further secure confidentiality, passwords are required to be periodically changed. Forced password changes are enforced for all users, and new passwords must be different than the current password. Staff members are responsible for taking appropriate steps to secure their passwords.

**SUBJECT: IT DISASTER RECOVERY PLAN****Account Termination:**

When a user leaves the district, for any reason, his/her account is disabled. The user will no longer be able to access the district's email system or network. In the event of an employee replacing a previously disabled employee, any files from the previous employee needed will be copied over to the new employee's network storage.

Adopted: 11/19/2008



**SUBJECT: EXPOSURE CONTROL PROGRAM****Bloodborne Pathogen Exposure Control**

The administration will develop guidelines describing a Bloodborne pathogen exposure control program. These guidelines will include:

- a) A listing of employees who are reasonably anticipated to have occupational exposure to blood or other potentially infectious body fluids.
- b) Written Standard Operating Procedures (SOPs) for all employees identified above, giving specific attention to those tasks that require protective equipment to be worn.
- c) All materials and protective equipment necessary to implement and sustain an effective Exposure Control Program in the school environment will be provided.
- d) Designate a qualified person to coordinate, implement and provide education and training for all occupationally exposed employees. In many situations, that person would be the school nurse.
- e) Support on-going continuing education for the designated individual who is responsible for employee education/training.
- f) Provide education/training for all occupationally exposed school staff before potential exposure to blood/body fluids.
  - 1. Initial training of all employees.
  - 2. Training must include all necessary elements as described in the Federal Regulations (29 CFR 910.1030)
  - 3. Each employee must receive annual training.
- g) Have a written procedure of accountability for compliance with the Exposure Control Program.
- h) Review the program, training, implementation, etc. on an annual basis.
- i) Maintain employee education/training records that include date of training, summary of content, names and social security numbers of all persons in attendance. Maintain for three (3) years.
- j) Provide copies of SOPs to all occupationally exposed employees, post SOPs pertinent to each department in visible area.

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Non-Instructional/Business  
Operations

**SUBJECT: EXPOSURE CONTROL PROGRAM (Cont'd.)**

- k) Store, package, label and transport regulated medical waste according to regulations.
- l) Complete NYS Department of Environmental Conservation (DEC) regulation Medical Waste Forms on an annual basis where applicable.
- m) Provide medical counseling information to occupationally exposed staff who are involved in a blood/body fluid exposure incident.
- n) Document each incident of blood/body fluid exposure with follow-up measures taken. Maintain for duration of employment plus 30 years.
- o) Make available free, voluntary HBV vaccination to those employees whose job descriptions put them at a reasonably anticipated risk of occupational exposure.

U.S. Department of Labor  
OSHA Instructional CPL2-244B

Adopted: 6/16/99

Non-Instructional/Business  
Operations

**SUBJECT: COMMUNICABLE DISEASES**

The Board of Education directs the Superintendent or his/her designee to establish regulations and procedures for dealing with communicable diseases in ways that protect the health of both students and staff while minimizing the disruption of the education process.

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES**

The Board of Education contends that a student shall not be denied the right to attend school or continue his/her education nor shall an employee be denied the right to continue his/her employment who has been diagnosed or identified as having a positive blood test for the antibodies to the Human Immunodeficiency Virus (HIV). The Board further contends that under current law and regulations, the disclosure of confidential HIV-related information shall be strictly limited.

Administrative regulations and procedures shall be developed and implemented by the administration based on recommendations from the New York State Education Department and from consultation with appropriate professional and medical staff in the District.

The Superintendent shall also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

This policy should be reviewed on an annual basis and revised as legislation warrants.

Confidentiality: Public Health Law,  
Article 27-F

Adopted: 6/16/99

**SUBJECT: TRANSPORTATION PROGRAM**

It is the intent of the Board of Education to comply with the letter and spirit of the New York State Education Law: with the regulations of the Department of Motor Vehicles and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these shall govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

The Board of Education recognizes and assumes the responsibility for all aspects of the transportation of children wherein the health and safety of students are involved, for the Board of Education has a legal obligation to safeguard the welfare of bus-riding children.

Education Law Sections 3 602(7) and 3635 et seq.

**Scheduling and Routing**

Bus routes are authorized by the Board of Education and any requests for a change must be submitted to the Superintendent or his/her designee.

Transportation shall be provided as follows: Kindergarten through Grade 2, 1/4 mile. Grades 3 through 6, 1/2 mile; Grades 7 through 12, 1 mile; out-of-district transportation, not in excess of 15 miles, as approved by the taxpayers of the District at the Annual Meeting and Election held on May 17, 2005.

Mileage to determine eligibility for transportation will be measured front door of the school via the farthest driveway, over the nearest public highway or street, to the taxpayers farthest property line.

Eligibility for transportation will not obligate the District to furnish door-to-door transportation.

General policy should have in-District children riding no more than one-half hour and out-of-District, no more than one hour each way.

**Walker/Rider**

All students are to be classified as "riders" or "walkers." If for any reason a student requests to do otherwise, i.e., a walker wants to ride the bus to a friend's house, permission must be received from both a parent and the school principal.

Non-Instructional/Business  
Operations

**SUBJECT: TRANSPORTATION PROGRAM (Cont'd.)**

**Late Buses**

Late bus transportation means transportation from the school attended by the students to their home at a time of day later than the time when such transportation is first provided following the end of regular classes. The concept of late bus transportation does not include transportation from school to any place other than the student's home or other normal after-school delivery point. Late bus transportation, if granted to the in-District public schools, shall be given to resident students legally attending non-public schools and entitled to transportation by law or District policy, whether such schools are located within or outside of the District.

For purposes of determining the eligibility of non-public school students for late bus transportation, the following guidelines are established:

- a) Administration must have reasonable notice of such requests, and for this purpose the deadline request dates for transportation to non-public schools, as set forth in Board Policy #5730 shall apply.
- h) Unreasonable requests for late bus transportation may be refused by the Board of Education, Final determination of what is "unreasonable" shall be made by the Board of Education in those individual cases referred to the Board by administration.

Education Law Sections 3621 and 3635

**Transportation of Students**

**Requests for Transportation to and from Non-Public Schools**

To be eligible for transportation to non-public schools, a written notice must be given to the Transportation Department by the parent of a student for whom transportation is desired, not later than April 1 preceding the beginning of the next school year, except where families move into the District later than April 1, in which case the request should be made within thirty (30) days after establishing residence in the District. These requests will be reviewed for reasonableness and cost impact.

Students who are not normally eligible for transportation to non-public schools (beyond 15 miles) will qualify if the District is currently transporting eligible students to that school. The District will designate one public school (Stimson Middle School) as a centralized pick-up point. The District is not responsible for providing transportation between such designated pick-up point and the student's home. Such transportation shall be discontinued effective with the discontinuance of transportation for all eligible students.

**SUBJECT: TRANSPORTATION PROGRAM****Transportation of Students with Disabilities**

Students with disabilities in the District shall be transported up to fifty (50) miles (one way) from their home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within fifty (50) miles. The Commissioner may then establish transportation arrangements.

**Transportation of Non-Resident Students**

The District shall not extend its bus routes outside of the District to pick up non-resident students.

**Transportation to School Sponsored Events**

If the District provides transportation for student athletes participating in inter-scholastic competition and students attending District sponsored educational field trips, students will not be authorized to use any other means of transportation when participating in these events, unless the principal or his/her designee authorizes such alternate transportation. The principal shall require written application prior to approval. As an exception to this policy, a coach may release a student to the parent/guardian for transportation from an inter-scholastic event upon the receipt of a written request from the parent/guardian.

Education Law Sections 3635, 4401(4), 4404, and  
4405

Adopted: 6/16/99

Amended: 4/5/00

Amended: 5/17/2005

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Non-Instructional/Business  
Operations

**SUBJECT: USE OF PRIVATE VEHICLES TO TRANSPORT STUDENTS**

Staff shall not be directed to transport students in their own autos. An exception to this rule is allowed for certain Pupil Services employees, such as school nurses, psychologists and social workers, who may be expected to transport individual children as part of their assigned duties.

Adopted: 6/16/99



Non-Instructional/Business  
Operations

**SUBJECT: USE OF BUSES BY COMMUNITY GROUPS**

Upon formal application to and approval by the Board of Education buses may be rented to a municipal corporation; to any senior citizen center recognized and funded by the Office for the Aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Such rentals can be made only for times when vehicles are not needed for student transport and must be made for a consideration acceptable to the Board.

Education Law Section 1501-b

Adopted: 6/16/99

Non-Instructional/Business  
Operations

**SUBJECT: SCHOOL BUS SAFETY PROGRAM**

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses shall be observed by drivers, students and school personnel.

To assure the safety and security of students boarding or exiting school buses on school property, it shall be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.

The Transportation Supervisor, in cooperation with the principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort. There is no substitute for training to develop safe habits in pedestrian and vehicular traffic.

All buses and other vehicles owned and operated by the School District will have frequent safety inspections, and will be serviced regularly. The transportation supervisor will maintain a comprehensive record of all maintenance performed on each vehicle.

Every bus driver is required to report promptly any school bus accident involving death, injury, or property damage. All accidents, regardless of damage involved, must be reported at once to the Transportation Department.

Education Law Section 3623  
8 New York Code of Rules and Regulations  
(NYCRR) Section 156.3  
Vehicle and Traffic Law  
Section 1174, subdivisions a and b

Adopted: 6/16/99

Non-Instructional /Business  
Operations

**SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS**

The Board of Education recognized the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. The policy also applies to contractor owned and operated school buses under contract with the District.

The District shall ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the District, turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

**Exceptions**

Unless otherwise required by State or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

- a) For mechanical work; or
- a) To maintain an appropriate temperature for passenger comfort; or
- c) In emergency evacuations where necessary to operate wheelchair lifts.

**Private Vendor Transportation Contracts**

All contracts for pupil transportation services between the District and a private vendor that are entered into on or after August 21, 2008, shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

Education Law Section 3637  
Vehicle and Traffic Law Section 142  
8 New York Code of Rules and  
Regulations  
(NYCRR) Section 156.3(h)

Adopted: 1/21/2009

Non-Instructional/Business  
Operations**SUBJECT: QUALIFICATIONS OF BUS DRIVERS**

A person shall be qualified to operate a bus only if such person:

- a) is at least twenty-one years of age;
- b) has been issued a currently valid driver's license or permit which is valid for the operation of a bus in New York State;
- c) has passed the bus driver physical examination administered pursuant to Commissioner's Regulations;
- d) is not disqualified to drive a motor vehicle;
- e) has on file at least three character references; and
- f) has completed, or is scheduled to complete, State Education Department safety programs as required by law.

**Special Requirements For New Bus Drivers**

Before employing a new bus driver, the Superintendent or his/her designee shall:

- a) require such person to pass a medical examination to drive a bus;
- b) make an inquiry to the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;
- c) investigate the person's employment record during the preceding three years;
- d) request the Department of Motor Vehicles to initiate a criminal history check;
- e) require such person to submit to the mandated finger-printing procedure.

Section 509 Article 19-a of the  
Vehicle and Traffic Law  
Part 6 of the Rules and Regulations of  
the Commissioner of Motor Vehicles  
8 New York Code of Rules and Regulations  
(NYCRR) Section 156.3

NOTE: Refer also to Policy #5761 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees.

Adopted: 6/16/99

Non-Instructional/Business  
Operations**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES**

In accordance with federal regulations, employees in safety-sensitive positions as defined in regulations, including school bus drivers who are required to have and use a commercial drivers license (CDL), are now subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

The District shall either establish and manage its own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSE), including school bus drivers who drive a vehicle which is designed to transport 16 or more passengers (including the driver), shall be subject to this requirement.

Federal regulations require that the District test school bus drivers and other SSEs for alcohol and drugs at the following times:

- a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.
- c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.
- d) There will also be post accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
- e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and shall only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer and any other individual designated by law.

(Continued)

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles and other SSEs:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- b) Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
- c) Using alcohol while performing safety-sensitive functions.
- d) Using alcohol 4 hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.
- h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties pursuant to District policy and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior shall not be allowed to perform safety-sensitive functions until they are:

- a) Evaluated by a substance abuse professional (SAP).

(Continued)

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

- b) Complete any requirements for rehabilitation as set by the District and the SAP.
- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- d) The SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least 6 tests in the first 12 months.

The Superintendent of Schools shall ensure that each SSE receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or his/her designee shall ensure that a copy of these materials is distributed to each SSE, who shall sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any safety-sensitive employees. Representatives of applicable collective bargaining units shall be notified of the availability of this information.

The Superintendent or his/her designee shall arrange for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

Any violation of this policy, administration regulations and/or procedures, and applicable federal and state laws by a covered employee shall be grounds for disciplinary action including, but not limited to, fines, suspension, and/or discharge in a manner consistent with District policy, collective bargaining agreements and applicable law.

The Superintendent or his/her designee shall establish regulations necessary to implement this policy.

Omnibus Transportation Employee Testing Act  
of 1991 (P.L.102-143)  
49 United States Code (USC) Section 521(b)  
49 Code of Federal Regulations (CFR) Parts  
40, 382, 391, 392 and 395

Adopted: 6/16/99

**Non-Instructional/Business  
Operations****SUBJECT: SCHOOL BUS MONITORS AND ATTENDANTS****School Bus Monitors and Attendants**

In accordance with Education Law and Commissioner's Regulations, the employment of each school bus monitor and school bus attendant shall be approved by the Superintendent of Schools for each school bus operated within the School District. Approval for employment as a school bus monitor or attendant shall be in writing on a form prescribed by the Commissioner of Education.

As defined in Commissioner's Regulations:

- a) A school bus monitor shall mean any person employed for the purpose of assisting children to safely embark and disembark from a school bus which is owned, leased, or contracted for by a public school district or board of cooperative educational services, and for the purpose of assisting the school bus driver with maintaining proper student behavior on such bus.
- b) A school bus attendant shall mean any person who is employed for the purpose of serving pupils with a disabling condition on a school bus which is owned, leased or contracted for by a public school district or board of cooperative educational services.

All school bus monitors and attendants shall be at least nineteen (19) years of age; and shall have the physical and mental ability to satisfactorily perform his/her duties.

On order of the Superintendent of School, each monitor or attendant may be examined by a duly licensed physician within two (2) weeks prior to the beginning of such monitor's or attendant's service in each school year. The written report of the physician shall be considered by the Superintendent in determining the fitness of the monitor or attendant to undergo any diagnostic tests that are necessary to determine the physical and mental ability of the monitor or attendant to perform his/her duties

Each school bus monitor or attendant of a school bus owned, leased or contracted for by a school district or board of cooperative educational services shall pass a physical performance test approved by the Commissioner. Individuals employed by a school district, board of cooperative educational services or contractor as a monitor or attendant on July 1, 2003, shall have until July 1, 2004 to take and pass a physical performance test. Individuals hired as a monitor or attendant after July 1, 2003, must take and pass a physical performance test before they may assume their duties.

A school bus monitor or attendant who fails any portion of the physical performance test shall be deemed unqualified to perform the duties of that position. The monitor or attendant may request a re-examination. The cost of such re-examination shall be borne by the employer if the monitor/attendant passes the re-examination, or by the monitor/attendant if he or she fails the re-examination.



**Non-Instructional/Business  
Operations****SUBJECT: SCHOOL BUS MONITORS AND ATTENDANTS (Continued)**

All school bus monitors and attendants shall meet the qualifications and/or certification requirements as enumerated in law and/or Commissioner's Regulations. Further, pursuant to Commissioner's Regulations, school bus monitors and attendants shall receive pre-service instruction, safety training, specialized training and refresher training.

In addition to such instruction, any person employed on January 1, 2004, as a school bus monitor, or as a school bus attendant serving students with a disabling condition, shall, by July 1, 2004, receive instruction as prescribed by the Commissioner upon recommendation of the Commissioner's School Bus Driver Instructor Advisory Committee relating to special needs transportation, including, but not limited to, the proper techniques for assisting disabled students in entering and exiting the school bus. Any person hired after January 1, 2004, shall complete such special needs instruction prior to assuming their duties as a school bus monitor or as a school bus attendant.

**School Bus Attendants – Special Requirements**

Every school bus attendant serving students with a disabling condition shall receive school bus safety training and instruction relating to the special needs of such students. Such training shall include guidance on the proper techniques for assisting disabled students in entering and exiting the school bus, and shall include instruction in cardiopulmonary resuscitation (CPR) where such skills are required as part of the individualized education plan (IEP) prepared for the student. Such training and instruction shall also include any additional first aid or health emergency skills that the Commissioner of Education deems appropriate and necessary for school bus attendants to possess. In addition, school bus attendants shall demonstrate the ability to perform procedures necessary in emergency situations as deemed appropriate by the Commissioner of Education.

Any person employed as a school bus attendant serving students with a disabling condition on January 1, 2004, shall comply with the requirements of Education Law and Commissioner's Regulations by July 1, 2004. Any person hired after January 1, 2004 shall comply with such prior to assuming their duties.

Education Law Section 3624  
Vehicle and Traffic Law Section 1229-d  
8 New York Code of Rules and Regulations  
(NYCRR) Section 156.3

Adopted: 12/17/03

1999

5750

Non-Instructional/Business  
Operations

**SUBJECT: STAFF VEHICLES**

A District vehicle will be supplied to the Transportation Supervisor. The use of such vehicle is for business purposes only except for commuting to and from work.

Adopted: 6/16/99

2001 6000

Personnel

**South Huntington Union Free School District**

**PERSONNEL**

**(Section 6000)**

**NUMBER**

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## Personnel

**SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL**

Section 1. Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Education of the South Huntington Union Free School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the Board members and employees of the District. These rules shall serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Section 2. Standards of Conduct. Every Board member or employee of the South Huntington Union Free School District shall be subject to and abide by the following standards of conduct:

(a) Gifts. Pursuant to Section 805-a of the General Municipal Law, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.

(b) Confidential Information. He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

(c) Representation before one's own agency. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

(d) Representation before any agency for a contingent fee. He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

(e) Disclosure of interest in resolution. To the extent that he/she knows thereof, a member of the Board of Education or employee of the South Huntington Union Free School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.

(Continued)

## Personnel

**SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)**

(f) Investments in conflict with official duties. He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.

(g) Private employment. He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

(h) Future employment. He/she shall not, after the termination of service or employment with the School District, appear before any board or agency of the South Huntington Union Free School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Section 3. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the South Huntington Union Free School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 4. Distribution/Posting of Code of Ethics. The Superintendent of the South Huntington Union Free School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the School District within thirty (30) days after the effective date of this resolution. Each Board member and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of Article 18 of the General Municipal Law to be kept posted in each building in the District in a place conspicuous to its Board members and employees. Failure to distribute any such copy of this code of ethics or failure of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law, Article 18, shall have no effect on the duty of compliance with such code or Article 18, nor with the enforcement of provisions thereof.

Section 5. Penalties. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Section 6. Effective Date. This resolution shall take effect immediately.

General Municipal Law, Article 18

Adopted: 6/16/99

## Personnel

**SUBJECT: SEXUAL HARASSMENT**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all district employees an environment that is free of sexual harassment, including sexual violence. Sexual harassment, including sexual violence, is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises and in another state. Since sexual violence is a form of sexual harassment, the term "sexual harassment" as used in this policy will implicitly include sexual violence even if it is not explicitly stated.

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

- a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment;
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; and
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual violence includes, but is not limited to, acts such as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence as defined by New York State Penal Law includes but is not limited to acts such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.

The Board acknowledges that in determining whether sexual harassment has occurred, the totality of the circumstances should be evaluated. A single incident of sexual harassment may be sufficiently severe to create a hostile environment in the workplace. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from co-workers as well as supervisors, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the District. The District will designate one (1) Compliance Officer.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he/she has been a victim of sexual

## Personnel

**SUBJECT: SEXUAL HARASSMENT**

harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment to the District's designated Compliance Officer through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly, thoroughly and equitably investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the employee should report his/her complaint to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a thorough, prompt and equitable investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or reasonably should know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly, equitably, and thoroughly. All procedures developed by the District will provide for the prompt and equitable resolution of the sexual harassment.

To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis.

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

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

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment.

Finding that Harassment Did Not Occur

At any level/state of investigation of alleged harassment, if a determination is made



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**SUBJECT: SEXUAL HARASSMENT**

that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

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

Knowingly Makes False Accusations

Employees and/or students who knowingly make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Privacy Rights

As part of the investigation, the District has the right to search all school property and equipment including District computers in accordance with District policy and all applicable federal and state laws and regulations, as well as any collective bargaining agreements. Although rooms, desks, cabinets, lockers, computers, etc., are provided by the District for the use of students and staff, the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Development and Dissemination of Administrative Regulations

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

Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s). The Superintendent/designee(s) will review the topic of sexual harassment with all employees, express the District's condemnation of such conduct, and explain the sanctions for harassment. Training programs will be established for

**SUBJECT: SEXUAL HARASSMENT**

employees to help ensure awareness of the issues pertaining to sexual harassment in the workplace, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, in the investigation of sexual harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request. The District's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks and/or school calendars.

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

Adopted: 6/16/99

Amended: 7/10/2012

**SUBJECT: EQUAL OPPORTUNITY AND NONDISCRIMINATION**

The Board of Education, its officers and employees, shall not discriminate against any individual on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, sex, sexual orientation or gender (including gender identity and expression), military status, disability, predisposing genetic characteristics, marital status, or domestic violence victim status.

The term “military status” means a person’s participation in the military service of the United States or the military service of the state, including but not limited to, the armed forces of the United States, the army national guard, the air national guard, the New York naval militia, the New York guard, and such additional forces as may be created by the federal or state government as authorized by law.

Job descriptions for all District positions shall be developed and maintained by administration.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings and student activities, as well as the recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

The Board of Education, its officers and employees shall not discriminate against students on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, sex, sexual orientation, or gender (including gender identity and expression), disability, or predisposing genetic characteristics.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the District’s Code of Conduct, the law or applicable contract.

Nothing in this policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person’s gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

At the beginning of each school year, the District shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. Inform parents, employees, students and the community that education programs, including but not limited to vocational programs, are offered in a non-discriminatory fashion.

**SUBJECT: EQUAL OPPORTUNITY AND NONDISCRIMINATION**

2. Provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. Be included in announcements, bulletins, catalogues, and applications made available by the district.

The Assistant Superintendent for Student Services has been designated to handle inquiries regarding the District's non-discrimination policies. Contact information for the Assistant Superintendent for Student Services is available on the district's website and in the District's Calendar/Parent Handbook. Complaints of sexual harassment or discrimination are covered by Board Policies §6121/Staff and §7531/Students. Complaints of student harassment or bullying are covered by §7315.

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref:     6121    Sexual Harassment/Staff  
                      7731    Sexual Harassment/Students  
                      7310    Code of Conduct  
                      7315    Student Harassment and Bullying Prevention and Intervention

Ref:    Age Discrimination in Employment Act of 1967 29 U.S.C. §621 *et seq.*  
          Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*  
          Civil Rights Act of 1964, Title VI, 42 U.S.C. §2000d *et seq.*  
          Civil Rights Act of 1964, Title VII, 42 U.S.C. §2000e *et seq.*  
          Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*  
          Rehabilitation Act of 1973, §504, 29 U.S.C. §794  
          Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*  
          Genetic Information Nondiscrimination Act of 2008  
          34 C.F.R. §§ 100.6, 104.8, 106.9, 110.25  
          New York Executive Law §296 *et seq.*  
          Education Law §§313(3), 3201, 3201-a  
          The Dignity for All Students Act, Education Law §§10-18

Attachment: Equal Opportunity and Nondiscrimination Regulation

Adopted: 7/10/2012

**SUBJECT: EQUAL OPPORTUNITY AND NONDISCRIMINATION  
REGULATION**

The procedures set forth in this regulation do not supersede any protection complainants are provided under existing state or federal law.

**Definitions**

1. Complainant shall mean an applicant, employee, (not covered by collective bargaining agreements or whose agreements do not include grievance procedures), student or vendor who alleges that they have been subjected to discrimination, which may be a violation of this policy, as well as a violation of federal or state law or associated regulations, which has affected him/her.
2. Complaint shall mean any alleged act of discrimination which may be a violation of this policy, which may also violate federal and state civil rights laws or associated 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 the Civil Rights Act of 1964, Section 504 and the ADA. The District's compliance officer is the: Assistant Superintendent of Student Services.

The investigation and resolution of any complaints alleging an action prohibited by the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act or the ADA shall be dealt with in the following prompt, equitable and impartial manner:

**A. Stage I--Compliance Officer**

1. As soon as practicable, if possible within 30 days after the events giving rise to the allegation, the complainant shall file a complaint, preferably in writing using the District's complaint form, with the Compliance Officer. The Compliance Officer may informally discuss the complaint with the complainant. He/she shall promptly and thoroughly investigate the matter. All employees and students of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of receipt of the complaint, the Compliance Officer shall make a finding in writing that there has or has not been a violation of the Civil Rights Act, 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 complainant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the complaint, the complainant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent of Schools.

**SUBJECT: EQUAL OPPORTUNITY AND NONDISCRIMINATION  
REGULATION**

**B. Stage II--Superintendent of Schools**

1. The Superintendent may request that the complainant, the Compliance Officer, student, 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 complaint and the facts surrounding it.
2. The Superintendent 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.
3. Within 15 days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA, and if applicable, a proposal for equitably resolving the complaint.
4. If the complainant is not satisfied with the determination of the Superintendent or the proposed resolution, the complainant 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 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 complainant.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

Adopted: 7/10/2012

## Personnel

**SUBJECT: EVALUATION OF PERSONNEL: PURPOSES**

The administration shall undertake a continuous program of supervision and evaluation of all personnel in the School System in order to promote improved performance and to make decisions about the occupancy of positions. The purposes of this evaluation include, but are not limited to,

- a) To encourage and promote self-evaluation by personnel;
- b) To provide a basis for evaluative judgments by school administrators.

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

## Personnel

**SUBJECT: HEALTH EXAMINATIONS****Personnel**

All newly hired bus drivers and cafeteria workers must complete a physical examination by the school physician at the expense of the District and have a tuberculin test preceding the first working day in the District.

1. On an annual basis, school bus drivers and cafeteria employees are required to complete a physical examination by a school physician at the expense of the District.
2. An annual, or more frequent, examination of an employee may be required when, in the judgment of the school physician or school administration, such procedures are indicated.

The Board encourages the use of the employee's personal physician for the periodic examination at the employee's expense.

Education Law Section 913  
Bus Drivers: 8 New York Code of Rules and  
Regulations Section 156.3(2)  
Rules and Regulations of the Commissioner of  
Motor Vehicles Section 5.09-b  
Cafeteria Workers: State Sanitary Code

Adopted: 6/16/99  
Amended: 5/14/02  
Amended: 10/01/2007



## Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)**

We believe that all schools in the South Huntington Union Free School District should be drug free. This should include alcohol and any other controlled drug detrimental to the health and welfare of the members of our school community. In view of the above, the District is committed to supporting the prevention, treatment and elimination of the use of the above-mentioned substances on school property or during school-sponsored events.

Therefore, no person may use, possess, sell, distribute or manufacture alcohol or other controlled substances, nor may use or possess drug paraphernalia on school grounds or at school-sponsored events at which students are present. Drugs, as prescribed by a physician, are exempt. The terms "alcohol and other substances" shall be construed throughout this policy to refer to the use of all controlled substances including amphetamines, heroin, steroids, look-alike and any of those substances commonly referred to as "designer drugs." The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

Additionally, any person whose behavior reflects an "obvious" consumption of alcohol or illegal substances may not enter the school grounds or school-sponsored events.

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

- a) Alcohol and other substance use/abuse is preventable and treatable.
- b) Alcohol and other substance use/abuse inhibits the District from carrying out its central mission of educating students and developing productive citizens.
- c) The behavior of the Board of Education, the administration and all school staff should model the behavior asked of students.
- d) While the District can and must assume a leadership role in alcohol and other substance use/abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents, students, staff and the community as a whole.

**District Goal**

The South Huntington School District is committed to the prevention of use/abuse of alcohol and other controlled substances. The District is dedicated to providing a safe environment conducive to learning. Chemical use/abuse by students or staff members interferes with instruction, undermines the respect which must characterize learning and threatens the safety and well-being of both the abuser and non-user. Our primary purpose is to educate all our students using accurate and age-appropriate information about alcohol, tobacco and other substances. This will include the physical, psychological and social consequences of their use/abuse. Our goal is to help students develop appropriate life skills

(Continued)

## Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)  
(Cont'd.)**

to resist the use of alcohol and other substances by helping them develop a positive self-concept and by promoting the development of healthy life styles. To accomplish this goal, our students will be provided with a comprehensive prevention curriculum, kindergarten through twelfth grade. The District will encourage participation in positive alternatives through a program of diversified extra-curricular activities.

Students considered at risk who may need extra support to avoid further problems may fall into some of the following areas:

- a) Children of alcoholics and substance abusers;
- b) Children who are physically or emotionally abused or neglected;
- c) Children who are sexually abused;
- d) Children left in self-care;
- e) Children new to the District, school or classroom;
- f) Children who are pregnant;
- g) Children who are underachievers or overachievers;
- h) Children who are homeless.

The Student Assistance Program maintains contact with community agencies in order to coordinate appropriate referrals for students and families when substance abuse has been identified. Students and parents will periodically be notified regarding the role of the student assistance counselors and their availability for intervention. Students, parents, and staff members may contact the student assistance counselor directly with concerns they may have in this area. All contact between the student assistance counselor and students and families is confidential.

South Huntington School District cares about the well-being of its employees and recognizes that a variety of personal problem, such as substance abuse, can disrupt their personal and work lives. The District has established an Employee Assistance Program which gives employees who may be abusing alcohol and other substances the support they need in a confidential setting. The EAP serves to help staff identify their problems, motivate them for treatment, and refer them to appropriate resources.

As part of its preventative program, the District reserves the right to periodically search areas established as public, such as student lockers, halls and bathrooms. This will help assure a safe and proper environment.

(Continued)

## Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)  
(Cont'd.)**

It is the responsibility of every staff member to report any information or observations regarding the suspected use, possession or trafficking of alcohol or drugs. Staff members must make these reports to the building principal or his/her designee. Moreover, staff making such reports are immune from any civil liability.

All staff (administrative, instructional and non-instructional) will review the substance abuse policy on a yearly basis. In addition, the District administrators will be responsible for ongoing staff education and awareness regarding substance abuse and the identification of these problems. The South Huntington School District Substance Abuse Committee which consists of school, community and agency representatives will continue to meet on a regular basis. The committee coordinates the District and community efforts to focus on the current trends in substance abuse and its treatment.

**Standards of Conduct for Employees and Students in a Drug- and Alcohol-Free School Environment**

The South Huntington School District is committed to make every effort to have a drug and alcohol free school environment. In furtherance of this commitment, the District has adopted, in conjunction with its drug-free school environment policy, "standards of conduct" for employees and students as follows:

- a) The manufacture, distribution, dispensation, possession and/or illegal use of controlled substances and alcohol by employees and students on the school premises is prohibited.
- b) The use of controlled substances and alcohol by employees and students prior to attending school which results in the intoxication of the employee and student while on the school premises is likewise prohibited.
- c) Employees who feel that their work performance may be affected by prescribed medication are encouraged to report potential side effects to their supervisor.
- d) Employees and students requesting aid and guidance in alcohol and drug abuse resolution will be dealt with on a confidential basis. Help for employees shall be made available through the Employee Assistance Program. Help for students will be provided through the Student Assistance Program. Both programs will make referrals to appropriate drug and alcohol rehabilitation programs.
- e) Compliance with the "standards of conduct" is mandatory.
- f) Sanctions consistent with local, state and federal law including possible termination of employment, expulsion from school and referral for prosecution will be imposed on students or employees who violate the "standards of conduct."

(Continued)

## Personnel

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

- g) Each employee shall notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace within five days of the conviction. The Board of Education and any federal agency requiring such notification will be advised within ten days after receipt of such notification.

**Standards of Intervention for Students**

If a student is suspected of alcohol or drug possession, or if a student appears to be under the influence of drugs or alcohol, then the following steps will be taken:

- a) The student will not be left alone;
- b) The building principal or designee will be notified;
- c) If consumption is suspected, the school nurse will see the student to determine if further medical intervention is needed;
- d) If possession of an illegal substance is found, the police will be notified by the building principal.
- e) The parents or legal guardians will be notified.
- f) The building principal will report the information regarding the student to the Assistant Superintendent for Student Services, who will inform the Superintendent.
- g) The student will be referred to the student assistance counselor for three mandatory sessions. The focus of these meetings will be to evaluate the nature of the student's problem and to make recommendations for appropriate intervention.

**Standards of Intervention for Employees**

If an employee is suspected of alcohol or drug possession, or appears to be under the influence of drugs or alcohol, then the following steps will be taken:

- a) The building principal or designee will be notified;
- b) The employee will be removed from the duty area;
- c) If consumption is suspected, the school nurse will be consulted;
- d) The Assistant Superintendent Personnel and District Services will be notified, as will a representative of the individual's bargaining unit.

(Continued)

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

- e) The individual will be encouraged to contact the District's EAP.
- f) The appropriate agencies, including law enforcement agencies, will be contacted based on the circumstances.

Education Law Sections 913, 1711(5)(e), and 3020-a  
Civil Service Law Section 75

Drug-Free Schools and Communities Act  
Amendment of 1989  
(Public Law 101-226)

## Personnel

**SUBJECT: DRUG-FREE WORKPLACE**

It shall be the general policy of the Board of Education to affirm that all programs in the District that receive Federal funds shall guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in regulation at 21 Code of Federal Regulations (CFR) 1308.11-1308.15. An acknowledgment form shall be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act. This policy shall guarantee that not only Federally funded programs, but the entire District is free of controlled substances.

The Board of Education directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as shall be required to maintain a drug-free workplace.

In addition to complying with Federal legislation regarding the use of drugs, the Board of Education prohibits any employee to be under the influence, to use, to have in his or her possession or to distribute in any way alcohol on school property or at school sponsored activities off school property.

Drug-Free Workplace Act of 1988  
20 United States Code (U.S.C.)  
Section 3171

Adopted: 6/16/99

## Personnel

**SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT**

It is the policy of the District that attention be given to in-service and pre-service staff development programs. The Superintendent is directed to arrange in-service education programs that will help employees master new methods acceptable to the schools, or to help employees to improve techniques already being used in the schools, with the object of improving their professional competencies.

The Board of Education will provide the means necessary to make staff in-service opportunities possible.

Members of the staff shall be encouraged to continue their formal education as well as to attend their respective work-related workshops, conferences and meetings, and to take an active part in organizations.

**PERSONNEL****SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES**

Unless otherwise authorized in accordance with law and regulation, the District shall not employ or utilize a prospective school employee, as defined below, unless such prospective school employee has been granted a “full” clearance for employment by the State Education Department (SED). The District shall require a prospective school employee who is not in the SED criminal history file to be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. For purposes of this provision of law, the term "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI).

The District shall utilize SED’s web-based application known as TEACH for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides an individual with the ability to apply for fingerprint clearance for certification and/or employment and view the status of his/her fingerprint clearance request. Through TEACH, the District is able, among other applications, to submit an online request for fingerprint clearance for a prospective employee, view the status of a fingerprint clearance request, and determine whether a subsequent arrest letter has been issued.

**Safety of Students**

The District will develop internal building and/or program procedures to help ensure the safety of students who have contact with an employee holding conditional appointment or emergency conditional appointment. Such procedures will address the safety of students in the classroom, students attending off-campus activities under the supervision of the District, and students participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

Safety procedures to be addressed include, but are not limited to, the following: supervision of the employee holding conditional appointment/emergency conditional appointment as determined appropriate by the applicable building/program administrator; and periodic visitations by the building/program administrator to the classroom, program and/or activity assigned to the employee holding conditional appointment/emergency conditional appointment.



## PERSONNEL

**SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES  
(Cont'd.)****“Sunset” Provision for Conditional Appointments/Emergency Conditional Appointments**

The provisions in law which permit the conditional appointment and/or emergency conditional appointment of employees pending full clearance from SED shall terminate, in accordance with legislation, on July 1, 2010; and shall be rescinded as Board policy and procedure as of that date (unless subsequent revisions to applicable law provide otherwise).

**Access to TEACH**

Information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), an up-to-date chart for “Who Must be Fingerprinted”, and instructions on the fingerprinting process are found on [www.highered.nysed.gov/tcert/ospra](http://www.highered.nysed.gov/tcert/ospra). To request access to TEACH, email [TEACHHELP@mail.nysed.gov](mailto:TEACHHELP@mail.nysed.gov).

Education Law Sections 305(30),305(33), 1604,  
1709, 1804, 1950, 2503, 2554, 2590-h, 2854,  
3004-b, 3004-c, and 3035  
Executive Law Section 296(16)  
Social Services Law Article 5, Title 9-B  
8 New York Code of Rules and Regulations  
(NYCRR) Section 80-1.11 and Part 87

Adopted: 8/31/01

Amended: 02/24/2010

## Personnel

**SUBJECT: CERTIFICATION**

- a) In accordance with applicable statutes, Rules of the Board of Regents, and Regulations of the Commissioner of Education, each employee whose employment requires certification or other licensure shall inform the Superintendent of Schools immediately of any change in the status of his/her certification or licensure. The changes shall include, but not be limited to, the granting, revocation, upgrading, expiration, conversion and/or extension of these documents as to their periods of validity or their titles.
- b) The original certificates and/or licenses must be presented for examination and copying in the office of the Superintendent of Schools as soon as they are available to the employee. The copies will be maintained in the Superintendent's files in support of the legitimate employment of each affected employee. The failure of any such employee to possess the required certification or other licensure may result in the discharge of that employee.
- c) Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for his/her assignment.

Education Law Sections 3001, 3001-a,  
3004, 3006, and 3008  
8 New York Code of Rules and Regulations  
(NYCRR), Part 80

Adopted: 6/16/99

## Personnel

**SUBJECT: INCIDENTAL TEACHING**

The Board of Education authorizes the Superintendent of Schools to assign a teacher to teach a subject not covered by the teacher's certificate for up to five classroom hours a week when the Superintendent believes it is in the interest of the School District. In order to accomplish this, the Superintendent shall, pursuant to the regulations of the Commissioner of Education, Section 80.2:

- a) Determine that the teacher being assigned on an incidental basis has sufficient teaching experience and knowledge of the subject to teach it in a competent manner;
- b) Submit a list of all teachers assigned on an incidental basis, including the course assigned and the certification area of teacher so assigned to the Board of Education at a public meeting in August, or at the next scheduled public Board meeting immediately following such assignment; and
- c) Submit the same list to the State Education Department as required by law.

In addition, the Superintendent shall ensure that the District informs parents of those in the class(es) about incidental teaching assignments.

The information provided should include the teacher's experience and knowledge of the subject matter so parents are aware of the teacher's qualifications to teach the subject.

If a parent appeals an incidental assignment, the appeals process shall begin with the filing of a written complaint with the building principal. If the complaint remains unresolved at this level, the complaint is appealable to the Superintendent. If still unresolved, the parent may appeal to the Board, and if not resolved, may appeal to the Commissioner of Education.

8 New York Code of Rules and Regulations  
(NYCRR) Section 80.2(c)(7)

Adopted: 6/16/99

## Personnel

**SUBJECT: PROBATION AND TENURE****Probation**

Certified staff members shall be appointed to a probationary period by a majority vote of the Board of Education upon recommendation of the Superintendent of Schools.

Full-time certified staff members shall be appointed to a probationary period of three (3) years. However, the probationary period shall not exceed two (2) years for a member previously appointed to tenure in this or another school district or BOCES within the state, provided the member was not dismissed from the former district. Additionally, up to two (2) years of service as a regular substitute teacher may be applied towards probationary service. This is sometimes referred to as Jarema Credit.

During the probationary period, a member shall be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance shall be assumed because of the possession by the member of the required certification or license.

**Tenure**

Certified staff members successfully completing a probationary period in the South Huntington Union Free School District may be recommended (by the Superintendent of Schools) to the Board of Education for tenure appointment.

The Board will follow all applicable statutes regarding tenure.

Education Law Sections 3012 and 3031

Adopted: 6/16/99

1999

6211.1

Personnel

**SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL**

Tenured teachers and certain certified personnel may be subject to disciplinary charges that are set forth in Section 3012 of the Education Law.

Procedures for a hearing regarding these disciplinary measures will be in accordance with Section 3020-a of the Education Law and/or in accordance with applicable contractual provisions.

Adopted: 6/16/99

## Personnel

**SUBJECT: STAFF: SEPARATION**

A teacher may be dismissed upon provision of sixty (60) days' notice and pay during the probationary period only upon the recommendation of the Superintendent and majority vote of the Board in accordance with the Education Law.

The Board shall expect any teacher desiring to terminate his/her services to provide the Board with a minimum of thirty (30) days' notice before the effective termination date.

When possible, a teacher shall make every effort to terminate employment at the end of the school year. Resignations must be in writing and include the effective date.

Education Law Sections 3012, 3019-a, and 3031

Adopted: 6/16/99

## Personnel

**SUBJECT: EMPLOYMENT OF RELATIVES OF BOARD OF EDUCATION MEMBERS****Nepotism**

The Board of Education should not employ any person on a full-time or part-time basis in a salaried instructional or non-instructional position if such person is closely related, as defined below, to a Board member. For the purpose of this policy, a close relative shall be defined as : Mother, Father, Grandmother, Grandfather, Spouse, Son, Daughter, Son-in-law, Daughter-in-law, Brother, Sister, or Grandchild.

This policy shall not apply to any such closely related person who was employed on a full-time or part-time basis by the Board prior to the inception of the relationship, adoption of this policy, or Board member's election.

This policy is intended to avoid placing a Board member in a situation that could raise questions of a possible conflict of interest or in any way jeopardize the complete trust of the public.

It is always important that a Board member can participate in all Board discussions and decisions with unbiased conviction, unswayed by a partisan attitude of any kind.

The responsibility of a public trust is one of such high importance that the School District's policy-making body must at all times make every effort, including personal sacrifices, to ensure that the confidence of the public is maintained.

Education Law Section 3016  
General Municipal Law Sections 800-809

Adopted: 6/16/99

## Personnel

**SUBJECT: TEMPORARY PERSONNEL**

District's needs may sometimes require temporary appointments. The terms of these appointments shall be defined by the Board of Education on a case by case basis.

**Student Teachers**

The South Huntington Union Free School District shall cooperate with teacher training institutions in the placement of student teachers in order to provide beginning teachers with the best possible student teaching experience.

Student teachers shall be protected from liability for negligence or other acts resulting in accidental injury to any person by the School District, as provided by law.

**Substitute Teachers**

A substitute teacher qualified to teach in the South Huntington Union Free School District shall be employed, whenever possible, by the Superintendent of Schools in the absence of a regular teacher. It is recognized that fully certified persons will not always be available for employment as substitute teachers.

The Board of Education shall annually establish the ordinary rate for per diem substitute teachers.

A Regular Substitute (those replacing teachers absent on leave for an extended period of time), at the discretion of the Superintendent, shall be placed on their proper schedule and step (no higher than 8th step) on the teachers' salary schedule.

Regular Substitutes shall participate in employee benefits for which they are eligible; i.e., Sick Leave, etc.

An Itinerant Substitute is one who is assigned by the day to take the place of a teacher who is absent for a brief period of time. Per diem payment for services of itinerant substitutes shall be established by separate Board action prior to September 1 of each school year.

Itinerant substitute teachers are not eligible to participate in employee health and welfare plans.

8 New York Code of Rules and Regulations  
(NYCRR) Section 80.36  
Education Law Section 3023

Adopted: 6/16/99



1999

6310

Personnel

**SUBJECT: APPOINTMENT - SUPPORT STAFF**

The probationary period for all new civil service employees shall be for the maximum period established by the local Civil Service Commission.

The time, place and conditions of employment shall be assigned by the Superintendent of Schools. The duties for each Civil Service employee shall be clearly defined.

Civil Service Law Section 63

Adopted: 6/16/99

## Personnel

**SUBJECT: EMPLOYMENT OF TEACHER AIDES**

In accordance with Regulations of the Commissioner, the Board of Education may employ aides to assist in the daily operation of the school through non-teaching duties.

The duties and responsibilities to be assumed by aides shall be outlined by the Superintendent of Schools.

Persons employed as aides shall be responsible to the building principal and/or his/her designated representatives.

8 New York Code of Rules and Regulations  
(NYCRR) Section 80.33(a)

Adopted: 6/16/99

1999

6410

Personnel

**SUBJECT: MAINTAINING DISCIPLINE AND CONDUCT**

All personnel employed by the District are responsible for maintaining student discipline and appropriate conduct during school hours or at extracurricular events.

Adopted: 6/16/99

## Personnel

**SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION****Personnel Records**

The Board of Education directs the Superintendent to maintain a personnel file for each teacher, administrator and support staff member employed by the District.

The Board also directs the Superintendent to maintain regulations and procedures governing the inspection by District employees of their personnel files.

**Release of Personnel Information**

All steps should be taken to protect the privacy of the employees of the Board of Education. To ensure the individual's privacy, directory or confidential information should not be shared with a third party except in the following situations:

- a) When members of the Board of Education need information from the employee's personnel record to aid them in performing their legal responsibilities in such matters as appointments, assignments, promotions, demotions, remuneration, discipline, dismissal or to aid in the development and implementation of personnel policies.
- b) When the employee grants permission.

Procedures for obtaining consent for release of records to third parties shall be developed by the administration.

**Release of Information Concerning Former Employees**

The District shall not release information concerning the employment records, personnel file or past performance of a former employee, unless such information is required to be disclosed by law. Only the initial and final dates of employment and the position held shall be provided through a written response to a written request. The former employee may authorize the release of any additional information.

8 New York Code of Rules and Regulations  
(NYCRR), Part 84  
Public Officers Law Section 87

Adopted: 6/16/99

## Personnel

**SUBJECT: EMPLOYEE ACTIVITIES****Political Activities**

The Board of Education recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally-protected rights to address matters of public concern.

However, a District employee's constitutional rights to raise matters of public concern are limited when the speech or action occurs on school grounds and/or during school times. When such speech or action occurs on school grounds and/or during school time, the Board of Education can impose reasonable restrictions on the time, place and manner of the speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the school.

Teachers may not use their classrooms or school surroundings as a means to promote their personal political views and beliefs. However, teachers are encouraged to address issues of current events for their instructional and informational value to students, to invite public and/or political figures to visit the classroom as a community resource, and to motivate students to participate in the political process.

**Staff Members Holding Political Office**

The Board of Education recognizes the right of every staff member to participate in the political life of the community, including the right to seek and hold public office. It does, however, have as its prime obligation, to provide the best education possible within its resources, unencumbered by the personal pursuits or obligations of the staff member.

In the event that a staff member is elected to public office, he/she shall be expected to fulfill all of his/her duties as an employee of the South Huntington Schools, and these duties shall have priority during the school day over any other obligations which the employee may assume. The duties of the employee in his/her assigned position may not be abridged or curtailed as a result of his/her election to a public office; this shall apply to the length of his/her work day and work year as stipulated in the annual contract or agreement developed between the Board of Education and the respective employee units.

In the event that an employee is elected to a public office requiring absence from duties in the South Huntington Schools on a regular basis, the Board of Education will consider extending to him/her the privilege of a leave of absence on recommendation of the Superintendent of Schools, who will be guided by provisions of contracts or agreements developed between the Board and the respective employee units.

**Solicitations by Staff Personnel**

Staff members shall not be engaged in advertising or commercial solicitations on school time, except as authorized by the Superintendent and/or designee.

NOTE: Refer also to Policy #5560 -- Use of Federal Funds for Political Expenditures.

Adopted: 6/16/99

## Personnel

**SUBJECT: NEGOTIATIONS****Legal Status**

The legal status for negotiations is the Public Employees' Fair Employment Law (Taylor Law), Article 14 of the Civil Service Law.

Organizations recognized for the purposes of collective bargaining include:

- a) South Huntington Administrators Association, representing the administrative and supervisory staff.
- b) South Huntington Teachers Association, representing all professional certified personnel on tenure, on probation, or with an appointment of five (5) months or more, but not per diem appointments, including alternative high school professional certified staff.
- c) South Huntington Registered Professional Nurses Association, representing registered professional nurses.
- d) South Huntington Chairpersons Association, representing the department chairpersons in grades 6 through 12.
- e) United Public Service Employees Union Local 424, representing custodial, maintenance and transportation employees.
- f) Cafeteria Employees United Public Service Employees Union Local 424, representing cafeteria employees.
- g) South Huntington Paraprofessional Association, representing special education paras, special education/clerical paras, instructional support paras, personal paras, ESL paras, computer lab paras, special education (pre-school) paras, and primary mental health paras.
- h) Office Staff Association of the South Huntington Union Free School District, representing clerical employees, except those removed from the unit as "confidential employees."
- i) United Public Service Employees Union Local 424 Security Unit, representing full and part-time security employees.

Adopted: 6/16/99

1999

6450

Personnel

**SUBJECT: THEFT OF SERVICES OR PROPERTY**

The theft of services or property from the District by an employee will result in immediate disciplinary action that can lead to dismissal or other penalty, and shall not preclude the filing of criminal or civil charges by the District.

Adopted: 6/16/99

1999

6460

Personnel

**SUBJECT: JURY DUTY**

A District employee called for jury duty shall receive his/her full day's pay from the School District plus mileage from the State. No employee shall be entitled to receive the per diem allowance for any regularly scheduled workday on which jury duty is rendered if on such a day his/her wages are not withheld on account of such service.

Judiciary Law Section 521(b)

Adopted: 6/16/99



## Personnel

**SUBJECT: USE OF FACULTY MAIL BOXES**

Faculty mail boxes in the respective schools of South Huntington and the interschool mail delivery system maintained by the School District are to be used for United States mail and distribution of materials which have the approval of the Board of Education or its administrative representatives.

**STAFF INTERNET**

The District's computer networks and Internet connection are provided for educational and administrative purposes consistent with the district's mission, goals, and objectives. (The term "educational purpose" includes use of the system for classroom activities and professional or career development.)

Access to the Internet is part of the district's computer networks. The Internet offers vast, diverse, and unique resources for students and staff; its interconnectivity allows access to an extensive array of communication and information resources. South Huntington Union Free School District's goal in providing this service is to promote educational excellence throughout our school community.

**Acceptable Use and Conduct**

- a) Access to the District's computer network is provided solely for educational purposes and research consistent with the District's mission and goals.
- b) Use of the District's computer network is a privilege, not a right. Inappropriate use may result in the suspension or revocation of that privilege.
- c) Each individual in whose name an account is issued is responsible at all times for its proper use.
- d) All network users are expected to abide by the generally accepted rules of network etiquette. This includes being polite and using only appropriate language. Abusive language, vulgarities and swear words are all inappropriate.
- e) Network users identifying a security problem on the district's network must notify the appropriate administrator or computer network coordinator. Under no circumstance should the user demonstrate the problem to anyone other than to the district official being notified.
- f) Any network user identified as a security risk or having a history of violations of district computer use guidelines may be denied access to the district's network.

(Continued)

## Personnel

**SUBJECT: USE OF FACULTY MAIL BOXES (Cont'd.)****Prohibited Activity and Uses**

The following is a list of prohibited activity concerning use of the District's computer network. Violation of any of these prohibitions may result in discipline or other appropriate penalty, including suspension or revocation of a user's access to the network.

- a) Infringing on any copyrights or other intellectual property rights, including copying, installing, receiving, transmitting or making available any copyrighted software on the district computer network.
- b) Using the network to receive, transmit or make available to others obscene, offensive, or **sexually explicit material**.
- c) Using the network to receive, transmit or make available to others messages that are **racist, sexist, obscene, profane, lewd, vulgar, inflammatory, threatening abusive or harassing** to others. (Note: A special exception may be made for hate literature if the purpose of such access is to conduct research. District employees may access the above material only in the context of legitimate research.)
- d) Engaging in **personal attacks**, including **prejudicial** or **discriminatory attacks**.
- e) Knowingly or recklessly posting **false** or **defamatory** information about a person or organization.
- f) Using another user's account or password.
- g) Attempting to read, delete, copy or modify the electronic mail (e-mail) of other system users and deliberately interfering with the ability of other system users to send and/or receive e-mail.
- h) Forging or attempting to forge e-mail messages.
- i) Engaging in **vandalism**. Vandalism is defined as any malicious attempt to harm or destroy district equipment or materials, data of another user of the district's network or of any of the entities or other networks that are connected to the Internet. This includes, but is not limited to, creating and/or placing a computer virus on the network.
- j) Using the network to send anonymous messages or files.
- k) Using the network to receive, transmit or make available to others a message that is **inconsistent with the District's Code of Conduct**.
- l) Revealing another person's personal address, telephone number or other personal information or **confidential information**.

(Continued)

## Personnel

**SUBJECT: USE OF FACULTY MAIL BOXES (Cont'd.)**

- m) Intentionally disrupting network traffic or crashing the network and connected systems.
- n) **Installing personal software** or using personal disks on the district's computers and/or network without the permission of the appropriate district official or employee.
- o) Using district computing resources for **commercial or financial gain** or fraud, or using the network for **commercial activity**, including advertising.
- p) **Stealing** data, equipment or intellectual property.
- q) Gaining or seeking to gain **unauthorized access to any files**, resources, or computer or phone systems, or vandalize the data of another user.
- r) **Wastefully using** infinite district resources.
- s) Using the network while access privileges are suspended or revoked.
- t) Assisting the election campaign of any person for any office or for the promotion or opposition to any ballot proposal is prohibited. (District employees may use the system to communicate with their elected representatives and to express their opinion on political issues.)

**No Privacy Guarantee**

Users of the district's computer network should not expect, nor does the district guarantee privacy for electronic mail (e-mail) or any use of the district's computer network. The district reserves the right to access and view any material stored on district equipment or any material used in conjunction with the district's computer network.

**Sanctions**

All users of the District's computer network and equipment are required to comply with the district's policy and regulations governing the district's computer network. Failure to comply with the policy with or regulation may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

In addition, engaging in or advocating illegal activities are strictly prohibited. Any information pertaining to or implicating illegal activity will be reported to the proper authorities. Transmission of any material in violation of any federal, state and/or local law or regulation is prohibited. This includes, but is not limited to materials protected by copyright, threatening or obscene material or material protected by trade secret. Users must respect all intellectual and property rights and laws.

(Continued)

**SUBJECT: USE OF FACULTY MAIL BOXES (Cont'd.)****District Responsibilities**

The district makes no warranties of any kind, either expressed or implied, for the access being provided. Further, the district assumes no responsibility for the quality, availability, accuracy, nature or reliability of the service and/or information provided. Users of the district's computer network and the Internet use information at their own risk. Each user is responsible for verifying the integrity and authenticity of the information that is used and provided.

The district will not be responsible for any damages suffered by any user, including, but not limited to loss of data resulting from delays, non-deliveries, misdeliveries, or service interruptions caused by its own negligence or the errors or omissions of any user. This district also will not be responsible for unauthorized financial obligations resulting from the use of or access to the district's computer network or the Internet.

Further, even though the district may use technical or manual means to regulate access and information, these methods do not provide a foolproof means of enforcing the provisions of the district policy and regulations.

## Personnel

**SUBJECT: HEALTH INSURANCE**

Health insurance for certified and support staffs shall be in accordance with their respective negotiated agreements.

**Continuation of Medical Insurance Coverage at Termination of Employment**

Under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and their dependents are eligible to continue their insurance coverage for up to eighteen (18) months when termination of their insurance is due to a reduction in their hours worked, or upon termination of their employment.

Dependents of employees are eligible to continue their insurance for up to thirty-six (36) months upon occurrence of one of the following events:

- a) Death of the covered employee; or
- b) Divorce or legal separation from the covered employee; or
- c) An employee becomes eligible for Medicare and ceases to participate in the employer-sponsored plan; or
- d) The dependents of a covered employee reach the maximum age for dependent coverage.

Those who are eligible to continue coverage have up to sixty (60) days to complete the Continuation of Coverage Election Form. They must pay the full cost of their premium plus administrative costs incurred by the District.

Consolidated Omnibus Budget  
Reconciliation Act of 1985

Adopted: 6/16/99

## Personnel

**SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES**

The Board of Education will provide staff with access to various computerized information resources through the District's computer system (DCS hereafter) consisting of software, hardware, computer networks and electronic communication systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may also include the opportunity for some staff to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations.

The Board encourages staff to make use of the DCS to explore educational topics, conduct research and contact others in the educational world. The Board anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the District office. (Copy of the District's Employee Computer Services & Internet Use Regulations and Procedures is attached.)

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff.

This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate staff conduct and use, as well as proscribed behavior.

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

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously, or unlawfully damages or destroys property of the District.

**SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES****Privacy Rights**

Staff data files and electronic storage areas shall remain District property, subject to District control and inspection. The Superintendent, Director of Technology, or his/her designee, may access all such files and communications without prior notice to ensure system integrity and that users are complying with requirements of this policy and accompanying regulations. Staff should NOT expect that information stored on the DCS will be private.

**Implementation**

Administrative regulations will be developed to implement the terms of this policy, addressing general parameters of acceptable staff conduct, as well as prohibited activities so as to provide appropriate guidelines for employee use of the DCS.

Attachment: Employee Computer Services & Internet Use Regulations and Procedures

Adopted: 04/27/2010

Adopted: 6/16/99

**SOUTH HUNTINGTON UNION FREE SCHOOL DISTRICT**  
**Huntington Station, NY 11746**

**EMPLOYEE COMPUTER SERVICES & INTERNET**  
**USE REGULATIONS AND PROCEDURES**

**EMPLOYEE ACKNOWLEDGEMENT:**

*I have read and understand the South Huntington Employee Computer Services and Internet Use Regulations and Procedures outlined below and on the attached pages. I have also affixed my signature to the last page indicating my full acknowledgement of these regulations and procedures.*

**PRINTED NAME:** \_\_\_\_\_

**SIGNATURE OF EMPLOYEE:** \_\_\_\_\_

**BUILDING ASSIGNMENT LOCATION:** \_\_\_\_\_

**DATED:** \_\_\_\_\_

This document sets forth South Huntington Union Free School District's regulations and procedures for the proper use of the district's computer equipment, network, Internet and district e-mail from South Huntington Union Free School District's computer terminals either in the district or remotely.

**General Principles:**

The general principle of use is that the Internet and other information systems and assets of the South Huntington School District are not to be used in a way that may be disruptive, offensive to others, or harmful to morale.

There is to be no intentional display, transmission or downloading of sexually explicit images, messages, cartoons or any transmission or use of the Internet that contains ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs. Violation of this policy will result in appropriate disciplinary action.

Employees should use computer and Internet access, e-mail and the information systems for South Huntington School District business. The computer systems shall not be used to solicit or proselytize others for commercial ventures, religious or political causes, or other non-job-related solicitations and organizations.

All e-mail messages and other stored information are considered to be South Huntington School District records. The school district reserves the right to access and to disclose



all e-mail messages sent over its electronic mail. Correspondence via e-mail is not guaranteed to be private and confidential e-mails should be sent judiciously.

Employees shall not attempt to gain access to another employee's computer files or download data without the latter's express permission. However, South Huntington School District's Board of Education or Superintendent and his/her designee reserves the right to enter and access an employee's computer files of downloaded or transmitted data without prior notice, whenever the Superintendent determines that there is a need to do so, including but not limited to, the enforcement of this policy.

South Huntington School District sponsored Internet/Intranet/Network and e-mail privileges, like computer systems and networks, are considered South Huntington School District resources and are intended to be used for business purposes. Personal use should be kept to a minimum and usage may be monitored for usual or unusual activity. Users may be subject to limitations on their use of these resources.

The distribution of any information through the Internet, computer-based services, e-mail and messaging systems is subject to the scrutiny of the school district. The school district reserves the right to determine the suitability of this information.

South Huntington School District Internet applications, i.e., eBoards and webpages, shall be used only for school district sanctioned communications. Communications must not violate the Board of Education's Internet Use and Safety Policy and the practices set forth in the school district's Computer Technology and Internet Use Agreement that is signed by district parents, students and principals.

#### **Conditions of Use:**

*Users shall not:*

Visit Internet sites that contain obscene, hateful or other objectionable materials; send or intentionally receive any material that is obscene or defamatory or which is intended to annoy, harass, or intimidate another person.

Solicit business for personal gain or profit.

Use the Internet or e-mail for any illegal purpose.

Represent personal opinions as those of the South Huntington School District.

Make or post indecent remarks, proposals, or materials.

Upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the South Huntington School District, or the school district itself.

Download any software or electronic files without implementing virus protection measures that have been approved by the school district.

**Intentionally interfere with the normal operation of the network, including the propagation of the computer viruses and sustained high volume network traffic which substantially hinders others in their use of the network.**

**Reveal or publicize confidential or proprietary information which includes, but is not limited to: student data, household information, computer software, identification keys, technical information, and computer/network passwords and access codes.**

**This agreement includes employee access to confidential or proprietary information, either from home, or remotely from non-district sites via the Internet or VPN connection.**

**Employees agree that such access shall be limited to authorized network users and further agree to take reasonable steps to maintain security when usage is from home or other remote sites.**

**Gain or seek to gain access to any files, resources, or data of another user without permission.**

**Examine, change, or use another person's files, output, user name or password for which they do not have explicit authorization.**

**Attempt to read, delete, copy, modify, or access in any way the e-mail of other system users.**

**Forge or attempt to forge e-mail messages.**

**Perform any other inappropriate uses identified by the network administrator, Director of Technology, Board of Education or the District Superintendent.**

**Use the computers and computer access for inappropriate non-South Huntington School District business.**

**Employees who identify a network, computer or data security problem must immediately notify the Superintendent of Schools, Director of Technology or building administrator without communicating or demonstrating the problem to anyone else.**

**Users who violate these guidelines may be subject to disciplinary action including written warnings, revocation of access privileges or termination proceedings. The South Huntington School District also retains the right to report any illegal violations to the appropriate authorities.**

***PRINTED NAME:*** \_\_\_\_\_

***SIGNATURE OF EMPLOYEE:*** \_\_\_\_\_

## Personnel

**SUBJECT: WORKERS' COMPENSATION**

Employees injured in the performance of their duties are covered by Workers' Compensation Insurance. Employees shall report work-related injuries immediately to their immediate supervisor. Delay in reporting, if necessary, must be justified to the satisfaction of the Board of Education and/or the insurance agency.

Reimbursement for Workers' Compensation Insurance benefits shall be in accordance with their respective negotiated agreements.

Education Law Sections 1604(31),  
1709(34) and 2503(10)

Adopted: 6/16/99

1999

6530

Personnel

**SUBJECT: PAYROLL DEDUCTIONS**

Payroll deductions may be made when authorized by employees or when required by law or negotiated agreements.

Education Law Section 1709

Adopted: 6/16/99

1999

6540

Personnel

**SUBJECT: EMPLOYEE PROTECTION**

The District will provide legal defense for employees being sued for events arising from the individual's performance of duties, provided the employee was, at the time of the incident, acting in the discharge of his/her duties within the scope of his/her employment.

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by the specific statute delivers the original or a copy of the claim to the Clerk of the District.

Education Law Sections 3023, 3028 and 3811  
Public Officers Law Section 18

Adopted: 6/16/99

## Personnel

**SUBJECT: LEAVES OF ABSENCE**

- a) In general, leaves of absence:
1. Shall be administered by the Superintendent.
  2. The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement.
  3. Under laws and rules governing such action, the Board may undertake appropriate disciplinary action where a leave of absence is falsely requested or improperly used.
  4. Except by permission of the Superintendent, as expressed in writing, the purpose or conditions of a leave of absence may not be altered.
- b) Leaves of absence, contractual, et al:
1. Employees who are members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted pursuant to provisions of contracts in effect between the District and each bargaining unit.
  2. Employees who are not members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted by such employees where such requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.
  3. Employees who are under contract to the District:

Authorization is granted to implement provisions for leaves of absence contained in each such contract.
- c) Leaves of absence, unpaid, not covered in b) 1. above:
1. Subject to limitations enumerated in this policy statement, authorization is granted for the following unpaid leaves of absence.
    - (a) For a period of time not to exceed one school year for approved graduate study, such leave to include any required internship experience.

(Continued)

## Personnel

**SUBJECT: LEAVES OF ABSENCE (Cont'd.)**

- (b) At the expiration of a paid sick leave of absence, to extend such a leave of absence for a period of time not to exceed the end of the school year next succeeding the school year in which the paid leave of absence commenced.
  - 2. Unpaid leaves of absence shall not be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves, except that the Superintendent shall have discretion, where circumstances warrant, to approve leaves of absence for such purposes.
  - 3. Unpaid leaves of absence shall not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, can be secured.
  - 4. Except where it interferes with an employee's legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the District.
- d) Other leaves of absence:
- 1. Emergency Service Volunteer Leave

Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers shall be granted leave from work with pay for up to twenty (20) days in any calendar year to participate in specialized disaster relief operations. This leave shall be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled.
  - 2. Screenings for Breast Cancer and Prostate Cancer

Employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for breast cancer; employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for prostate cancer (i.e., male employees are entitled to a total of eight (8) hours for both screenings). This leave shall be excused leave and shall not be charged against any other leave to which the employee is entitled.
  - 3. Blood donation

Employees desiring to make blood donations shall be granted three (3) hours of leave in any twelve (12) month period. The leave may not exceed three (3) hours unless agreed to by the Superintendent/designee. Additional leaves for the purpose of blood donation under any other provision of law shall not be prevented.

## Personnel

**SUBJECT: LEAVES OF ABSENCE (Cont'd.)**

## 4. Bone Marrow donation

Employees seeking to undergo medical procedure to donate bone marrow shall be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed twenty-four (24) work hours unless agreed to by the Superintendent/designee. The District shall require verification for the purpose and length of each leave requested by the employee for this purpose.

## a) Other Leaves

## 1. Nursing Mothers

The District shall provide reasonable unpaid break time or permit the use of paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three (3) years following child birth. The District shall make reasonable efforts to provide a room or other location in close proximity to the work area where the nursing mother can express milk in privacy.

## 2. Military Leave

The District will comply with state and federal laws regarding military leave and re-employment.

Leaves of absence for military spouses are granted in accordance with law and are unpaid.

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA),  
38 United States Code (USC) Sections 4301-4333  
Civil Service Law Sections 71-73, 159-b and 159-c  
Education Law Sections 1709(16), 3005, 3005-a and 3005-b  
General Municipal Law Section 92-c  
Labor Law Sections 202-a, 202-c, 202-I, and 202-j  
Military Law Sections 242 and 243

Adopted: 6/16/99  
Amended: 2/27/2008



## Personnel

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT**

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to 12 workweeks in a 12-month period as determined by the District. The District will compute the 12-month period according to the following time frame: a "rolling" 12-month period will be used that is measured backward from the date an employee uses any FMLA leave.

Employees are "eligible" if they have been employed by the District for at least 12 months and for at least 1,250 hours of service during the previous 12-month period. Full-time teachers are deemed to meet the 1,250 hour test. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one or more of the following reasons:

- a) The birth of a child and care for the infant;
- b) Adoption of a child and care for the infant;
- c) The placement with the employee of a child in foster care;
- d) To care for a spouse, child or parent who has a serious health condition as defined by the FMLA;
- a) A serious health condition of the employee, as defined by the FMLA, that prevents the employee from performing his or her job.
- b) Because of "any qualifying exigency" (such term to be defined by regulations issued by the Secretary of Labor) arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. In the interim, the Department of Labor is encouraging employers to provide this type of leave to qualifying employees.

**Service Member Family Leave**

An eligible employee who is the spouse, son, daughter, parent or next of kin (defined as the nearest blood relative of that individual) of a covered service member who is recovering from a serious illness or injury sustained in the line of duty while on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

The term "covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves.

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT****Implementation/Benefits**

At the Board of Education's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

The Board of Education has a right to 30 days advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in the denial of FMLA

Leave. The Board may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The Board of Education has the right to deny restoration to employment if the employee does not furnish the certificate of fitness.

**Notice for Leave Due to Active Duty of Family Member**

In any case in which the necessity for leave due to any qualifying exigency is foreseeable, whether because the spouse, or a son, daughter, or parent of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable.

**FMLA Notice**

A notice which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA shall be posted in each school building.

Administration shall provide information to employees regarding their rights and responsibilities under FMLA.

Family and Medical Leave Act of 1993  
Public Law 103-3  
29 Code of Federal Regulations (CFR) Part 825

Adopted: 6/16/99  
Amended: 5/20/2008

2012 7000

Students

## **South Huntington Union Free School District**

### **STUDENTS**

**(Section 7000)**

#### **NUMBER**

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2012 7000

Students

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(Section 7000)**

**NUMBER  
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2012 7000

Students

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(Section 7000)**

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## Students

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**SUBJECT: ATTENDANCE**

The South Huntington School District firmly upholds that consistent school attendance is essential to a successful learning experience. Regular attendance, beginning in kindergarten is a determining factor for academic success and ultimately, high school graduation. Students are mandated to attend school. The South Huntington Schools will work with parents to assure that all students are in school daily.

**Objectives:**

1. That all students attend school daily.
2. That accurate recording of each child's attendance be made daily.
3. That all parents have access to their child's attendance each day.

**Strategies:**

1. To assure that all students attend school daily, a system of incentives and consequences will be utilized. Responsibilities of students, parents and the school will be clearly defined.
2. A daily attendance system at the K- 5 grade levels and a period by period attendance system at the 6 - 12 grade levels will be implemented by September 2003.
3. A system of communication with parents will be established so that they will be informed of their child's absence, tardiness or early departure from school on the day of occurrence. Telephone contact and letters sent home will be utilized. Social workers will contact parents whenever a pattern of absence, tardiness or early departure is noted.

**Compulsory Age of Attendance**

New York State requires that:

- Children who turn five (5) before December 1<sup>st</sup> of a school year are eligible to attend kindergarten. There are no exceptions to this regulation.
- Children who turn six (6) during the school year must attend school from the September start date. (The school year begins July 1<sup>st</sup> and ends June 30<sup>th</sup>)
- Children who turn 17 during the school year must remain in school until the end of that school year. South Huntington requires that children remain in school until the age of 18.

## Students

**Responsibilities of Students**

It is the responsibility of students to:

- Attend school daily
- Be in class and scheduled school assignments and activities on time, therefore:
  1. It is expected that all students be in attendance in all scheduled classes in accordance with school procedures.
  2. Non-school activities and appointments should be scheduled outside of the school day.
  3. Student participation in extra and co-curricular activities is contingent on adherence to the school attendance policy.
  4. Students should be on time for class.

**Responsibilities of Parents/Guardians**

It is the responsibility of the parent/guardian to support school attendance by cooperating with school administration and reinforcing school attendance policies by:

- Assuring that your child attends school
- Assuring that your child comes to school on time
- Assuring that your child has a legitimate/documented excuse when absent, therefore:
  1. At elementary school level, parents must call the school whenever their child will not be in attendance and give the reason for the absence.
  2. At all grade levels, parents must send in a note explaining the reason for each absence on the day the child returns to school.

**Responsibilities of the School**

The school will actively support student attendance by:

- Positive reinforcement of students' compliance with the district's attendance policy
- Monitoring students to insure their attendance
- Keeping accurate records of student's attendance in all classes and activities during the day
- Working in partnership with parents to insure students attendance
- Notifying parents promptly when a child has an unexcused absence, cut, late arrival or early departure.



**Recording Attendance**

In accordance with New York State attendance regulations, the South Huntington School District will utilize a system of attendance record keeping on a daily basis for grades K to 5, and on a period-by-period basis for grades 6 to 12. Parents will have access to the attendance files by requesting this from the administration. The district firmly believes that cooperation and communication between parents and the schools are essential to assure that students develop good attendance habits at an early age. Attendance is as important in the elementary grades as it is in middle school and high school.

Register of attendance will be made by either a teacher or employee of the district designated by the Board of Education. Persons who record the attendance will be required to sign an oath or affirmation declaring the accuracy of the attendance records each year. This oath will be administered at the beginning of each school year and will be kept by the principal in each building.

The attendance register will be supervised by a secretary in each building and by the Data Processing Department in the District Office. The daily pupil attendance shall be reviewed by the principal of every school, as well as the designated administrator or employee for the purpose of initiating the appropriate action required to address unexcused pupil absence, tardiness, cuts and early departure from school. The administrators in conjunction with the attendance teacher and social workers will assure that parents are notified of any attendance violation that occurs. Notification to parents will be made by telephone and by mail.

Records of Attendance will be kept on file in the District Office for 6 years. The district's average daily attendance will be reported to the State Education Department each year.

**Tardiness and Early Departures**

Students may enter the building approximately ten (10) minutes before the start of any session. Students should not be sent to school too early, since play areas are supervised only at specific times.

A note explaining the cause of an excused tardiness is required. Parents are urged to confine medical and dental appointments to a period preferably at the end of a daily session if they are unable to secure the appointment outside of school hours.

All incidents of early departure from school must also have a note explaining the need for this action. Unexcused early departure will be recorded on students' attendance records.

## Students

**Excused Absences**

Absences that are permitted by the State Education Department and the South Huntington School District are:

- Illness of the student
- Death or illness in the family
- Impassible roads
- Required court appearances
- Quarantine
- Health treatments or clinic visits
- Approved college visits
- Approved cooperative work programs
- Military obligations
- Emergency housing needs
- Religious observance

All other incidents will be considered and recorded as unexcused absences, even with a note from the parent explaining the circumstances. It is the parent's responsibility to notify the school within 24 hours of an absence and to provide a written note upon the student's return to school. Absence notes regarding illness of the student must specify the nature of the illness.

Notes from parents after five days of the child's return to school may not be accepted, and the student may not be able to make up the missed class work required.

**Doctors' Notes**

Students who are absent for more than ten consecutive days will require a note from a doctor explaining the nature of the illness.

**Home Instruction**

Students who are seriously ill or injured may apply for home instruction if the illness or injury is projected to last for more than 10 consecutive days of school. Home tutoring can be arranged by providing the Student Services Department with a letter from a physician clearly indicating the nature of the illness or injury and the expected date that the student will return to school. The doctor's note should also include a statement that the child is well enough to be instructed and that the teacher's health would not be endangered by a communicable disease.

## Students

Students who are out for an extended period will provide the Student Services Department with a new doctor's note after every two-month period to review the child's progress and projected return to school. While on Home Tutoring, attendance with tutors will be kept for each child.

### **Summary of Attendance Codes**

Attendance can be viewed via the internet on the South Huntington website. Each code is fully explained. In the Sun Valley software system, the codes for attendance are:

Absent	A
Administrative Office	Z
Appeal Hearing	V
Cut	C
Educational	E
Excused Absence	X
Tardy, Excused	R
Family Sick/Death	!
Guidance	G
Home Teaching	H
Hospitalization	h
Illegal Absence	I
In-School Suspension	D
ISS/Left Health Office	*
ISS/Left Main Office	^
Late and Cut	Y
Late, Excused	J
Late, Unexcused	K
Left Early	Q
Legal	L
Left for Health Office	>
Left for Main Office	\$
Music Lessons	M
Needs Note	O
Nurse	N
Out-of-School	a
Pass-Out/School	P
PE Medical Excuse	F
Present	+
Religious Observance	r

## Students

Sick		@
Special Program		W
Suspended		S
Tardy, Unexcused		T
Testing	Q	
Tardy, In-School Suspension		
Tardy, Left Health Office		&
Tardy, Left Main Office		%
Truant		U
Unprocessed		-

**Communication of Attendance Policy**

The Attendance Policy will be printed in each student handbook. Teachers will review the Attendance Policy at the start of each school year. Parents will be sent a copy of the Attendance Policy each year in the school calendar and in a separate letter. Parents will need to sign and return a statement that they have read and understand the policy. Back-to-school events and open houses will include an explanation of the Attendance Policy, stressing the parent's crucial responsibility for ensuring children's attendance.

All staff will be provided with the Attendance Policy. They will be made aware of the procedures necessary for the accurate attendance recording for each class they teach. Staff will discuss this policy and their role in its implementation at the beginning of each school year.

The South Huntington School District's Attendance Policy will be sent to each family with students attending our schools. A parent will be required to sign an acknowledgement that they had received the policy and reviewed it with their child. All secondary students will be given the policy and their teachers will review it with them at the beginning of each school year.

**Attendance Incentives**

The district will design and implement systems to acknowledge a student's efforts to maintain or improve school attendance. For example:

- Each school will maintain an attendance honor roll and publish it quarterly identifying those students with perfect attendance, as well as those students whose attendance has improved significantly, subject to parental consent and applicable confidentiality rules.
- At the building and classroom levels, building principals and teachers are encouraged to schedule special events for days of chronically high absenteeism, like Mondays and Fridays.

## Students

- At the classroom levels, teachers are encouraged to assign special responsibilities (distribute and collect materials, lead groups, assist the teacher, etc.) to students who may need extra motivation to come to school.

**Disciplinary Consequences**

Unexcused absences, tardiness, cuts and early departures will result in disciplinary action consistent with the district's code of conduct. Those penalties may include, for example, detention or in-school suspension. Students may also be denied the privilege of participating in or attending extracurricular events.

In addition, designated staff member(s) will contact the student's parents and the student's guidance counselor. Such staff member(s) shall remind parents of the attendance policy, explain the ramifications of unexcused absences, tardiness and early departures, stress the importance of class attendance and discuss appropriate intervention strategies to correct the situation.

A cut will be recorded whenever a student is in attendance in school, but not in attendance in a particular class. Each period in the secondary level will have attendance taken, which will be recorded in a timely manner.

Cutting class is counter to the district's philosophy that attendance in class is essential to school success. Disciplinary actions, therefore, will be utilized in order to encourage compliance with this attendance policy.

A system of incremental interventions is in place in each school. For example, at the high school the following procedures will be followed:

- a. First unexcused absence, cut or early departure, the teacher will speak to the student and notify parents in writing or by phone.
- b. Second unexcused absence, cut or early departure, parents will be notified in writing and by phone.
- c. Third unexcused absence, cut or early departure, parents and student will be called to meet with a building administrator. The student will become ineligible for participation in or attending extra curricular activities and may be dropped from the class.

Appeals may be made to the eligibility committee in the building or to the principal.

All students who accumulate 10 or more unexcused absences or cuts from class will be referred to the guidance counselor, attendance officer or social worker in the school for consultation.

- If the investigation finds that the student has willfully and deliberately absented themselves from school or class, the absences will be considered truant. Legal action, such as filing a PINS (Person in Need of Supervision) Petition may be made in Suffolk County Family Court.
- If the investigation finds that the parent was willful and deliberate in causing their child to be absent, the absences will be considered neglectful. Legal action such as filing an Educational Neglect report with New York State Child Protective Services may be filed.
- Excessive absences may affect promotion to the next grade.

### **Attendance/Grade Policy**

The Board of Education recognizes the important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation, as well as student's performance on homework, tests, papers, project, etc.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused absences from a class will affect a student's class participation grade for the marking period.

At the secondary level, any student enrolled in a credit-bearing course with more than nine unexcused absences for one-half year or 18 unexcused for a full year will receive an F for class participation, which is a weighted part of the total grade for a class. These students may be denied credit for the course if their attendance does not improve. Exceptions to these rules must be appealed to the building eligibility committee or to the principal. However, students with properly excused absences may make up the work for each absence, and those absences will not count toward the minimum attendance standard.

To ensure that parents and students are aware of the implications of this minimum attendance requirement, the teacher or other designated staff member(s) will advise the student and contact the parent(s) by telephone and mail at appropriate intervals prior to the student reaching nine or 18 unexcused absences, tardiness.

In implementing the policy set forth above, students who are unable to attend school or a class on a given day due to their participation in a school-sponsored activity (i.e., music, field trips), may arrange with their teachers to make up any work missed. This also applies to any student who is absent, tardy or leaves early from school or a class due to illness or any other excused reason.

All students with an excused absence are expected upon their return to consult with their teachers regarding missed work.

Only those students with excused absences will be given the opportunity to make up a test or other

## Students

missed work and/or turn in a late assignment for inclusion in their final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question. Students who are suspended will be expected to make up the test and missed class work.

**Developing Intervention Strategies**

In addition to the communication of the responsibilities of the students, parents and school, the implementation of incentives and the enforcement of consequences, each building administration will meet on a yearly basis to evaluate the effectiveness of their intervention programs. New interventions will be discussed and implemented with approval from the principal. All strategies utilized by each school will be summarized and sent to the Assistant Superintendent for Student Services who will maintain a current list of all strategies used throughout the district.

**Weekly Review**

In addition to the daily review, the principal in each building will review the attendance of students on a weekly basis. Patterns of absences, tardiness or early departures will be noted and referred to the appropriate personnel for intervention.

**Annual Review**

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

Education Law Sections 1709; 3024; 3025; 3202; 3205 - 3213; 3225  
8 NYCRR 104.1;175.6

Amended: 8/18/04  
Amended: 7/2/02  
Amended: 9/5/01  
Adopted: 6/16/99

**SUBJECT: SUMMER SCHOOL ATTENDANCE**

The Board endorses a summer school program designed to offer students in grades K-12 an opportunity to make up deficiencies in academic work. In addition, selected “advanced courses” such as Health and Driver Education may be offered also.

Recognizing that there are times when extenuating circumstances make attendance at summer school classes impossible on certain days, the summer school principal will be guided by the following list of circumstances in determining those absences which are considered legitimate and could be considered acceptable in relation to NYS Education Department guidelines.

Circumstances for Which Approval May be Considered:

- a) Extended or prolonged illness of the student;
- b) Unavoidable emergency (i.e., accident, family crisis, etc.);
- c) Compulsory court attendance.

Written backup documentation in the form of medical notes, subpoenas, etc, must be presented to the summer school principal when extended absences occur. All work missed in class must be made up prior to completion of, and credit granted for, any course. However, in Driver Education no more than two lecture periods and/or two in-car experiences can be made up.

Adopted: 6/16/99



## Students

**SUBJECT: AGE OF ENTRANCE****Kindergarten**

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

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

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

**First Grade**

- a) Any child may be admitted to first grade in September of the year in which the 6th birthday occurs on or prior to December 1st.
- b) A child under 6 years of age who has successfully completed a registered nonpublic kindergarten will be admitted to our first grade the following September provided that:
  - 1. A written statement is received from the registered kindergarten school verifying successful completion of its program with recommendations for first grade placement; and
  - 2. The student is tested by the South Huntington School District to determine final placement based on social maturity, academic readiness and ability to cope with the first grade program.
- c) If a child under 6 years of age has successfully completed an unregistered nonpublic kindergarten, the program must be evaluated in order to determine that it is substantially equivalent to the program offered by the South Huntington Schools or the school district in which the nonpublic school is located. If the program is determined to be equivalent, the child will be admitted to first grade the following September provided that:
  - 1. A written statement is received from the unregistered kindergarten school verifying successful completion of its program with recommendations for first grade placement; and

(Continued)

**SUBJECT: AGE OF ENTRANCE (Cont'd.)**

2. The student is tested by the South Huntington School District to determine final placement based on social maturity, academic readiness and ability to cope with the first grade program.

**Other Grades**

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

**Proof of Age**

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

Education Law Sections 1712, 3202 and 3212

**SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS**

The School District has developed a plan for the diagnostic screening of all new entrants and students with low test scores.

A new entrant means a student entering the New York State public school system, pre-kindergarten through grade 12, for the first time, or re-entering a New York State public school with no available record of a prior screening.

Students with low test scores are students who score below level two on either the third grade English language arts or mathematics assessment for New York State elementary schools.

Such diagnostic screening will be utilized to determine which students:

- a) Have or are suspected of having a disability;
- b) Are possibly gifted; or
- c) Are possibly limited English proficient.

Such diagnostic screening shall be conducted:

- a) By persons appropriately trained or qualified;
- b) By persons appropriately trained or qualified in the student's native language if the language of the home is other than English;
- c) In the case of new entrants, prior to the school year, if possible, but no later than December 1 of the school year of entry or within fifteen (15) days of transfer of a student into a New York State public school should the entry take place after December 1 of the school year;
- a) In the case of students with low test scores, within thirty (30) days of the availability of the test scores.

**New Entrants**

For new entrants, diagnostic screening shall include, but not be limited to the following:

- a) A health examination by a physician/physician's assistant or nurse practitioner or submission of a health certificate in accordance with Education Law Sections 901, 903 and 904;
- b) Certificates of immunization or referral for immunization in accordance with Section 2164 of the Public Health Law;

## Students

**SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS**

- c) Vision, hearing and scoliosis screenings as required by Section 136.3 of Commissioner's Regulations;
- d) A determination of development in oral expression, listening comprehension, written expression, basic reading skills and reading fluency and comprehension, mathematical calculation and problem solving, motor development, articulation skills and cognitive development using recognized and validated screening tools; and
- e) A determination whether the student is of foreign birth or ancestry and comes from a home where a language other than English is spoken as determined by the results of a home language questionnaire and an informal interview in English and the native language.

**Students with Low Test Scores**

For students with low test scores, diagnostic screening shall include, but not be limited to:

- a) Vision and hearing screenings to determine whether a vision or hearing impairment is impacting the student's ability to learn; and
- b) A review of the instructional programs in reading and mathematics to ensure that explicit and research validated instruction is being provided in reading and mathematics.

No screening examination for vision, hearing or scoliosis condition is required where a student, parent or person in parental relation objects on the grounds that such examination conflicts with their genuine and sincere religious beliefs.

**Results and Reports**

The results of the diagnostic screening shall be reviewed and a written report of each student screened shall be prepared by appropriately qualified School District staff. The report shall include a description of diagnostic screening devices used, the student's performance on those devices and, if required, the appropriate referral.

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

If such screening indicates a possibly gifted child, the name and finding shall be reported to the Superintendent of Schools and to the parents/legal guardians no later than fifteen (15) calendar days after the completion of such screening. The term gifted child is defined as a child who shows evidence of high performance capability and exceptional potential in areas such as general intellectual ability, special academic aptitude and outstanding ability in visual and performing arts. Such definition shall include those children who require educational programs or services beyond those normally provided by the regular school program in order to realize their full potential.

**SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS**

If such screening indicates a child identified as possibly being of limited English proficiency, such child shall be referred for further evaluation in accordance with Part 154 of the Regulations of the Commissioner of Education to determine eligibility for appropriate transitional bilingual or free-standing English as a Second Language (ESL) programs.

**Reporting to Parents**

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

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

**Confidentiality of Information**

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

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)

Education Law Sections 901, 903, 904, 905, 914 and 3208(5)

Public Health Law Section 2164

8 New York Code of Rules and Regulations (NYCRR) Parts 117, 136, 142.2 and 154

Adopted: 6/16/1999

Amended: 4/09/2008

## Students

**SUBJECT: ATTENDANCE RECORDS**

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

Attendance records must be retained in accordance with New York State Education Department Regulations.

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

Education Law Sections 3024, 3025 and 3211

Adopted: 6/16/99

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Students

**SUBJECT: EXCUSES AND ABSENCES**

A written excuse, signed by parent/guardian, should be presented by the student on the day when returning to school following each absence. The Board directs the Superintendent to develop rules and regulations for dealing with truancy and excessive illegal absences.

Education Law Sections 3205 and 3210

Adopted: 6/16/99

## Students

**SUBJECT: RELEASE TIME OF STUDENTS**

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

In cases when these requests are made on a recurring basis, the reasons for the early release shall be for educational or professional purposes only. Those purposes must be documented in writing by the provider, and shall include academic enrichment, advanced athletic training, pursuit of professional career-oriented opportunities, such as theater, or modeling.

The following limitations shall apply:

1. Parents or legal guardians only must be present personally to sign out and transport student from campus to the activity.
2. Student may not be excused on a daily basis from scheduled courses.
3. A request that will impact the student's ability to graduate with his/her cohort will not be considered.
4. The opportunity for early release shall be governed by the availability of courses/sections as determined by the building's master schedule. The scheduling of an early release shall be at the sole discretion of the principal in cases in which classes are not offered, closed, or subject to other limitations.
5. Activities for which a student receives payment or remuneration shall not be considered as a basis for recurring early release.

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

Students approved by the principal for recurring released time shall also require the approval of the Superintendent of Schools with notice to the Board of Education.

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

Adopted: 6/16/99  
Amended: 10/01/2007



## Students

**SUBJECT: ENTITLEMENT TO ATTEND - - AGE AND RESIDENCY**

The District shall provide a public education to all persons residing in the district between the ages of five and twenty-one who have not received a high school diploma.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school.

A non-veteran under twenty-one years of age who has received a high school diploma shall be permitted to attend school or BOCES upon payment of tuition.

Upon registration, all new students shall be required to present:

1. Proof of age: Examples of acceptable forms of documentation include, but are not limited to, a birth certificate, baptismal record, or passport (including a foreign passport).
2. Record of immunizations from a licensed physician.
3. Proof of district residency: Examples of acceptable forms of documentation include, but are not limited to, deed, mortgage statement or lease, and three (3) letters to the address, such as a utility bill, telephone bill and bank statement. Admittance to the district is contingent upon proof of residency.

A student transferring from South Huntington to another school district will be given a transfer card to take to the new school. Parents are advised to notify the school office of contemplated transfers to allow school personnel sufficient time to prepare the necessary records.

**Attendance Areas**

The District will enforce attendance boundaries based on the legal residence of parents, legal guardians or other appropriate individuals.

School Attendance Areas

Boundaries for the elementary schools are readjusted by the Board of Education when necessary. In setting boundaries for school attendance within the South Huntington Union Free School District, the following criteria must be considered, without regard to the order listed:

- a) Provide a suitable number of students for each building.
- b) Establish school boundaries which will maintain themselves as long as possible.
- c) Provide for future growth and ultimate stabilization.
- d) Examine alternative grade arrangements in the elementary schools.
- e) Consider the potential of possible future racial imbalance.

## Students

**SUBJECT: ENTITLEMENT TO ATTEND - - AGE AND RESIDENCY (Cont'd.)**

- f) Maintain elementary children from the same family in the same school insofar as feasible.
- g) Consider transportation problems.

Each elementary principal is responsible for enforcing the attendance boundaries adopted by the Board. No exceptions for a given school year may be made without the Superintendent's or the Board's approval. The administration has allowed students to finish a school year in the school of September enrollment. All such exceptions are to be routed through the Superintendent's office. Copies of descriptions of elementary boundaries are filed in the Pupil Services office and the offices of building principals.

All 6<sup>th</sup> grade students attend the Silas Wood Sixth-Grade Center and 7th and 8th grade students attend Henry L. Stimson Middle School; all 9th, 10th, 11th and 12th grade students attend Walt Whitman High School.

**Ages of Attendance/Compulsory Attendance Age**

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

**Determination of Student Residency**

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

The Board of Education directs the Superintendent to develop regulations to implement this policy.

**SUBJECT: ENTITLEMENT TO ATTEND - - AGE AND RESIDENCY (Cont'd.)****Children Living With Non-custodial Parents**

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

**Foster Children****Tuition Paid**

The cost of instruction of students over 5 and under 21 years of age, who have not received a high school diploma, who are placed in family homes at board by a social services district or State department or agency, shall be borne by the school district in which the student resided at the time the social services district, State department or agency assumed responsibility for said students' support and maintenance.

**Tuition Fees**

The Board of Education shall consider as legal residents children over 5 and under 21 years of age who have not received a high school diploma, who are cared for in free family homes at board, when such family homes are located within the District and are the actual and only residence of such children. Such children are entitled to attend, without payment of tuition, the public schools maintained in the District.

**Homeless Children**

The Board of Education recognizes its responsibility to identify homeless children within the District, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. The Board will provide that homeless children attending the District's schools access to the same free and appropriate public education, including preschool education, as other children.

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

A homeless child has the right to attend school in either the district of origin (i.e., where he/she

## Students

**SUBJECT: ENTITLEMENT TO ATTEND - - AGE AND RESIDENCY (Cont'd.)**

resided before becoming homeless), the district of current location or a district participating in a regional placement plan.

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

1. Admission: Upon designation, the District shall immediately admit the homeless child to the school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless.
2. Transportation: The District shall provide transportation for homeless students currently residing within the District as required by applicable law.
3. School Records: For homeless students attending school out of the District, the District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable.

The Superintendent shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. Parents of homeless children are informed of the educational and related opportunities available to them, including transportation;
2. Enrollment disputes involving homeless children are promptly mediated and resolved;
3. School personnel in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
4. Homeless children receive educational services, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services.

If the homeless child is residing outside the District, the District of attendance and the District of current domicile both shall be responsible for payment for transportation services. If the two Districts cannot agree on an apportionment of transportation costs, each district shall be responsible for half the cost, as provided by applicable law.

In accordance with Commissioner's regulations, the District shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

**SUBJECT: ENTITLEMENT TO ATTEND - - AGE AND RESIDENCY (Cont'd).****Emancipated Minors**

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

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

**Children of Activated Reserve Military Personnel**

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relationship, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Education Law Sections 2045, 3202, 3205, and 3212(4)  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.2(x) and (y)  
42 USC §§11431, et. Seq.  
School Enrollment Guidelines on the McKinney-  
Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002)  
Education Law §§207; 305; 3202; 3205; 3209  
Executive Law §§532-b; 532-e  
Social Services Law §§17; 62; 397  
8 NYCRR §§100.2; 175.6  
Education Law §903; 904; 3202; 3208  
Public Health Law §2164  
Student Registration Guidance, NYS Dept. of Ed.  
8/26/10

Adopted: 6/16/1999  
Amended: 5/18/2004  
Amended: 12/15/2010

## Students

**SUBJECT: NON-RESIDENT STUDENTS**

Non-resident families who wish to enroll children in the School System shall submit a request in writing to the Superintendent, who shall determine whether or not the student(s) will be admitted. The Superintendent will also determine which building the student will attend.

Non-resident families must provide their own transportation.

Tuition may be charged to families of non-resident students.

Non-resident students will not be accepted without the written approval of the Board of Education of the sending district or the parent/guardian agreeing to be responsible for the tuition.

Education Law Sections 1709(13), 2045 and 3202  
8 New York Code of Rules and Regulations  
(NYCRR) Section 174.2

Adopted: 6/16/99

1999

7140

Students

**SUBJECT: INVOLUNTARY TRANSFER OF STUDENTS**

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

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

Adopted: 6/16/99

## Students

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

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

**Pregnant Students**

The Board of Education directs the Superintendent of Schools to provide instruction as required by the New York State Education Law for students who become pregnant. The Superintendent, or his/her designee, is directed to consult with the school physician and the student's personal physician in determining the form of instruction.

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

Adopted: 6/16/99



## Students

**SUBJECT: SCHOOL CENSUS**

The School District is authorized, rather than obligation, to take a census of all children from birth to 18 years of age.

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

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

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

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

Census data shall be reported as required by law.

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

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

Adopted: 6/16/99

## Students

**SUBJECT: STUDENT EVALUATION****Placement**

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

**Promotion and Retention**

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

**Acceleration**

In rare cases, an elementary-level student may be considered for acceleration (skipping a grade level) based on superior cognitive and achievement test scores, superior classroom performance and an appropriate level of social and emotional maturity. It must be recognized that the decision to accelerate a student is very unusual and will be considered only after the principal has consulted with the supporting staff and the parents.

Based on recommendations made by the elementary school, junior high school honor students are identified and accelerated in mathematics and science.

At the high school level, acceleration is provided by offering advanced placement courses in many academic areas. Acceptance in advanced placement courses is based on classroom teacher recommendation and department chairperson approval. Pending accelerated completion of graduation requirements, early graduation is possible. A prior parental request and administrative approval is required.

Also see Policy #7221, Early Graduation.

**Testing Program**

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

(Continued)

**SUBJECT: STUDENT EVALUATION (Cont'd.)****Alternative Testing Procedures**

The use of alternative testing procedures shall be limited to:

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

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

**Reporting to Parents/Legal Guardians**

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

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

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

## Students

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

The Board of Education assures parents or persons in parental relationship who are hearing impaired the right to meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children's education. School initiated meetings or activities are defined to include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term "hearing impaired" shall include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in School District meetings or activities.

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

Adopted: 6/16/99

## Students

**SUBJECT: TUTORS**

The District will provide, upon parental request, a list of available tutors. In those instances where a parent desires this additional instruction, such arrangements must be made directly between the parent and tutor.

District teachers may not tutor, for remuneration, any student whose promotion or grading is their responsibility.

While the District will offer support and cooperation in this matter, it takes no responsibility for any involvement among the parent, student and/or tutor.

All requests for lists of tutors should be directed to the Student Services Office. The Board urges peer tutoring.

## Students

**SUBJECT: GRADUATION REQUIREMENTS**

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

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

Adopted: 6/16/99

## Students

**SUBJECT: EARLY GRADUATION**

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

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

Adopted: 6/16/99

## Students

**SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

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

The administration shall develop regulations to implement this policy.

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

Adopted: 6/16/99



## Students

**SUBJECT: DUAL CREDIT FOR COLLEGE COURSES**

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

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

## Students

**SUBJECT: STUDENT RECORDS: ACCESS, CHALLENGE AND DISCLOSURE****Student Records**

The South Huntington Union Free School District shall comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Under its provisions, parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education ("eligible students") have certain rights:

1. The right to inspect and review, within 45 days of the day the District receives a request for access, any and all official records, files and data, including all material that is incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system and specifically including, but not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. This includes the right to a hearing to challenge the content of the school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Disclosure without consent may be made to school officials with legitimate educational interests.

(Continued)

## Students

### **SUBJECT: STUDENT RECORDS: ACCESS, CHALLENGE AND DISCLOSURE**

The South Huntington Union Free School district defines a school official as:

1. A person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).
2. A person serving on the School Board.
3. A person or company with whom the District has contracted to perform a special task, including, but not limited to, an attorney, auditor, medical consultant or therapist.
4. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

The Board directs that administrative regulations and procedures be formulated to comply with the provisions of Federal Law relating to the availability, challenge, and disclosure of student records and that notification of such rights be made to parents and students annually.

The purpose of such regulations and procedures shall be to make available to the parents/guardians of students and noncustodial parent(s) whose rights are not limited by court order or formal agreement, or students who are eighteen (18) years of age or older or who are attending an institution of post-secondary education, student records, and files on students, and to insure the confidentiality of such records with respect to third parties.

(Continued)

Students

**SUBJECT: STUDENT RECORDS: ACCESS, CHALLENGE AND DISCLOSURE**

Family Educational Rights and Privacy  
Act of 1974  
20 United States Code (U.S.C.)  
Section 1232(g)

34 Code of Federal Regulations (CFR)  
Section 300.571

Adopted: 6/16/99  
Amended: 3/1/00

## Students

**SUBJECT: RELEASE OF INFORMATION TO THE NONCUSTODIAL PARENT**

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

20 United States Code (U.S.C.) 1232(g)(b)(4)(A)  
34 Code of Federal Regulations (CFR), Part 99

Adopted: 6/16/99

## Students

**SUBJECT: STUDENT DIRECTORY INFORMATION**

The Family Educational Rights and Privacy Act (FERPA) defines student directory information as any of the following: name, address, telephone listing, date and place of birth; major field of study; grade level; participation in officially recognized activities and sports; weight and height (if members of an athletic team); dates of attendance; honors, degrees and awards received; electronic mail address; photograph; and the name of the educational agency or institution most recently previously attended by the student.

Directory information does not include a student's social security number or a student's identification (ID) number.

The District may use some information about students without prior consent of the parents. This includes name, grade, extracurricular activities, sports programs, academic honors, achievements, awards, scholarships and similar information, including photographs.

Parents who do not desire release or publication of this information must make a specific request in writing to the Superintendent of Schools (or Principal of Walt Whitman High School) by a date designated by the Superintendent's office (the second Friday of October in any given school year). Failure to make such a request will be deemed implied consent.

The No Child Left Behind Act of 2002 (NCLB) requires that the names and addresses of all eleventh and twelfth graders be supplied to military recruiting offices. Should a parent choose to exercise their legal right to have this information kept private, they may choose to 'opt out' by use of the Military Recruitment 'Opt Out' Request form that the high school principal's office sends to parents of sophomores, juniors and seniors every October.

20 United States Code (U.S.C.) 1232(g)  
34 Code of Federal Regulations (CFR) Part 99  
FERPA of 1974  
No Child Left Behind Act, 20 USC §7908  
10 USC §503 as amended by §544 of the National  
Defense Reauthorization Act for FY 2002  
Education Law §225  
Arts and Cultural Affairs Law, Article  
Public Officers Law §87(2)(a) 57-A (Local  
Government Records Law)

Adopted: 6/16/00

Amended: 12/15/2010

## Students

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT**

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of discrimination or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

**Dignity Act Coordinator**

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinator(s) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint the Dignity Act Coordinator(s) and share the name(s) and contact information with all school personnel, students, and parents/persons in parental relation.

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

## Students

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT****Training**

Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of harassment and discrimination directed at students that are committed by students or school employees on school property or at a school function. Training will include ways to promote a supportive school environment that is free from discrimination and harassment, emphasize positive relationships, and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to harassment and discrimination, as well as ensuring the safety of the victims.

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, “tolerance,” “respect for others” and “dignity” shall include awareness and sensitivity to discrimination or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

Rules against discrimination and harassment will be included in the Code of Conduct, publicized District-wide and disseminated to all staff and parents. An age-appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

**Reports and Investigations of Discrimination and Harassment**

The District will investigate all complaints of harassment and discrimination, either formal or informal, and take prompt corrective measures, as necessary. Complaints will be investigated in accordance with applicable policies and regulations. If after an appropriate investigation the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the Code of Conduct, and all appropriate federal or state laws.

The District will annually report material incidents of discrimination and harassment to the State Education Department as part of the Uniform Violent and Disruptive Incident Reporting System (VADIR).



## Students

**SUBJECT: DIGNITY FOR ALL STUDENTS ACT****Prohibition of Retaliatory Behavior (Commonly Known as “Whistle-Blower” Protection)**

Under law, any person who has reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of discrimination or harassment.

Education Law Sections 10-18 and 801a

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

Note: Refers also to Policies §1330 Appointments and Designations by the Board of Education; §3410 Code of Conduct on School Property; §3415 Statewide Uniform Violent and Disruptive Incident Reporting System (VADIR); §6121 Sexual Harassment; §7531 Sexual Harassment/Students; §6121 Equal Opportunity and Non-Discrimination; §7310 Code of Conduct; §8242 Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education

Adopted: 07/10/2012

**SUBJECT: CODE OF CONDUCT**

The South Huntington Code of Conduct seeks to empower all children to maximize their potential by providing them with a safe, supportive, respectful and responsible environment where everyone is treated with respect thus enabling them to develop the positive social and moral skills necessary to become contributing members of society.

**Philosophy**

- The schools' staff and community believe that discipline is a learned behavior and, therefore, can and must be taught in the home, school and community. Children also learn through experience and imitation. Students must be taught to assume responsibility for their behavior. Discipline is a developmental process. As children mature, they should be given increased responsibility in keeping with their developmental level and social maturity. Students should be given every opportunity to practice self-discipline in order to reinforce responsible action in a positive manner.
- All attempts will be made to safeguard the dignity of students. No one is permitted to jeopardize the safety and welfare of another. The ultimate goal should be the personal internalization of discipline, so that little external enforcement is required. The Board of Education believes that this philosophy will foster the development of self-disciplined, self-reliant personalities capable of behaving appropriately as the situation demands. It is felt that this philosophy will produce individuals with a social conscience who see the good sense in acceptable behavior and who are spared the consequences of misbehavior. Discipline is most effective when its consequences are applied in a direct and timely manner following an infraction.

**Definitions**; for purposes of this code, the following definitions apply:

**“Disruptive student”** means an elementary or secondary student under the age of 21 whose behavior disrupts the educational process or substantially interferes with the teacher's authority over classroom.

**“Disability”** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or

**SUBJECT: CODE OF CONDUCT**

(b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article 5 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.

“Gender” means actual or perceived sex and shall include a person’s gender identity or expression.

“Gender expression” is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

“Harassment” means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

“Parent” means parent, guardian or person in parental relation to student.

“School property” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or

**SUBJECT: CODE OF CONDUCT**

secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142; or at a school function.

“School Bus” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities as defined in Vehicle and Traffic Law §142.

“School function” means any school-sponsored extra-curricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

“Sexual orientation” means actual or perceived heterosexuality, homosexuality or bisexuality.

“Violent student” means a student under the age of 21 who:

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

“Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, laser pointer, pepper spray or other noxious spray, or other device, instrument,

**SUBJECT: CODE OF CONDUCT**

material or substance that can cause physical injury or death when used to cause physical injury or death.”

**Students’ Rights and Responsibilities**; the District is committed to safeguarding the rights given to all students under federal and state law and district policy. In addition, to promote a safe, supportive, respectful and responsible school environment, all district students have the following rights and corresponding responsibilities:

<b>RIGHTS</b>	<b>RESPONSIBILITIES</b>
1. All students have the right to an appropriate education and to a safe, supportive, respectful and responsible environment for all aspects of the district’s programs. These include but are not limited to, school activities, classrooms, buses and after-school activities.	1. All students have the responsibility to promote a safe, supportive, respectful and responsible environment that is conducive to learning. They are to behave in a manner that will not infringe on the rights of others. All students have the responsibility to achieve their maximum potential within the educational program established for them and participate in discussions pertaining to their programs.
2. All students have the right to be respected and the right to have their property respected.	2. All students have the responsibility to respect others, to respect the property of others, and to respect school property.
3. All students have the right to participate in all district activities on an equal basis regardless of their actual or perceived race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender, sex, sexual orientation or disability.	3. a) All students should attend school every day unless they are legally excused. b) All students should work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
4. All students are entitled to fair treatment and due process under the policies, regulations and rules of the school district and local, state and federal laws.	4. All students have the responsibility to be familiar with and abide by district policies, and regulations and local, state and federal laws. Students have a responsibility to follow directions given by administrators, teachers and other school personnel.

5. All students can access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel. Student orientation of the Code of Conduct will be given each year and to all new students.	5. a) All students have the responsibility to ask questions when they do not understand. b) All students have the responsibility to seek help in solving problems.
6. All students have a right to be identified as South Huntington students.	6. a) All students should accept responsibility for their actions. b) All students have the responsibility to conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

### **Parents' Rights and Responsibilities to a Student**

<b>RIGHTS</b>	<b>RESPONSIBILITIES</b>
1. Parents, guardians or persons in parental relation to a student have the right to have their child educated.	1. Parents, guardians or persons in parental relation to a student are responsible for the behavior of their children. They are expected to exercise the required controls so that their children's behavior will be conducive to the development of self-discipline and will not be disruptive to the functioning of the school. Parents, guardians, and persons in parental relation to students are expected to help their children understand that in a democratic society, appropriate rules are required to maintain a safe, supportive, respectful and responsible environment. They are to help their children understand and know school rules.
2. Parents have the right to be notified when a child is not attending.	2. Parents, guardians, persons in parental relationships to students are responsible to ensure their children attend school regularly and on time. Absences must be explained and written documentation of excused absence must be provided upon student's return to school.
3. The school must notify the parent of any problem.	3. Parents are responsible to send their children to school ready to participate and learn.

4. Parents-have a right to work as a team with the school to assure the appropriate education of their child. They have a right to receive responses to questions concerning their child's education.	4. The family and the community share with the school the responsibility to teach children to respect all others. Cooperation between parents and school is essential in assisting students to work to the best of their ability. Parents should help maintain communication with the school. Parents should inform school officials of changes in the home situation that may affect student conduct or performance and participate in school activities such as meetings and scheduled individual conferences.
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## **School Responsibilities**

### **Teachers**

1. Maintain a climate mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. Communicate to students and parents:
  - a. Course objectives and requirements;
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline plan
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the **school or** classroom setting.

**SUBJECT: CODE OF CONDUCT****Student Services Staff**

1. Maintain a climate mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
11. Address personal biases that may prevent equal treatment of all students.

**Other School Personnel**

1. Maintain a climate mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the Code of Conduct.
4. Help children understand the District's expectations for maintaining a safe, supportive, respectful and responsible environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.



**SUBJECT: CODE OF CONDUCT****Principals/Administrators**

1. Promote a safe, supportive, respectful and responsible environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the principals/administrators and have access to the principals/administrators for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Provide support in the development of the Code of Conduct when called upon. Disseminate the Code of Conduct and anti-harassment policies.
7. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students and staff.

**SUBJECT: CODE OF CONDUCT****The Dignity Act Coordinator**

1. Promote a safe, supportive, respectful and responsible environment supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

**Superintendent**

1. Promote a safe, supportive, respectful and responsible environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.

**SUBJECT: CODE OF CONDUCT**

3. Inform the Board about educational trends relating to student discipline.
4. Maintain confidentiality in accordance with federal and state law.
5. Work to create instructional programs that minimize incidence of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces.
8. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students and staff.

**Board of Education**

1. Promote a safe, supportive, respectful and responsible environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the Code of Conduct.

**SUBJECT: CODE OF CONDUCT**

4. Collaborate with student, teachers, administrators, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
5. Adopt and review at least annually the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
6. Lead by example by conducting board meetings in a professional, respectful, courteous manner.
7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.

**SCHOOL DISTRICT PROPERTY**

School district property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law, §142.

**School Function**

School function means any school-sponsored, extra-curricular event or activity.

**SUBJECT: CODE OF CONDUCT****STUDENT DRESS CODE**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should model and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hairstyle, jewelry, make-up and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process. For example: the following are inappropriate for school: extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments.
2. Ensure that underwear is completely covered with outer clothing.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Not include items that are vulgar, obscene, libelous or that denigrate others on account of race, color, weight, religion, religious practice, national origin, ethnic group, gender, sex, sexual orientation or disability.
5. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
6. Not include the wearing of hats in school during hours except for medical or religious reasons.

## **SUBJECT: CODE OF CONDUCT**

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

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

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

## **PROHIBITED STUDENT CONDUCT**

- The best discipline is self-imposed and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.
- Students may be subject to disciplinary action, up to and including suspension from school, when they violate their responsibilities as good citizens of the school. All violations apply to student behavior in school, on school property, on school buses and at school-sponsored functions.

**SUBJECT: CODE OF CONDUCT**

Examples of these violations are:

1. **Engaging in disorderly conduct.** Examples of disorderly conduct include, but are not limited to:
  - Running in hallways;
  - Making unreasonable noise;
  - Using language or gestures that are profane, lewd, vulgar or abusive;
  - Obstructing vehicular or pedestrian traffic;
  - Engaging in any willful act which disrupts the normal operation of the school community.
2. **Trespassing.** Students are not permitted in any school building, other than the one they regularly attend during school hours.
3. **Computer/electronic communications misuse,** including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
4. **Misuse of personal electronic devices:** Use of personal electronic devices, such as, but not limited to, cell phones, iPods, iPod touch, personal iPads, and portable computer games is not permitted during school hours. These items will be confiscated and will be returned at the end of the school day or as soon as possible. Repeat offenders may require contact with the parent or guardian.
5. **Engaging in insubordinate conduct.** Examples of insubordinate conduct include, but are not limited to:
  - a. Direct and deliberate refusal to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - b. Lateness to class, leaving school without permission and cutting classes.
  - c. Skipping detention.

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6. **Engaging in disruptive conduct.** Examples of disruptive conduct include, but are not limited to:
- a. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
  - b. Creating a loud disturbance.
  - c. Using vulgar or abusive language, cursing, or swearing.
  - d. Falsely reporting a bomb threat. (Please note: Falsely reporting a bomb threat is a felony and may result in criminal prosecution.)
  - e. Conduct disruptive of the educational process or that substantially interferes with the teacher's authority over the classroom.
7. **Violent Conduct:-** Engaging in violent conduct. Examples of violent conduct include, but are not limited to:
- a. Committing an act of violence (such as hitting, kicking, punching, fighting, and scratching) upon a teacher, administrator or other school employee or attempting or threatening to do so.
  - b. Committing an act of violence (such as hitting, kicking, punching, fighting, and scratching) upon another student or any other person lawfully on school property or attempting or threatening to do so.
  - c. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function (Refer to BOE Policy #7360, Gun-Free Schools.)
  - d. Displaying what appears to be a weapon.
  - e. Threatening to use any weapon.
  - f. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
  - g. Intentionally damaging or destroying school district property, including graffiti or arson.



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8. **Engage in any conduct that endangers the safety, physical or mental health or welfare of others.** Examples of such conduct include, but are not limited to::
- a. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
  - b. Lying to school personnel.
  - c. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function or stealing or attempting to steal anything that is school property.
  - d. Defamation, making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
  - e. Discrimination, which includes using race, color, national origin, ethnic group, religion, religious practice, sex, gender (including gender identity and gender expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others.
  - f. Harassment, as defined in the “Definitions” section of this Policy but which also includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning. (Refer to §7315 Student Harassment and Bullying Prevention and Intervention.)
  - g. Sexual harassment is prohibited by law. Unwelcome sexual advances, request for sexual favors, or other written, oral or physical conduct of a sexual nature may constitute sexual harassment. Complaints regarding sexual harassment may be made directly to the Assistant Superintendent of Student Services, who is the Title IX coordinator. (Refer to BOE Policy #7531)
  - h. Intimidation and/or threatening, which includes engaging in actions or statements that put an individual in fear of bodily harm.
  - i. Bullying, which may be a hostile activity that harms or induces fear through the threat of further aggression and/or creates terror. (See BOE Policy §7315 Student Harassment and Bullying Prevention and Intervention.)
  - j. Hazing, which includes an induction, initiation or membership process involving harassment (see Policy §7315 Student Harassment and Bullying Prevention and Intervention) for a more complete definition.

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- k. Selling, using distributing, or possessing obscene material.
  - l. Smoking a cigarette (or electronic cigarette), cigar, pipe or using chewing or smokeless tobacco.
  - m. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs." (Refer to the District's Alcohol, Drugs & Other Substance Abuse Policy #7320)
  - n. Gambling.
  - o. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
  - p. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
  - q. Selling, using or possessing fireworks or other dangerous items or facsimiles.
9. **Engaging in misconduct while on school bus:** It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
10. **Engaging in any form of academic misconduct.** Examples of academic misconduct include, but are not limited to:
- a. Plagiarism
  - b. Cheating
  - c. Copying
  - d. Altering records
  - e. Assisting another student in any of the above actions
- Many of the behaviors described under academic misconduct may rise to the level of criminal behavior and may be reported to the police for further prosecution.

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**11. Engaging in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function.** Examples of such misconduct include, but are not limited to:

- Cyberbullying (i.e., inflicting willful and repeated harm through the use of information technology, including but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites).
- Threatening or harassing students or school personnel over the phone or other electronic medium.

**REPORTING VIOLATIONS**

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

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

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted.

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

**SUBJECT: CODE OF CONDUCT****REPORTING INCIDENTS OF DISCRIMINATION, HARASSMENT AND BULLYING**

Students who have been bullied, parents whose children have been bullied or other students or staff who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided (Refer to Policy §7315, Student Harassment and Bullying Prevention and Intervention).

For other forms of harassment and discrimination, please refer to Policy §6122, Equal Opportunity and Non-Discrimination; Policy §6121, Sexual Harassment; Policy §7531, Sexual Harassment/Students; and Policy 7300, Dignity for All Students Act.

**Disciplinary Penalties, Procedures and Referrals**

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

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

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

## **SUBJECT: CODE OF CONDUCT**

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

## **PENALTIES**

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning – any member of the district staff.
2. Written warning – bus drivers, paraprofessionals, coaches, guidance counselors, teachers, student support advisors, building administrators, principal, superintendent.
3. Written notification to parent-coaches, guidance counselors, teachers, student support advisors, building administrators, principal, superintendent.
4. Detention – teachers, student support advisors, building administrators, principal, superintendent.
5. Suspension from transportation – principal, superintendent.
6. Suspension from athletic participation – coaches, principal, superintendent.
7. Suspension from social or extracurricular activities – activity director, principal, superintendent.
8. Suspension of other privileges – principal, superintendent.
9. In-school suspension – principal, superintendent.
10. Removal from classroom – teacher, building administrator.
11. Short-term (five days or less) suspension from school – principal, superintendent, board of education.
12. Long-term (more than five days) suspension from school – superintendent, board of education.
13. Permanent suspension from school – superintendent, board of education.

**SUBJECT: CODE OF CONDUCT****Detention**

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

**Suspension from Transportation**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Principal's or his/her designee's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Principal or the Superintendent or their designees.

In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education.

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

**Suspension from Athletic, Participation, Extra-Curricular Activities and Other Privileges**

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

**SUBJECT: CODE OF CONDUCT****In-School Suspension**

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in “in-school suspension.” The in-school suspension teacher will be a certified teacher or teaching assistant.

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

**Teacher Disciplinary Removal of Disruptive Students**

A student’s behavior can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “time out” in an elementary classroom or in an administrator’s office; (2) sending a student to the Principal’s office for the remainder of the class time only; or (3) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for the purposes of this Code.

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

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A classroom teacher may remove a disruptive student from class for the remainder of the class for a maximum period of one (1) hour to one of the individual school building's designated locations. The teacher must notify building administration immediately. The removal from class applies to the class of the removing teacher only.

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

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

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

Within 24 hours after the student's removal, the teacher must notify the student's parent, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the teacher and principal or the principal's designee to discuss the reasons for the removal.

Each teacher must keep a complete log for all cases of removal of students from his/her class. The principal or designee must keep a log of all removals of students from class.



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Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

**Suspension from School**

Any student, other than a student with a disability, found guilty of bringing or possessing a firearm or weapon on school property, will be subject to suspension. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. In deciding whether to modify the penalty, the Superintendent may consider the following: the student's age, the student's grade in school, the student's prior disciplinary record, the Superintendent's belief that other forms of discipline may be more effective, input from parents/teachers and/or others, or other extenuating circumstances.

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

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

Any student, other than a student with a disability, who repeatedly substantially disrupts the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five (5) days. For purposes of this Code of Conduct, "repeatedly substantially disrupts" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214 (3-a)

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and this code on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

**Due Process Procedures**

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

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

**A. Regular Due Process:**

1. Students will be informed of the reason for the discipline to be imposed.
2. Students will be given the opportunity to present their side of the event.
3. Wherever possible, parents will be called to inform them of the circumstances for discipline and the penalty imposed.

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4. Parent must be notified within 24 hours of any discipline removal from class, and assignment of detention.
5. Parent must be notified within 24 hours of in-school suspension or suspension.
6. Parents will be provided an opportunity for an informal conference with the building principal to discuss the conduct and penalty imposed.
7. Parents may appeal a principal's suspension by writing to the Superintendent within five business days of the imposed suspension. If still not satisfied, an appeal can be made to the Board of Education within ten business days of the Superintendent's decision. Only final decisions of the Board of Education may be appealed to the Commissioner within thirty days of the decision.

**B. Superintendent's Hearing Due Process**

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

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

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

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

Permanent suspension will always be preceded by a Superintendent's hearing as defined in Section B.

**C. Special Education Due Process:**

1. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
  - a. The Superintendent of Schools or a building principal may order the placement of a student with a disability into an alternate setting or on suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
  - b. The Superintendent or principal may order the placement of a student with a disability on suspension for up to ten consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
  - c. The Superintendent or principal may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
  - d. If a student carries or possesses a weapon to school or to a school function, or if the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at a school function, the Superintendent may order the placement of a student with a disability in an interim alternative educational setting.

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2. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an interim alternative educational setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.
3. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
  - a. For more than ten consecutive school days; or
  - b. If the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to ten or more school days in a school year.
  - c. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.
4. The District will conduct a manifestation hearing to determine if the behavior subject to disciplinary action is related to the student's disability. This shall occur whenever a decision is made to place a student in an interim alternative educational setting either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
5. The District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an interim alternative educational setting for behavior involving weapons, illegal drugs or controlled substances.
6. The District's Committee on Special Education shall conduct functional behavioral assessments to determine why a student engages in a particular behavior, and will develop or review a behavioral intervention plan whenever the district is first suspending or removing a student with a disability for more than ten school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to

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an interim alternative educational setting for misconduct involving weapons, illegal drugs or controlled substances.

If a student with a disability, who has a behavioral intervention plan in place and who is suspended or removed from his or her current educational placement for more than ten school days in a school year, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

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

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

The student will be considered a student presumed to have a disability for discipline purposes. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability. A student will not be considered a student presumed to have a disability for discipline purposes if the district either:

1. Conducted an individual evaluation and determined that the student is not a student with a disability, or
2. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be

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subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

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

8. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an interim alternative educational setting for either misconduct involving weapons, illegal drugs or controlled substances, or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
9. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
10. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be conducted in 2 parts, a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
11. The removal of a student with disabilities other than a suspension or placement in an interim alternative educational setting shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than ten

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consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

12. During any period of suspension or removal, including placement in an interim alternative educational setting, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.
13. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code if:
  - The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an interim alternative educational setting where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement.
  - The parent requests such a hearing from a Committee on Special Education's determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an interim alternative educational setting.
  - During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an interim alternative educational setting for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an interim alternative educational setting, the student shall remain in the interim alternative educational setting pending the decision of the impartial hearing officer or until expiration of the interim alternative educational setting placement, whichever occurs first, unless the parents and the district agree otherwise.
  - If school personnel propose to change the student's placement after expiration of an interim alternative educational setting placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the interim alternative educational



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setting, except where the student is again placed in an interim alternative educational setting.

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

14. Referral to law enforcement and judicial authorities:

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

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

**Referrals**

1. Counseling

The Guidance Office and the Office of Student Services shall handle all referrals of students for counseling.

2. PINS Petitions

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

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

**SUBJECT: CODE OF CONDUCT****3. Juvenile Delinquents and Juvenile Offenders**

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

- a. Any student under the age of 16 who is found to have brought a weapon, as defined in accordance with the Penal Law (New York Penal Law, Article 265) to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

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

**Disciplinary and Remedial Consequences for Bullying, Harassment and Discrimination**

The District supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and discrimination of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education. Successful intervention may involve remediation.

Remedial responses to bullying, harassment and discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Restitution and restoration
- Peer support groups
- Corrective instruction or other relevant learning or service experience
- Changes in class schedule
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with benchmarks, that are closely monitored
- Student counseling
- Parent conferences
- Student treatment or therapy.

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Environmental remediation may include, but is not limited to:

- School and community surveys or other strategies for determining the conditions Contributing to the relevant behavior
- Modification of schedules
- Adjustment in hallway traffic and other student routes of travel
- Targeted use of monitors
- Staff professional development
- Parent education seminars/workshops
- Peer support groups.

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy.

**Corporal Punishment**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The District will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

**SUBJECT: CODE OF CONDUCT****Student Searches and Interrogations**

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

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

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

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

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

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

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- A. **Student Lockers, Desks and Other School Storage Places:** The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.
- B. **Strip Searches:** A strip search is a search that requires a student to remove any or all of his or her clothing, including footwear, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search. School officials will attempt to notify the student's parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

C. **Documentation of Searches:**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).

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4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what item(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

**D. Police Involvement in Searches and Interrogations of Students:**

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. probable cause to believe a crime has been committed on school property or at a school function; or
3. been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

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Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

**E. Child Protective Services Investigations:**

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

**SUBJECT: CODE OF CONDUCT****Visitors to the Schools**

The Board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the *approval of* building principal, so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

**Public Conduct on School Property**

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



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

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

**A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building/facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.

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11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

**B. Penalties**

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to protection of Civil Service Law 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

**C. Enforcement**

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code.

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The

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principal or designees may also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The District shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

**Dissemination and Review****A. Dissemination of Code of Conduct:**

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

1. Providing copies of a summary of the code to all students in an age-appropriate version, written in plain language at a school assembly held at the beginning of each school year.
2. Providing a plain language summary of the code to all parents before the beginning of the school year, and thereafter on request.
3. Posting the complete Code of Conduct, including any updates, on the District's website.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practical after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

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The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe, supportive, respectful and responsible school climate while discouraging, among other things, discrimination or harassment against students by students and/or school employees; and including safe, supportive, respectful and responsible school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the District's professional development plan, as needed.

**B. Review of Code of Conduct**

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

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

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

The code of conduct and any amendments to it will be filed with the Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

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Cross Reference:

§7315, Student Harassment and Bullying Prevention  
and Intervention;

§6121, Sexual Harassment;

§7531, Sexual Harassment/Students;

§7300, Dignity for all Students Act

18 USC §921 Gun-Free Schools Act

Education Law §§801-a, 2801, 3214

Dignity for All Students Act, Education Law, §§10-18

Individuals with Disabilities Education Act, 20 USC

§1415(k)

8 NYCRR Part 201

Adopted: 6/16/99

Amended: 9/5/01; 7/6/04; 7/10/2012

## Students

**SUBJECT: LOSS OR DESTRUCTION OF DISTRICT PROPERTY**

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

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

In instances where the District has sought and obtained a judgment from a court of competent jurisdiction, parent/guardian liability for civil damages shall not exceed the limit of the law

General Obligations Law Section 3-112

Adopted: 6/16/99

**SUBJECT: SUSPENSION & TEACHER REMOVAL OF DISRUPTIVE STUDENTS  
FROM THE CLASSROOM**

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

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

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

**Suspension: Five Days or Less**

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

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

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

**Suspension: More Than Five Days**

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

**SUBJECT: SUSPENSION & TEACHER REMOVAL OF DISRUPTIVE STUDENTS FROM THE CLASSROOM****Suspension of Students with Disabilities**

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

**Suspension From BOCES**

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

**In-School Suspension**

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

**After-School Detention**

Although most infractions of school rules are dealt with immediately, there are occasions when unacceptable student behavior requires detaining the student after the regular school day.

Should the need arise at the elementary level, students are not detained after school unless arrangements have been made with the parents.

At the secondary level, after-school detention is provided for those students who violate school rules, but do not warrant suspension. During the period of time assigned to after-school detention, students, where appropriate, may be required to complete assignments.

Secondary school detention is scheduled outside the normal school day and is supervised by the teaching staff. When a student receives an after-school detention assignment, the parents will be notified and their assistance requested.

(Continued)



## Students

**SUBJECT: SUSPENSION & TEACHER REMOVAL OF DISRUPTIVE STUDENTS  
FROM THE CLASSROOM****BOCES Activities**

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

A student who is ineligible to attend a South Huntington Union Free School District on a given day may also be ineligible to attend BOCES classes. The decision rests with the Superintendent or his/her designee.

**Disruptive Students**

In accordance with Education Law, Commissioner's Regulations and the District's Code of Conduct, teachers shall have the power and authority to remove disruptive students from their classrooms consistent with discipline measures contained in the Code of Conduct. The term "disruptive student" as defined pursuant to law, shall refer to an elementary or secondary student under twenty-one (21) years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Further, teachers shall abide by the provisions of the District's Code of Conduct with regard to the utilization of alternative classroom management techniques and student intervention services, as may be applicable and appropriate to the specific circumstances, prior to removal of the student from the classroom. Additionally, teachers shall have the authority to remove disruptive students from the classroom for each incident for a period of time no greater than as enumerated in the Code of Conduct.

Teachers must inform the student and the school principal/designee of the reasons for the removal.

- a) In most instances, the teacher shall, prior to removing the disruptive student from the classroom, provide the student with an explanation of the basis for the removal and allow the student to informally present the student's version of relevant events.
- b) If the teacher finds that the disruptive student's continued presence in the classroom poses a continuing danger to persons or property or presents an ongoing threat of disruption to the academic process, the teacher shall provide the student with an explanation of the basis for the removal and an informal opportunity to be heard within twenty-four (24) hours of the student's removal.

No disruptive student shall return to the classroom until the principal/designee makes a final determination regarding the discipline imposed by the teacher as outlined in administrative

**SUBJECT: SUSPENSION & TEACHER REMOVAL OF DISRUPTIVE STUDENTS FROM THE CLASSROOM**

regulations and pursuant to the provisions enumerated in Education Law Section 3214 (3-a) or the period of removal expires, whichever is less. The District will ensure the provision of continued educational programming and activities for students removed from the classroom by a teacher.

The principal/designee shall inform the parents/person in parental relation to such student of the removal and shall, upon request, provide the student and the parent/person in parental relation an opportunity for an informal conference to discuss the reasons for the removal in accordance with the procedures enumerated in law. As applicable, the principal/designee shall render a determination regarding the discipline imposed by the teacher in accordance with the requirements mandated pursuant to law and or regulation.

This policy, in accordance with statutory mandates, does not authorize removal of a student in violation of any state or federal law or regulation (e.g., IDEA, Section 504 of the Rehabilitation Act of 1973). It shall be the responsibility of the building principal/designee to ensure that teacher removal of students from the classroom complies with applicable laws and regulations.

**Violent Students**

Teachers are required to immediately report and refer a violent student, as defined pursuant to Education Law, to the principal or Superintendent for a violation of the District's Code of Conduct and a minimum suspension period as determined by such Code, unless otherwise reduced by the suspending authority on a case-by-case basis to be consistent with any other state and federal law.

Education Law Sections 2801 and 3214  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2 (2) and Part 201  
Individuals with Disabilities Education Act (IDEA),  
20 United States Code (U.S.C.) Sections 1400-1485  
34 Code of Federal Regulations (CFR) Part 300  
Section 504 of the Rehabilitation Act of 1973,  
29 United States Code (U.S.C.) Section 794 et seq.

Adopted: 6/16/99  
Amended: 11/14/01  
Procedures Updated 9/25/01

## Students

**SUBJECT: DEMONSTRATIONS**

The Board acknowledges that students have a constitutional right to present their grievances before the school. However, school officials have a right and duty to protect all students within the school, to prevent disruption of the educational process and to protect school property. As a result, the administration may enact regulations governing the time, place and manner of conduct as conditions for allowing a demonstration. Demonstrators who violate those school regulations are not protected by the Constitutional guarantees of the First Amendment and are subject to appropriate school rules and punishment.

Adopted: 6/16/99

## Students

**SUBJECT: STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION (Formerly Bullying, Peer Abuse in the Schools)**

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the District to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets, but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing, and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

**DEFINITIONS**

**BULLYING:** Bullying is understood to be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror.

In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation or discrimination. Bullying often includes the following characteristics: Power imbalance; intent to harm; threat of further aggression; and terror. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

**DISCRIMINATION:** Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the Definitions section, under Harassment, below).

**HAZING:** Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

**HARASSMENT:** Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board’s goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as an act against any student, by employees or students on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact and/or verbal threats, intimidation, or abuse of such a severe nature that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be

## Students

**SUBJECT: STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION (Formerly Bullying, Peer Abuse in the Schools)**

expected to cause a student to fear for his or her physical safety. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived:

race; color; weight; national origin; ethnic group; religion; religious practice; disability; sex; sexual orientation; or gender (including gender identity and expression).

In some instances, bullying or harassment may constitute a violation of an individual's civil rights. The district is mindful of its responsibilities under the law and in accordance with district policy regarding civil rights protections.

**Prevention**

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying, but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of bullying, as well as their responsibility to become actively involved in the prevention of bullying before overt acts occur.

A course of instruction in grades kindergarten through twelve on civility, citizenship and character education will be provided and will include a component raising awareness and sensitivity to discrimination or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

In order to implement this program, the Board will designate at its annual organizational meeting a Dignity Act Coordinator (DAC). The role of the DAC is to coordinate and enforce this policy. In addition, the Superintendent will establish a district-wide Dignity Act Task Force, as well as Dignity Act Building-level Coordinating Committees in each school that will be overseen by the DAC. Committees will include representation from staff, administration, students and parents. The district-wide task force and the school-level committee will assist the administration in developing and implementing specific prevention initiatives, including early identification of bullying and other strategies. In addition, the program will include reporting, investigating, remedying and tracking allegations of bullying. The accompanying regulation provides more detail on the specific programs and strategies implemented by the district.

**Intervention**

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

## Students

**SUBJECT: STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION (Formerly Bullying, Peer Abuse in the Schools)**

Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

**Provision for Students Who Do Not Feel Safe At School**

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the building principal. The building principal, other appropriate staff, the student and the student's parent, will work together to define and implement any needed accommodations.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Therefore, each case will be handled individually. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

**Training**

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The Superintendent, the DAC and the district's professional development team will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. Training opportunities will be provided for all staff, including but not limited to bus drivers, cafeteria and hall monitors and all staff who have contact with students. The DAC will be trained in accordance with state requirements and will continue their professional development so as to successfully support this policy and program.

**Reporting and Investigation**

Although it can be difficult to step forward, the district cannot effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or

## Students

**SUBJECT: STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION (Formerly Bullying, Peer Abuse in the Schools)**

other students or staff who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy, or if applicable, §6122, Equal Opportunity and Non-Discrimination policy; §6121, Sexual Harassment; §7531, Sexual Harassment/Students and §7310, Code of Conduct. If a staff member is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

There shall be a duty for all school personnel to report any incidents of student-to-student, staff-to-student, and student-to-staff bullying that they observe to their building principal or other administrator who supervises their employment. In addition, there shall be a further duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying of which they are made aware by students to their building principals or other administrator who supervises their employment. Supervisors will refer the information to appropriate district staff for investigation as designated in regulation. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

**Disciplinary Consequences/Remediation**

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

**Non-Retaliation**

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Students

**SUBJECT: STUDENT HARASSMENT AND BULLYING PREVENTION AND  
INTERVENTION (Formerly Bullying, Peer Abuse in the Schools)****Dissemination, Monitoring, Review and Reporting**

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the district's website. The district will ensure that the process of reporting bullying is clearly explained.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

Dignity for All Students Act, Education Law §§10-18  
Rehabilitation Act of 1973 §504, 29 U.S.C. §794  
Individuals with Disabilities Education Law, 20 U.S.C. §§1400 *et seq.*  
Education Law §§ 313 (3), 3201, 3201-a

Adopted: 6/02/2004

Amended: 7/10/2012\_\_\_\_\_



## Students

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES**

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

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

**Primary Prevention**

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

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

**Intervention**

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

- a) Counseling of students in groups and as individuals on alcohol, tobacco, drugs and other substance use/abuse. Counselors shall be appropriately trained and skilled school staff assigned for this purpose.
- b) Referring students to community or other outside agencies when their use/abuse of alcohol, tobacco, drugs and other substances requires additional counseling or treatment. Referral is a key link in school and community efforts and the process is basic to the dissemination of information regarding available counseling and health services;

## Students

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES**

- c) Providing a supportive school environment designed to continue the recovery process for students returning from treatment. A re-entry program may include continuing student and/or family counseling and emphasizing positive alternatives to alcohol, tobacco, drugs, and other substance use/abuse.
- d) Developing a parent network to serve as a support group and provide a vehicle of communication for parent education;
- e) Ensuing confidentiality as required by state and federal law.

**Standards of Intervention for Students**

If a student is suspected of alcohol or drug possession, or if a student appears to be under the influence of drugs or alcohol, then the following steps will be taken:

- a) The student will not be left alone;
- b) The building principal or designee will be notified;
- c) If consumption is suspected, the school nurse will see the student to determine if further medical intervention is needed;
- d) If possession of an illegal substance is found, the police will be notified by the building principal.
- e) The parents or legal guardians will be notified.
- f) The building principal will report the information regarding the student to the Assistant Superintendent for Student Services, who will inform the Superintendent
- g) The student will be referred to the student assistance counselor for three mandatory sessions. The focus of these meetings will be to evaluate the nature of the student's problem and to make recommendations for appropriate intervention.
- h) Please reference the South Huntington School District's Code of Conduct.

**Disciplinary Measures**

Disciplinary measures for students consuming, sharing and or selling, using and/or possessing alcoholic beverages, tobacco products, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs shall be outlined in the District's Code of Conduct on school property.

## Students

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES****Staff Development**

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

**Implementation, Dissemination and Monitoring**

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

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

Safe and Drug-Free Schools and Communities Act  
20 United States Code (U.S.C.) Section 7101 et.

Sea.

Adopted: 6/16/99  
Amended: 9/5/01  
Amended: 4/29/2008

## Students

**SUBJECT: SEARCHES AND INTERROGATIONS**

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

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

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

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

**Lockers**

Lockers are provided by the school for student use and the administration has the right to search lockers. A student may have exclusive use of a locker as far as other students are concerned but he/she does not have such exclusivity over the locker as against the school authorities. Any student-caused loss or damage to lockers will result in an appropriate fine.

**Law Enforcement Officials**

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

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

(Continued)

**SUBJECT: SEARCHES AND INTERROGATIONS (Cont'd.)****Interrogations**

It shall be the policy of this School District that police authorities must have a warrant to interrogate students in school buildings or on school grounds, except in cases involving suspected child abuse. If the police wish to speak to a student without a warrant, they should take the matter up directly with the student's parent/guardians.

Family Court Act Section 1024

Adopted: 6/16/99

## Students

**SUBJECT: BUS RULES AND REGULATIONS**

The South Huntington Union Free School District furnishes transportation to those students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student's Individualized Education Program (IEP), riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in this District.

Students riding school buses are expected to conform to the rules of conduct. This obligation begins at the designated bus stop.

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

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

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

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

Adopted: 6/16/99

## Students

**SUBJECT: CORPORAL PUNISHMENT**

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

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

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

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

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

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

Adopted: 6/16/99

## Students

**SUBJECT: GUN-FREE SCHOOLS POLICY**

No student shall bring onto school premises or have in his/her possession on school premises or bring to any setting that is under the control and supervision of the School District, any "firearm" as defined in federal law. For purposes of this policy, the term "firearm" includes any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any "destructive device" (i.e., any explosive, incendiary, or poison gas, including bombs, grenades, rockets or other similar devices). The term does not include a rifle which the owner intends to use solely for sporting, recreational or cultural purposes; antique firearms; or Class C common fireworks.

In accordance with the Gun-Free Schools Act of 1994 and Section 3214(3)(d) of the Education Law, any student who brings a firearm, as defined in federal law, onto school property, or has such a firearm in his/her possession on school premises, or brings such a firearm to any setting that is under the control or supervision of the School District, will be referred by the Superintendent to the appropriate agency or authority for a juvenile delinquency proceeding in accordance with Article 3 of the Family Court Act when the student is under the age of sixteen and will be referred by the Superintendent to the appropriate law enforcement officials when the student is sixteen years of age or older.

In addition, any student attending a District school who has been found guilty of bringing a firearm to school, after a hearing has been provided pursuant to Section 3214 of the Education Law, shall be suspended for a period of not less than one calendar year and any student attending a non-district school who participates in a program operated by the School District using funds from the Elementary and Secondary Education Act of 1965 who is determined to have brought a firearm to a District school or other premises used by the School District to provide such programs shall be suspended for a period of not less than one calendar year from participation in such program. The procedures of Education Law Section 3214(3) shall apply to such a suspension of a student attending a non-district school. Further, after the imposition of the one year penalty has been determined, the Superintendent of Schools has the authority to modify this suspension requirement for each student on a case-by-case basis. In reviewing the student's one year suspension penalty, the Superintendent may modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law. The determination of the Superintendent shall be subject to review by the Board of Education in accordance with Education Law Section 3214(3)(c) and by the Commissioner of Education in accordance with Education Law Section 310.

A student with a disability who is determined to have brought a firearm to school may be placed in an interim alternative educational setting, in accordance with state law, for not more than 45 calendar days. If the parent or guardian requests an impartial hearing, the student must remain in the interim alternative placement until the completion of all proceedings, unless the parent or guardian and District can agree on a different placement.

(Continued)



## Students

**SUBJECT: GUN-FREE SCHOOLS POLICY (Cont'd.)**

A student with a disability may be given a long term suspension pursuant to the GFSA only if a group of persons knowledgeable about the student, as defined in federal regulations implementing the IDEA, determines that the bringing of a firearm to school was not a manifestation of the student's disability, subject to applicable procedural safeguards.

If it is determined that the student's bringing of a firearm to school was a manifestation of the student's disability, the Superintendent must exercise his/her authority under the Gun-Free Schools Act to modify the long term suspension requirement, and determine that the student may not be given a long term suspension for the behavior. The Committee on Special Education may review the student's current educational placement and initiate change in placement proceedings, if appropriate, subject to applicable procedural safeguards.

The District may offer home instruction as an interim alternative educational setting during the pendency of review proceedings only if the student's placement in a less restrictive alternative educational setting is substantially likely to result in injury either to the student or to others.

The District may also seek a court order to immediately remove a student with a disability from school if the District believes that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others.

Students with disabilities continue to be entitled to all rights enumerated in the Individuals With Disabilities Education Act and Article 89 of the Education Law; and this policy shall not be deemed to authorize suspension of students with disabilities in violation of these laws.

This policy does not prohibit the District from utilizing other disciplinary measures including, but not limited to, out-of-school suspensions for a period of five days or less, or in-school suspensions, in responding to other types of student misconduct which infringe upon the established rules of the school. Additionally, this policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

Please reference the South Huntington School District's Code of Conduct.

(Continued)

**SUBJECT: GUN-FREE SCHOOLS POLICY (Cont'd.)**

The District will continue to provide the suspended student who is of compulsory attendance age with appropriate alternative instruction during the period of the student's suspension.

Goals 2000: Educate America Act,  
P.L. 103-227 (Gun-Free Schools Act of 1994)  
18 United States Code (U.S.C.) Section 921  
Education Law Sections 310, 809-a, 3214,  
and Article 89  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2 and Part 200  
20 United States Code (U.S.C.)  
Sections 1400-1485,  
Individuals With Disabilities Education Act (IDEA)  
Family Court Act Article 3

NOTE: Refer also to Policies #3411 -- Unlawful Possession of a Weapon Upon School Grounds.

Adopted: 6/16/99  
Amended: 9/5/01

# POLICY

2011

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Students

## **SUBJECT: EXTRACURRICULAR ACTIVITIES**

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

The use of the School District's name or the name of an individual school in the School District shall not be allowed unless the organization or activity sponsoring such use has been approved by action of the Board of Education.

### **Limited Open Forum**

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

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

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

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

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

(Continued)

# POLICY

2011

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Students

## **SUBJECT: EXTRACURRICULAR ACTIVITIES (Cont'd.)**

### **Eligibility for Attendance**

- a) Students who are suspended from school on a day of an athletic game or practice session, party, school dance, or other school affair scheduled after regular school hours are not eligible for participation or attendance at such events.
- b) In order for students to attend a school-sponsored function, it is necessary that students attend classes for at least 75% of the school day on the day of the activity.

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

Adopted: 6/16/99

Amended: 11/30/2011

## Students

**SUBJECT: STUDENT PUBLICATIONS**

The Board encourages student publications as an educational activity through which students can gain experience in reporting, writing, editing and understanding responsible journalism as well as providing an opportunity for students to express their views.

Through the written word students will enjoy their constitutional right to freedom of expression. Students may responsibly express their views in speech, writing or through other media within limitations comparable to those imposed on all citizens, but specifically designed for youth in a school setting.

All student publications must comply with the rules for responsible journalism. Libelous statements, unfounded charges and accusations, obscenity, defamation, false statements, material advocating racial or religious prejudice, hatred, violence, breaking of laws and school regulations, or any other material designed to disrupt the educational process will not be permitted.

The time, place and manner of distribution of all student publications will be reasonably regulated by the principal.

## Students

**SUBJECT: SPORTS AND THE ATHLETIC PROGRAM**

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

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

Eligibility for interscholastic athletic competition requires that the students:

- a) Provide written parental/guardian consent;
- b) Pass satisfactorily the medical examination administered by the school physician; and
- c) Meet the requirements for interscholastic competition as set forth by the Commissioner's Regulations and the New York State Public High School Athletic Association (NYSPHAA).

Each school shall be represented on the Conference level by three (3) individuals designated by the Superintendent. Such representatives shall include at least one person charged with the responsibility of the athletic program; a person of the opposite gender who is a physical education teacher; and a school administrator.

**Selection/Classification Process**

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

**Student Athletic Injuries**

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

If a student suffers a serious illness or injury, or is absent from school due to illness for five (5) consecutive days, that student will not be re-admitted to the sport unless the re-admission is approved by the school physician after the re-examination has been conducted.

(Continued)

## Students

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

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

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

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

**Athletic Program - Supervision of Students**

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

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

Adopted: 6/16/99



## Students

**SUBJECT: CONTESTS FOR STUDENTS, STUDENT AWARDS AND SCHOLARSHIPS****Contests for Students**

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

**Student Awards and Scholarships**

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

Education Law Section 1709(12-a)

## Students

**SUBJECT: RECOGNITION OF STUDENT ACHIEVEMENT**

The Board of Education endorses a policy of public recognition of student achievement. This acknowledgment covers a variety of student activities, including the following areas: academic, social, performing arts and humanities, sports, vocational and school-community service.

While each school is responsible for defining the standards of student selection, such recognition should be the result of objective, non-discriminatory staff deliberation.

## Students

**SUBJECT: MUSICAL INSTRUMENTS**

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

New York State Department of Transportation  
Regulations Section 720.22

## Students

**SUBJECT: EMPLOYMENT OF STUDENTS OF MINOR AGE**

A student's work hours shall be in accordance with all applicable federal and state laws and regulations as well as requirements established by the School District.

For minors who are younger than fourteen years of age, their employment shall be governed in accordance with applicable laws.

When school is in session, minors fourteen and fifteen years of age may not be employed more than three hours on any school day; more than eight hours on any day when school is not in session; more than eighteen hours a week; more than six days a week; or after 7 p.m. or before 7 a.m.

Sixteen (16) and seventeen (17) year olds may work when school is in session until 10:00 p.m. on any day preceding a school day. However, students sixteen or seventeen years of age may work until midnight on any day preceding a school day provided the employer receives and maintains both the written consent of the student's parent/legal guardian and a certificate of satisfactory academic standing which shall be provided to the employer of the end of each marking period by the District. Before issuing a certificate of satisfactory academic standing, the administration shall ensure that students are afforded all rights, including the right of consent, in complying with disclosure of student records and information under the Federal Family Educational Rights and Privacy (FERPA).

Education Law Sections 806 and 3215 et seq.  
Labor Law Sections 142-143, 161-162 and 170  
8 NYCRR Sections 141.8, 141.9 and 190-192  
Family Educational Rights and Privacy Act of 1974  
20 United States Code (U.S.C.)  
Section 1232(g)

Adopted: 6/16/99

## Students

**SUBJECT: STUDENT PHOTOGRAPHS**

Student photographs may be taken on school premises by commercial photographers only where there is a school purpose for the photographs, such as a yearbook, class pictures, student records or identification cards.

In this regard, Article VII, Section 1 of the State Constitution expressly prohibits the use of public school property “in aid of any individual, or private corporation or association, or private undertaking.” This provision forbids the taking of photographs at school solely for sale to students or parents, with no associated school use intended, or for the express purpose of fund-raising.

However, groups such as student organizations, parent associations, booster clubs, etc., may organize the sale of copies of commercially-taken student photographs. The commercial photographer may advise students by means of a card, brochure or other appropriate communication that copies may be purchased directly from the photographer. School personnel may not participate during school hours or on school grounds in the distribution of advertising material, solicitation of orders, delivery of photographs or collection of charges.

## Students

**SUBJECT: NON-SCHOOL SPONSORED NOTICES, FUND-RAISING AND ACTIVITIES**

Distribution of printed materials by students, solicitation of funds, and commercial, profit-making activities within the schools are not permitted in the South Huntington Schools, subject to the following specific exceptions:

- a) Distribution of printed releases of the Board of Education, Public Library, PTA, Office of the Building Principal, and Office of the Superintendent of Schools.
  - 1. Releases, other than those of the individual building principal, shall be issued through the Superintendent's office.
  - 2. Any flyers or releases distributed through the individual schools shall be subject to the same intent provided by this policy.
  - 3. When an item is not clearly related to the above categories, it must be referred to the Superintendent of Schools for approval or rejection a week prior to distribution.
- b) No solicitation of funds beyond the scope of Board policy on field trips and instructional materials shall be permitted during the normal school day. Passive and non-coercive fund raising activities are permitted. For example, a charitable organization may place a bin or receptacle in a hallway or common area for the purpose of obtaining donations. These exceptions must be accomplished at times other than the normal instructional day. All of the above exceptions shall be subject to procedures established by the principal.
- c) The entry of commercial organizations into the schools is prohibited with the exception of activities otherwise within Board policy and traditional practices long a part of the school co-curricular extracurricular program.
- d) Students of the South Huntington Schools may not be allowed to solicit funds or sell commercial products on a door-to-door basis in the community under the sponsorship of any organization which is part of the curricular or extra-curricular program in our schools.

## Students

**SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES  
(ACCEPTABLE USE POLICY)**

The Board of Education will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." All such use must be in support of education and/or research and consistent with the goals and purposes of the District.

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

**Standards of Acceptable Use**

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

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

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

## Students

**SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES  
(ACCEPTABLE USE POLICY)**

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be District property subject to control and inspection. The Superintendent, Director of Technology, and/or his/her designee, may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private.

**Notification/Authorization**

The District's Acceptable Use Policy and Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the DCS.

\*Option A: "Affirmative Consent" (Opt-in) Student use of the DCS is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the District Office.

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

Adopted: 04/27/2010



**SUBJECT: IMMUNIZATION OF STUDENTS**

The Board of Education recognizes its responsibility to insure that the children under its charge have all of the immunizations required by New York State Public Health Law, Sections 613 and 2164 and Education Law 914. The Board, therefore, requires that a physician's certificate or some other acceptable evidence of immunization be submitted for all children entering and presently attending school.

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

The only exceptions to this policy are as follows:

- a) A statement of religious exemption written by the parent, parents or guardian that they hold religious beliefs contrary to the practice of immunizations. The statement must describe the beliefs in sufficient detail to permit the school to determine that the beliefs are religious in nature (not health or philosophical) and that the beliefs are sincerely and genuinely held. School officials may request an interview with the parents.
- b) A medical exemption consisting of a written statement from a physician licensed to practice in the State of New York indicating the health reason/condition for not immunizing a child against any or all of the vaccine preventable diseases. This statement must specify the vaccine(s) and length of the exemption(s).
- c) Serological proof of immunity – laboratory evidence of the presence of antibodies which indicate an adequate level of immunity.
- d) A history of the vaccine preventable disease as documented by a health care provider. Parental recall of the disease history is not sufficient, and will not be accepted as proof of immunity.

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Students

**SUBJECT: IMMUNIZATION OF STUDENTS**

Any confirmed case of a vaccine preventable disease will be reported to the Health Department. The list of susceptible students will be reviewed for exclusion purposes and parents will be notified. The local health department working with the New York State Department of Health Immunization Program and the school will determine the best course of action to prevent the spread of disease.

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

Public Health Law Sections 613 and 2146  
Education Law Section 914

Adopted: 6/16/99  
Amended: 1/18/2006

## Students

**SUBJECT: STUDENT PHYSICALS**

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

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

The required physical exams are as follows:

- a) Grades K, two, four, seven, and ten;
- b) Students transferring into the District whose health records show no examination in the previous grade listed in a) above;
- c) All athletes;
- d) All students who need a work permit;
- e) All students referred by the administration.

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

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

## Students

**SUBJECT: MEDICATION**

Under certain unusual circumstances, when it is necessary for a student to take medication during school hours, the school nurse may administer the medication if the parent or guardian submits a written request accompanied by a written request from a physician indicating the frequency and dosage of prescribed medication. Such medication is to be brought to the school health office in its original labeled container by the parent or guardian.

Definition of medication: A medication is any substance ingested orally, injected, inhaled or applied topically. This includes prescription, over-the-counter products such as vitamins, minerals, laxatives, eye drops, headache remedies, etc., and herbal products.

No employee of the South Huntington Schools is authorized to prescribe or recommend medication, or any type of medicine, for a student in the South Huntington Schools.

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

Administration will promulgate specific procedures regarding the administration of medication in school. These procedures shall be reviewed by administration periodically.

New York State Bureau of Health Service

Adopted: 6/16/99  
Amended: 11/14/01  
Procedures updated 9/25/01

## Students

**SUBJECT: HEALTH RECORDS**

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

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

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Students

**SUBJECT: OCCUPATIONAL THERAPY, PHYSICAL THERAPY SERVICES**

Upon the recommendation of the Committee of Special Education, all occupational and physical therapy related services provided by the South Huntington Union Free School District shall be pursuant to a physician's prescription or written referral. In each instance, the prescription or written referral must be issued or renewed annually.

Adopted: 6/16/99

## Students

**SUBJECT: WELLNESS POLICY**

The South Huntington School District believes that all students need to be healthy in order to learn effectively. To accomplish this, the district will provide an appropriate nutrition and health curriculum, a balanced meal program, a school program rich in physical activity, and an environment appropriate to these goals.

A Wellness Committee made up of district administration, school principals, food service personnel, health and physical education teachers, parents and students has developed the following wellness policy.

Nutrition Education

The district believes that nutrition education is a key component in introducing and reinforcing healthy behaviors in students. Nutrition education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. The curriculum promotes well-balanced nutrition practices and physical activity. The curriculum shall include an understanding of the relationship between healthful food, healthful activities, and healthy minds and bodies.

Physical Activity

The goal of physical activity as it is incorporated into the school program is to promote a healthy lifestyle, provide outlet and stimulation on a daily basis and develop lifelong knowledge of the benefits of regular physical activity.

All students will be given opportunities for physical activities as the school program permits. Physical Education requirements for all students will be compliant with New York State Education Department requirements.

- Students will be given opportunities for before- or after-school programs such as intramurals, interscholastic athletics and physical activities clubs.
- Parents should be encouraged to support their child's participation in physical activities.
- Teachers and other school staff will promote enjoyable, lifelong physical activity among students.

## Students

**SUBJECT: WELLNESS POLICY**

- The district's elementary and secondary physical education curriculum shall be in compliance with the New York State Learning Standards and the recommendations of the New York State Association for Health, Physical Education, Recreation and Dance.
- The district shall offer interscholastic athletics for students with equal opportunities for males and females.

Nutritional Guidelines

The district recognizes that a nutritious, well-balanced, reasonably-portioned diet is essential for student wellness. All foods and beverages available in school promote good nutrition. The district shall ensure that reimbursable school meals meet or exceed the program requirements and nutrition standards found in federal regulations.

- Foods and beverages sold or served during the school day will, at a minimum, meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans.
- School lunches will be provided that promote fresh fruits, vegetables, salads, whole grain and low fat items.
- Families will be made aware of the availability of the reduced- and free-lunch program on a yearly basis.
- The school lunch program is encouraged to provide items low in fat, sodium and sugar content.
- All school vendors will be required to adhere to this policy and the standards set herein.
- The school lunch program shall meet or exceed state and federal regulations in an effort to insure the foods served are healthy and nutritious.
- Appropriate health certification is encouraged for all food preparation employees.
- Staff is encouraged to continue their base of knowledge regarding healthy food preparation and nutrition guidelines.
- School groups, clubs and PTA's are encouraged to utilize alternate fund-raising activities using healthy foods or non-foods whenever possible.
- All beverages served in school and school functions should conform to healthful and nutritious guidelines.



**SUBJECT: WELLNESS POLICY**Healthy Snack Suggestions

Snack and beverage choices meeting the following nutritional guidelines are appropriate choices for students:

Total Fat < 7 grams;  
Saturated Fat < 2 grams;  
Sodium < 360 grams;  
Sugar < 15 grams

**Choose whole grain and zero trans fat products whenever possible.**

**Recommended Snacks:**

*Cut-up Fresh Fruit\**  
*Cut-up Fresh Vegetables\**  
*Individual Fruit Cups\**  
*Applesauce, unsweetened\**  
*Whole Grain bread or crackers\**  
*Yogurt, low-fat, plain\**  
*String cheese, low-fat\**  
Animal Crackers  
Baked Doritos, all flavors  
Baked Potato Chips, all flavors  
Cereal Bars, w/out peanuts or nuts  
Cereal, dry  
Cheese & Cracker packs, low-fat  
Cheese Nips, low-fat  
Fruit & Oatmeal Bars & Bites  
Fruit & Yogurt Bars, low-fat  
Goldfish Crackers  
Graham Crackers and Sticks  
Pirates Booty, all flavors  
Popcorn, low-fat  
Pretzels, low sodium, whole wheat  
Pudding , low-fat  
Rice Cakes  
Soy Cakes

**Recommended Beverages:**

*Bottled Water\**  
*Plain milk, low-fat or non-fat\**  
100% Fruit Juice

**Snacks & Beverages to Avoid****Sending to School:**

Cookies/candies with more than 15 grams of sugar  
Chips with more than 7 grams of fat  
Cakes/cupcakes with more than 15 grams of sugar and/or 7 grams of fat  
Foods containing trans fat or hydrogenated oils  
Soda  
Sports Drinks  
Juices with less than 100% fruit  
Beverages with caffeine

*\*Highly recommended for nutritional value.*

**SUBJECT: WELLNESS POLICY**Foods and Beverages other than those Provided by the School Lunch Program

The district shall adhere to all applicable federal, state and county health code standards and regulations.

- In compliance with Suffolk County Sanitary Code, food brought from home will not be stored, refrigerated or heated in the school cafeteria facilities.

Other School-Based Activities

The district may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity. Such activities may include, but are not limited to, health forums or fairs, health newsletters, parent outreach, employee health and wellness, limiting the use of food as a reward, and food marketing and advertising in school.

Assurances

Guidelines for reimbursable school meals shall not be less restrictive than applicable federal regulations and guidelines issued pursuant to the Child Nutrition Act and the Richard B. Russell National School Lunch Act, as those regulations and guidelines apply to schools.

Implementation and Evaluation of the Wellness Policy

In accordance with law, the district's wellness policy must be established by July 1, 2006; and the district will ensure school and community awareness of this policy through various means such as publication in district newsletters and/or the district calendar. Professional development activities for staff and student awareness training will be provided, as appropriate, on the goals of the district's wellness program.

**SUBJECT: WELLNESS POLICY**

The district shall establish an implementation and evaluation plan for the wellness policy in order to monitor the effectiveness of the policy and the possible need for further modification over time. Accordingly, the Superintendent shall designate the Assistant Superintendent for Student Services and an assistant principal from each school to have appropriate operational responsibility for ensuring that the district meets the goals and mandates of its local wellness policy.

The Superintendent shall also appoint a district committee, chaired by the Assistant Superintendent for Student Services, and comprised of the following personnel:

- a) an assistant principal representing the elementary schools;
- b) an assistant principal representing the secondary schools;
- c) school health personnel including the school nurse and health and/or physical education teacher;
- d) the School Lunch Director;
- e) PTA and/or community volunteers;
- f) a student representing Walt Whitman High School;
- g) such other and further individuals as the Superintendent may deem necessary and/or advisable.

This committee shall annually report to the Superintendent on the district's compliance with the wellness policy and the Superintendent shall inform the Board of such findings. The Superintendent/designee shall prepare a report on the district's compliance with the wellness policy based on input from the schools and the committee. The report shall be made available to the community upon request.

These designated school officials may also serve as a liaison with community agencies in providing outside resources to help in the development of nutrition education programs and physical activities.

Assessments of the wellness policy and implementation efforts may be repeated on an annual basis, but it is recommended that such assessment occur no less than every three years to help review policy compliance, assess progress, and determine areas in need of improvement. To the extent practicable, student and parents shall be involved

**SUBJECT: WELLNESS POLICY**

in the development of strategies designed to meet the goals of the wellness policy. The district will share information about nutritional content of meals with students and parents in a variety of ways such as menus, the district website, or other point-of-purchase materials.

P.L. 108-265 (Child Nutrition and WIC Reauthorization Act of 2004)  
42 USC §1758(f)(1); 1766(a) (Richard B. Russell National School Lunch Act)  
42 USC §1779 (Child Nutrition Act)  
7 CFR §210.10; 210.11 (National School Lunch Program Participation Requirements—Standards for Lunches, Snacks and Competitive Foods)  
7 CFR §220.8 (School Breakfast Program Participation Requirements—Nutrition Standards)  
Article 13 Suffolk County Sanitary Code

Adopted: 6/21/06

Amended: 7/1/2009

## Students

**SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS**

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

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

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

**School Health Team**

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

- a) Parents/Guardians and Students;
- b) School Administration;
- c) Building School Nurse;
- d) Teachers;
- e) Food Service Personnel.

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

- a) Immediately develop an Emergency Care Plan (ECP) for each at-risk student to ensure that all appropriate personnel are aware of the student's potential for a life-threatening reaction;
- b) If appropriate, develop an Individualized Healthcare Plan that includes all necessary treatments, medications, training and educational requirements for the student. If the student is eligible for accommodations based upon the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding evaluation and identification;

## Students

**SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS**

- c) Provide training by licensed medical personnel (e.g., registered professional nurse) for all adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students;
- d) Obtain specific legal documents duly executed in accordance with New York State law; appropriate health care provider authorization in writing for specific students that includes the frequency and conditions for any testing and/or treatment, symptoms, and treatment of any conditions associated with the health problem; and directions for emergencies;
- e) Secure written parent permission and discuss parental responsibility that includes providing the health care provider's orders, providing any necessary equipment, and participation in the education and co-management of the child as he/she works toward self-management;
- f) Allow self-directed students to carry life saving medication with prior approval by the medical provider, and according to health practice and procedures, as long as duplicate life saving medication is also maintained in the health office in the event the self-carrying student misplaces the medication. The District reserves the right to request the District's Physician to review the student's health care provider's orders for compliance with District's health practice and procedures;
- g) Assure appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.

In addition, the District will:

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

## Students

**SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS****Anaphylaxis**

Although anaphylaxis can affect almost any part of the body and cause various symptoms, the most dangerous symptoms include breathing difficulties and a drop in blood pressure or shock which are potentially fatal. Treatment for anaphylaxis includes immediate removal of the allergen, and treating the rapidly progressing effects of histamine release in the body with epinephrine and antihistamines.

Creating an Allergen-Safe School Environment

While the school and family will work cooperatively, an allergen-free environment can never be guaranteed. Avoidance of exposure to allergens is the key to preventing a life-threatening anaphylactic reaction. Educating the school community about life-threatening allergies is crucial in keeping students with such allergies safe. The risk of accidental exposure or cross-contamination is always present, particularly for students with food allergies. The school setting is a high risk environment for accidental ingestion of a food allergen due to the presence of a large number of students, increased exposure to food allergens, and cross-contamination of tables, desks and other surfaces.

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

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

Food Service

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

## Students

**SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS**Elementary Classrooms, Snacks and Parties

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

Food-allergic students will eat only snacks brought in from their home. They will not be permitted to eat or touch food brought in by others for snacks, birthdays, holidays and celebrations unless approved by the child's parents. A parent of a food-allergic child may choose to send in their own 'treats' for occasions such as these.

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

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

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

After consultation with parents and their physician, arrangements may also be made for students with serious food allergies other than nuts. While the school and family will work cooperatively, an allergen-free environment can never be guaranteed. Parents of food allergic/anaphylactic students will provide epi-pens for school use.

**Medication Self-Management**

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

- a) Adequately training all staff involved in the care of the child;
- b) Assuring the availability of the necessary equipment and/or medications;
- c) Providing appropriately trained licensed persons as required by law.



## Students

**SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS**

- d) Developing an emergency plan for the student; and
- e) Providing ongoing staff and student education.

Before- and After-School Child Care

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

Americans with Disabilities Act, 42 United States Code (USC) Section 12101 et seq.  
Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Sections 1400-1485  
Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.  
34 Code of Federal Regulations (CFR) Part 300  
Education Law Sections 6527 and 6908  
Public Health Law Sections 2500-h and 3000-a

Adopted: 6/16/2010

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Students

**SUBJECT: FIRST-AID & EMERGENCY PROTOCOLS**

Procedures shall be established and maintained by the Superintendent for South Huntington employees administering first-aid and other emergency medical protocols.

Adopted: 6/16/99

Amended: 11/14/01

First-Aid & Emergency Protocols Adopted: 11/14/01

AED Protocol Adopted: 10/1/01

**SUBJECT: CONCUSSION MANAGEMENT**

The Board of Education recognizes that concussions and head injuries are the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The physical and mental well-being of our students is a primary concern. Therefore, the South Huntington Union Free School District adopts the following policy to support the proper evaluation and management of concussion injuries.

A concussion is a mild traumatic brain injury (MTBI). A concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head or body that causes the head and brain to move rapidly back and forth. Recovery from concussion and its symptoms will vary. Avoiding re-injury and over-exertion until fully recovered are the cornerstones of proper concussion management. Concussions can impact a student's academics, as well as their athletic pursuits.

**Concussion Management Team (CMT)**

In accordance with the Concussion Management and Awareness Act, the district has authorized and established a Concussion Management Team (CMT), which is composed of the certified athletic director, a school nurse, the school physician, a coach of an interscholastic team, and a certified athletic trainer. The Concussion Management Team shall oversee and implement the district's concussion policy and regulations, including the requirement that all school coaches, physical education teachers, nurses and certified athletic trainers who work with and/or provide instruction to pupils engaged in school-sponsored athletic activities complete training relating to mild traumatic brain injuries. The concussion management team has established and implemented a program which provides information on mild traumatic brain injuries to parents and persons in parental relation throughout each school year.

**Staff Training/Course of Instruction**

Each school coach, physical education teacher, school nurse and certified athletic trainer who works with and/or provides instruction to students in school-sponsored athletic activities (including physical education class and recess) shall complete a course of instruction every two (2) years relating to recognizing the symptoms of concussions or MTBIs and monitoring and seeking proper medical treatment for students who suffer from a concussion or MTBI.

Components of the training will include:

- a) The definition of MTBI;
- b) Signs and symptoms of MTBI;
- c) How MTBIs may occur;
- d) Practices regarding prevention; and
- e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The course can be completed by means of instruction approved by SED which include, but are not limited to, courses provided online and by teleconference.

**SUBJECT: CONCUSSION MANAGEMENT****Information to Parents**

The District shall include the following information on concussion in any permission or consent form or similar document that may be required from a parent/person in parental relation for a student's participation in interscholastic sports. Information will include:

- a) The definition of MTBI;
- b) Signs and symptoms of MTBI;
- c) How MTBIs may occur;
- d) Practices regarding prevention; and
- e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The District will provide a link on its website to the above list of information on the websites belonging to the State Education Department and Department of Health.

**Identification of Concussion and Removal from Athletic Activities**

The District will provide a baseline test for all students involved in contact sports. The District will also require the immediate removal from all athletic activities of any student who has sustained, or is believed to have sustained, a mild traumatic brain injury (MTBI) or concussion. Any student demonstrating signs, symptoms or behaviors consistent with a concussion while participating in a class, extracurricular activity, or interscholastic athletic activity shall be removed from the class, game or activity and must be evaluated as soon as possible by an appropriate health care professional. Such removal must occur based on display of symptoms regardless of whether such injury occurred inside or outside of school. If there is any doubt as to whether the student has sustained a concussion, it shall be presumed that the student has been injured until proven otherwise. The District shall notify the student's parents or guardians and recommend appropriate evaluation and monitoring. The student will be required to see a doctor and will be removed from all athletic activities until medical approval and return-to-play requirements have been fulfilled.



**SUBJECT: CONCUSSION MANAGEMENT****Return to School Activities and Athletics**

The student shall not return to physical activity (including athletics, physical education class and recess) until:

- he/she has been symptom-free for a period of time between 48 and 72 hours;
- passed the 5-step return-to-play protocol;
- was evaluated and received written clearance from a neurologist and the school doctor;

**OR**

after an evaluation by an appropriate healthcare professional who determined that the student had not sustained a concussion.

In accordance with Commissioner's Regulations, the District's school physician will give final clearance on a return to activity for extra-class athletics. All such authorizations shall be kept on file in the student's permanent health record. The standards for return to athletic activity will also apply to injuries that occur outside of school. School staff should be aware that students may exhibit concussion symptoms caused by injuries from outside activities and that these visible symptoms also indicate a removal from play.

The District shall follow any directives issued by the student's treating physician with regard to limitations and restrictions on school and athletic activities for the student. The District's school physician may also formulate a standard protocol for treatment of students with concussions during the school day.

In accordance with NYSED guidelines, this policy shall be reviewed periodically and updated as necessary in accordance with New York State Education Department guidelines. The Superintendent, in consultation with the District's school physician and other appropriate staff, may develop regulations and protocols for strategies to prevent concussions, the identification of concussions, and procedures for removal from and return to activities or academics.

Education Law Sections 207; 305(42), and 2854  
8 NYCRR 135.4 and 136.5

*Guidelines for Concussion Management in the School Setting*, SED Guidance Document, 6/2012

Adopted: 9/5/2012

## Students

**SUBJECT: CHILD ABUSE**

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

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

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

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

**School Officials Required to Report**

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

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

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

## Students

**SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)****Prohibition of Retaliatory Personnel Action**

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

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

**Report Form**

The Revised May 2007 New York State Office of Children and Family Services. **"Report of Suspected Child Abuse or Maltreatment"** Form LDSS-2221A may be accessed at:

<http://www.ocfs.state.ny.us/main/cps/>

Education Law Section 3209-a  
Family Court Act Section 1012  
Labor Law Section

Adopted: 6/16/99  
Amended: 9/19/2007

**SUBJECT: SEXUAL HARASSMENT (STUDENTS)**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment including sexual violence. Sexual harassment, including sexual violence, is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place on a school bus at locations off school premises or those that take place in another state. Since sexual violence is a form of sexual harassment, the term, “sexual harassment” in this policy will implicitly include sexual violence even if it is not explicitly stated.

**Sexual Harassment**

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

- a) Submission to or rejection of such sexually harassing conduct and/or communication by a student affects decisions regarding any aspect of the student’s education, including participation in school-sponsored activities;
- b) Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature;
- c) Such conduct and/or communication has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student’s access to an educational opportunity or benefit.

**Sexual Violence**

Sexual violence is defined as physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. Sexual violence includes but is not limited to acts such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.



## Students

**SUBJECT: SEXUAL HARASSMENT (STUDENTS)**

A person may be unable to consent to a sexual act due to his/her age, use of drugs or alcohol or due to intellectual or other disability. In order to encourage victims of sexual violence to come forward, the District must inform students that the District's primary concern is with their safety. The school should assure victims that any broken rules or violations made by them will be addressed separately from the sexual harassment allegation. For example, victims need to know that their use of alcohol or drugs never makes them at fault for sexual violence.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations and relationships should be evaluated including, but not limited to, the ages of the offender and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. A single incident of sexual harassment may be sufficiently severe to create a hostile environment in the school, and a student may experience the continuing effects from off campus sexual harassment when in the school setting. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the District. Sexual harassment may occur from student-to-student, staff-to-student, from student-to-staff, as well as staff-to-staff. The District will designate one (1) compliance officer.

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

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, equitable, and thorough investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or has reason to know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly, equitably and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis.

Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance

**SUBJECT: SEXUAL HARASSMENT (STUDENTS)**

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

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

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment.

**Finding that Sexual Harassment Did Not Occur**

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the compliance officer will so notify the complainant, the alleged offender, and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

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

**Knowingly Makes False Accusations**

Employees and/or students who knowingly make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

**Privacy Rights**

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

**SUBJECT: SEXUAL HARASSMENT (STUDENTS)**

**Development and Dissemination of Administrative Regulations**

Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable compliance officer.

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

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

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

Title IX of the Education Amendments of 1972,  
20 United States Code (U.S.C.) Section 1681 et  
seq.

Civil Rights Act of 1991, 42 United States Code  
(USC) Section 1981(a)

Title VII of the Civil Rights Act of 1964, 42  
United States Code (USC) Section 2000e et seq.  
34 Code of Federal Regulations (CFR) Section  
100 et seq.

29 Code of Federal Regulations (CFR) Section  
1604.11 (a)

Civil Service Law Section 75-B

Education Law Section 2801(1)

Executive Law Sections 296 and 297

Adopted: 6/16/99

Amended: 9/5/01

Amended: 7/10/2012

(Continued)

## Students

**SUBJECT: DISSEMINATION OF INFORMATION ON SEX OFFENDERS PLACED  
WITHIN THE COMMUNITY**

The Board of Education recognizes its responsibility for the health and safety of the students enrolled within the District and for those youngsters receiving services or participating in programs or events on School District property. In light of that responsibility, the Board intends to take appropriate precautionary measures in situations where the District receives information from the New York State Division of Parole on sex offenders residing within the District's geographical limits.

It is the policy of this Board that whenever such information is received of the Division of Parole, the information shall be disseminated to the following persons:

- a) Building principals;
- b) Security personnel and those responsible for monitoring persons visiting on School District property;
- c) Custodians;
- d) Athletic coaches;
- e) Supervisors of school-related organizations or programs that regularly meet or are regularly conducted on District property;
- f) Bus drivers;
- g) Building shared decision making teams.

In addition, the following actions should be taken upon the District's receipt for the information described above:

- a) The Superintendent of Schools or his/her designee shall confirm that the information has been provided to all law enforcement authorities having jurisdiction within the District. If the information has not been provided to those authorities, the District should undertake to provide the information.
- b) In the event the information received from the Division of Parole is made available to parents, or other individuals not described above, the administration shall take reasonable steps to insure that the information does not identify the parolee by name or provide the parolee's address, place of employment, or telephone number, unless the District is required by law to provide such information.

## Students

**SUBJECT: NOTIFICATION OF SEX OFFENDERS**

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

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

All staff members shall be informed of the availability of the information received by the District pursuant to Megan’s Law upon written request to the applicable building principal/designee or supervisor.

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

Information that is disseminated to the School District pursuant to Megan’s Law may be disclosed or not disclosed by the District in its discretion according to District policy and/or regulation.

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

**Implementation**

Administrative regulations shall be developed to implement this policy.

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

Adopted: 6/16/99

## Students

**SUBJECT: SPECIAL EDUCATION: DISTRICT PLAN**

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

- a) A description of the nature and scope of special education programs and services currently available to students residing in the District, including but not limited to descriptions of the District's resource room programs and each special class program provided by the District in terms of group size and composition.
- b) Identification of the number and age span of students (school age and preschool) to be served by type of disability and recommended setting.
- c) The method to be used to evaluate the extent to which the objectives of the program have been achieved.
- d) A description of the policies and practices of the Board of Education to ensure the allocation of appropriate space within the District for special education programs that meet the needs of students and preschool children with disabilities.
- e) The estimated budget to support such plan.
- f) The date on which such plan was adopted by the Board of Education.

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

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

## Students

**SUBJECT: CHILDREN WITH DISABILITIES**

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

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

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

Adopted: 6/16/99



## Students

**SUBJECT: GROUPING OF STUDENTS WITH DISABILITIES**

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

- a) That each student with a disability shall be identified, evaluated and placed as determined by the Committee on Special Education (CSE).
- b) The Committee shall determine written goals and corresponding short-term instructional objectives for each student with a disability by considering the special and individual needs of each student with a disability.
- c) The Committee shall recommend to the Board of Education appropriate educational programs and services for each student with a disability based upon the CSE evaluation.
- d) The CSE shall provide information to those teachers and professionals who arrange instructional groups for students with disabilities. Information shall include physical, psychological and social information as well as achievement test results.
- e) The curriculum and instruction provided to students with disabilities who are grouped by similarity of needs shall be consistent with the individual needs of each student in the group.
- f) Students with disabilities may be grouped according to (1) academic or educational achievement and learning characteristics; (2) social needs; (3) physical development; and (4) management needs.
- g) When grouping students by similarity of needs, the social needs or physical development of a student shall not be the sole determinant for placement of a student in a special education program.
- h) The management needs of such students may vary, provided that environmental modifications, adaptations, or, human or material resources required to meet the needs of any one student in the group are provided and do not consistently detract from the opportunities of other students in the group to benefit from instruction.

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

Adopted: 6/16/99

## Students

**SUBJECT: THE ROLE OF THE BOARD OF EDUCATION IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM****Committee on Special Education**

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

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

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

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

(Continued)

## Students

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

second CSE, the Board may continue to remand the recommendation for additional reviews of its objections or concerns by the second CSE, provided that the Board arranges for the programs and services in accordance with the student's IEP, as developed by the second CSE, within the timeliness as outlined above.

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

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

**Committee on Preschool Special Education**

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

If the Board disagrees with the recommendation of the CPSE, the Board shall send the recommendation back to the CPSE with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board of Education shall provide such notice as required by federal and state law and regulations.

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

## Students

**SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM**

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

- a) Ensure the timely evaluation and placement of each preschool child with a disability residing in the District so the child has the opportunity to participate in preschool programs.
- b) Establish a Committee on Preschool Special Education (CPSE) which shall be comprised in accordance with applicable federal and state law and regulation.
- a) Ensure that parents have received and understand the request for consent for evaluation and re-evaluation of a preschool-aged child.

**Evaluations for Preschool Children with Disabilities**

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

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

Individuals with Disabilities Act (IDEA), 20 United States Code (USC) Section 1400 et seq.  
Education Law Section 4410  
8 New York Code of Rules and Regulations (NYCRR) Sections 200.2(b)(2), 200.2(b)(5) and 200.5

Adopted: 6/16/1999  
Amended: 4 /09/2008

## Students

**SUBJECT: TEMPORARY PLACEMENT OF STUDENTS WITH DISABILITIES**

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

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

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

Adopted: 6/16/99

Students

**SUBJECT: MEDICAID—FALSE CLAIMS, FRAUD PREVENTION  
AND DETECTION**

The Board of Education recognizes the importance of detecting and preventing Medicaid fraud, waste, and abuse. The purpose of this policy is to set forth the procedures that will be used by the District to respond to reports by employees and others of activity which might violate applicable Medicaid laws or regulations, which includes but is not limited to, submitting and/or receiving claims in a manner which does not meet the Medicaid program requirements, as applicable.

Each employee must act in an ethical manner and adhere to applicable legal requirements in the course of performing their duties on behalf of the District.

Any employee of the District who has knowledge of activities that he or she believes may violate a law, rule or regulation has an obligation to promptly report this matter to the designated Compliance Officer and/or his or her immediate supervisor. Reports may be made anonymously and employees will not be penalized for reports made in good faith. Failure to report known violations, failure to detect violations due to negligence or reckless conduct and intentionally making false reports shall be grounds for disciplinary action, including termination. The appropriate form of discipline will be case-specific and in accordance with applicable law and/or existing collective bargaining agreements.

Necessary steps will be taken to communicate appropriate standards and procedures to all employees by disseminating information that explains what is required. This shall include the posting of this policy.

In order to detect and prevent fraud, the Board of Education authorizes the utilization of monitoring and auditing systems that are reasonably designed to detect misconduct by its employees, contractors and/or agents.

Once a suspected violation has been reported, the Board of Education, acting upon the recommendation of the Superintendent of Schools and the Compliance Officer, will take reasonable steps to respond appropriately and to prevent further violations, which shall include any necessary modifications to its program designed to prevent and detect violations of applicable law.

All contractors and agents who furnish or authorize the furnishing of Medicaid services on behalf of the District, or perform billing or coding functions are required to communicate these policies and procedures to their employees and are responsible for ensuring that such communication occurs.

Students

**SUBJECT: MEDICAID—FALSE CLAIMS, FRAUD PREVENTION  
AND DETECTION**

Appointment of Compliance Officer

The Superintendent of Schools shall appoint a Compliance Officer, subject to the approval of the Board of Education, who shall have the authority to:

1. Oversee and monitor the implementation of the School District's compliance policy;
2. Consult outside counsel as legally necessary;
3. Conduct internal investigations and audits relating to compliance issues;
4. Review all documents and other information relevant to Medicaid compliance activities; and
5. Maintain direct access to the Superintendent of Schools, and when appropriate, the Board of Education.

Training and Education

The Compliance Officer shall implement a training program to help employees identify, prevent, and report noncompliance with applicable law. The Board of Education expects all employees to participate in general compliance training upon initial hire or periodically thereafter and must acknowledge attendance at each session. Documentation of attendance will be maintained by the Compliance Officer. Conversely, specialized training will be provided to employees, whose actions directly affect submission and reimbursement of claims, including those involved in dispensing, billing, and reimbursement of Medicaid claims.

Investigation

Through the Compliance Officer, the District shall promptly respond to and take appropriate action for detected offenses.

A. Internal Investigation

The Compliance Officer will conduct a timely and reasonable investigation of all credible reports of suspected noncompliance. A reasonable inquiry includes a preliminary investigation by the Compliance Officer or other

Students

**SUBJECT: MEDICAID—FALSE CLAIMS, FRAUD PREVENTION  
AND DETECTION**

compliance personnel.

If an internal investigation results in the discovery of misconduct that may violate applicable laws or regulations, the Compliance Officer must notify the Superintendent of Schools and Board of Education.

**B. Government Investigation**

If a government investigation arises, the District aims to be forthright and cooperative with the investigation.

**Distribution**

This policy will be made available on the District's website. In addition, hard copies will be made available to new employees during the orientation process and current employees in those departments submitting and/or receiving claims.

False Claims Act, 31 U.S.C. §3729, et seq.  
N.Y. State Finance Law §187, et seq.  
N.Y. Social Services Law §145-b  
N.Y. Social Services Law §145-c  
N.Y. Social Services Law §363-d  
N.Y. Labor Law §740  
18 NYCRR §521.1, et seq.

Adopted: 01/27/2010



## Students

**SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN SCHOOL DISTRICT PROGRAMS**

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

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

Adopted: 6/16/99

## Students

**SUBJECT: SECTION 504 OF THE REHABILITATION ACT OF 1973**

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

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

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

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

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

## Students

**SUBJECT: APPOINTMENT AND TRAINING OF CSE AND CPSE MEMBERS****Appointment**

The Board of Education shall appoint a Committee on Special Education (CSE) comprising the child's teacher as defined by applicable federal regulations; a representative of the District who is qualified to provide, administer or supervise special education; a school psychologist; a school physician; and a parent of a child with a disability residing in the District provided that the parent shall not be employed by or under contract with the School District; as well as such other members as the Board of Education or legislation shall designate.

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

**Training**

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

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

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

Adopted: 6/16/99

## Students

**SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM**

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

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

**The Use of Recording Equipment at IEP Meetings**

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

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

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

Adopted: 6/16/99

## Students

**SUBJECT: TRANSITION SERVICES**

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

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

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

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

## Students

**SUBJECT: TWELVE MONTH SPECIAL SERVICES AND/OR PROGRAMS**

The School District shall provide, directly or by contract, special services and/or programs during July and August to those students whose disabilities are severe enough to exhibit the need for a structured learning environment of twelve months duration in order to prevent substantial regression as determined by the Committee on Special Education or Committee on Preschool Special Education.

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

Adopted: 6/16/99

**SUBJECT: PROVISION OF IEP TO TEACHERS AND SERVICE PROVIDERS**

In order to more effectively carry out the District's responsibility to provide a free appropriate public education to all eligible students with disabilities, it is the policy of the Board of Education of the South Huntington School District to provide regular and special education teachers, related service providers and other service providers with a copy of a student's individualized education program ("IEP"), in accordance with requirements of subdivision 7 of the Section 4402 of the Education Law.

Prior to the implementation of such program, and as soon as practicable after a meeting of the Committee on Special Education, each regular education teacher, special education teacher, related service provider and other service provider who is responsible for the implementation of a student's individualized education program shall be given a copy of such student's IEP.

Any copy of a student's IEP provided pursuant to this policy shall remain confidential and shall not be re-disclosed to any other person, in compliance with federal and state laws and regulations, including the Individuals with Disabilities Education Act and the Family Educational Rights and Privacy Act.

In addition, the CSE Chair shall designate a professional employee of the school district with knowledge of the student's disability and education program who shall, prior to the implementation of the IEP, inform each teacher, related service provider, assistant and support staff person of his or her responsibility relating to the implementation of the IEP and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.

The employee charged with the duty to inform each teacher, related service provider, assistant and support staff person of his or her responsibilities relating to the IEP shall also inform those individuals of the obligation to maintain the confidentiality of the IEP.

## Students

**SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES**

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

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

**Register of Children with Disabilities**

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

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

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

Adopted: 6/16/99



## Students

**SUBJECT: PARENT INVOLVEMENT**

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

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

**Surrogate Parents**

In the event that no parent or legal guardian for a child with a disability can be identified or after reasonable efforts, the whereabouts of the parent or legal guardian cannot be determined, or the child with a disability is a ward of the state, the Board shall assign an individual to act as a surrogate for the parents or legal guardians. The person selected as a surrogate shall have no interest that conflicts with the interest of the child he/she represents, and shall have knowledge and skills that insure adequate representation of the child.

It is the duty of the School District to determine whether a child needs a surrogate parent and to assign a surrogate parent in the manner permitted under New York State law.

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

Adopted: 6/16/99

**Students****SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS**

The South Huntington School District is committed to making every effort to amicably resolve differences involving the educational programs for students with disabilities. When outside assistance is needed to aid in resolving a disagreement about the identification, evaluation, educational placement or provision of a free appropriate education for a student with a disability, mediation is encouraged. For those exceptional circumstances where a more formal method is required, the impartial hearing process will be utilized.

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

The impartial hearing officer (IHO) renders a written decision after the parties present and refute evidence before him/her. The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

**Impartial Hearing Process/Pre-hearing Conference**

The following is an overview of the impartial hearing process/pre-hearing conference:

- a) Either the parent or the District may request an impartial hearing. If a parent makes the request, it must be in writing to the Board of Education describing the nature of the dispute and a proposed resolution of the problem. The District will provide a form for this purpose. However, the District may not deny or delay a parent's right to an impartial hearing if the written request is not complete.

If the District is the party initiating an impartial hearing, the District will provide prior written notice to the parent including a statement of the action proposed and any explanation of why the District proposes to take such action.

- b) Upon receipt of or initiation of a request for an impartial hearing, the District will inform the parent of the availability of mediation, of any free or low-cost legal and other relevant services available in the area, and provide the parent with a copy of the District's Procedural Safeguards Notice.

**Students****SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Continued)**

- c) The District must immediately (but not later than two (2) business days after receipt of the written request for the hearing) initiate the process to select an IHO. The District selects the IHO through a rotational selection process in accordance with regulatory timelines. The office of the Assistant Superintendent for Student Services will be responsible for contacting IHOs and maintaining appropriate records.
- d) The IHO must be certified by the Commissioner of Education, be independent and have access to the support and equipment necessary to perform the duties of an IHO. When the selected IHO indicates availability, the Board of Education must immediately appoint him/her. To expedite this process, the Board may designate one (1) or more of its members to appoint the IHO on behalf of the Board.
- e) The IHO may not accept appointment unless he/she is available to initiate the hearing within the first fourteen (14) days of being appointed.
- f) The hearing, or a prehearing conference, shall be scheduled to begin within the first fourteen (14) days of the IHO's appointment, unless an extension is granted pursuant to Commissioner's Regulations.
- g) The hearing will be conducted at a time and location that is reasonable and convenient to the parent and the student involved. The hearing shall be closed to the public unless the parent requests an open hearing.
- h) The role and responsibilities of the IHO will be as enumerated in Commissioner's Regulations and District Policy.
- i) The student remains in his/her current placement during the pendency of the impartial hearing unless both parties agree or except as otherwise provided for expedited impartial hearings for certain disciplinary suspensions or removals of a student.
- j) The IHO renders and forwards the finding of fact and decision to the parties and to the State Education Department in accordance with regulatory timelines.
- k) The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

**Recordkeeping and Reporting**

The District will utilize the District's specific list as maintained by the New York State Education Department's Impartial Hearing Reporting System in order to arrange an IHO. The District will record and report to the State Education Department required information relating to the selection of IHOs and the conduct of impartial hearings according to the manner and schedule specified by the Department. The Superintendent shall designate a staff member(s) who will be responsible for reporting such information as required relating to the impartial hearing process into the State Education Department's web-based reporting system.

**Students****SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS  
(Continued)****Compensation of Impartial Hearing Officers**

The District will be responsible for compensating the IHO for prehearing, hearing and post-hearing activities at the rate agreed upon at the time of the IHO's appointment. The rate of compensation may not exceed the maximum rate approved by the Director of the Division of the Budget. The District will also reimburse the IHO for travel and other hearing-related expenses (e.g., duplication and telephone costs) pursuant to an annually determined schedule. On an annual basis, the District will forward a copy of its compensation rates to each IHO on the District's rotational list.

**Mediation**

Mediation is voluntary and does not deny or delay a parent's right to an impartial hearing. If mediation is initiated after a request for an impartial hearing has been received, the impartial hearing must continue unless the request for the impartial hearing is withdrawn. However, a party may request an extension to an impartial hearing in order to pursue mediation.

**Guardians ad Litem at Impartial Hearings**

Unless a surrogate parent has been previously appointed, the IHO must appoint a guardian ad litem when he/she determines that the interests of the parent(s) are opposed to or are inconsistent with those of the student or whenever the interests of the student would be best protected by such appointment.

**Confidentiality**

All issues relating to a request for and conduct of an impartial hearing must be kept confidential by all District staff.

**Administrative Procedures**

Administrative procedures will be developed for the selection and appointment of an IHO consistent with regulatory requirements.

Individuals with Disabilities Education Act (IDEA)  
20 United States Code (USC) Sections 1400-1485  
34 Code of Federal Regulations (CFR) Part 300  
Education Law Sections 4404 (1) and 4410 (7)  
8 New York Code of Rules and Regulations (NYCRR)  
Sections 200.1, 200.2, 200.5, 200.16, 200.21 and  
201.11

Adopted: 10/02/02  
Amended: 6/2/04; 9/8/04



## Students

**SUBJECT: APPOINTMENT AND COMPENSATION OF IMPARTIAL HEARING OFFICERS IN DISPUTES RELATING TO IDENTIFICATION, CLASSIFICATION AND PLACEMENT OF DISABLED STUDENTS; ELECTRONIC REPORTING TO STATE EDUCATION DEPARTMENT**

### **Appointment**

The Board of Education hereby adopts the Updated List of Impartial Hearing Officers for Suffolk County promulgated by the New York State Education Department in connection with requests for impartial hearings under the I.D.E.A. and Education Law, §4404. The District list shall also include the names of those other certified impartial hearing officers whose names appear on the State list and who indicate their interest in hearing appeals in matters affecting the South Huntington School District.

Upon receipt of a request for an impartial hearing, the President of the Board of Education, or on the occasion of his or her absence or inability, the Vice President of the Board of Education, is hereby authorized and directed to appoint an impartial hearing officer from the District's alphabetical rotational list previously adopted by the Board of Education. The President of the Board, or on the occasion of his or her absence or inability, the Vice President of the Board shall make such appointment in accordance with the principles set forth in Section 200.5 of the Regulations of the Commissioner of Education. The District Clerk, or acting District Clerk, under the direction of the President of the Board, shall initiate the selection process by contacting the impartial hearing officer whose name first appears after the impartial hearing officer who last served, and shall canvass the list as provided in the Regulations until an appointment is accepted. Should a hearing officer decline appointment, the District Clerk or his or her designee shall offer appointment to each successive hearing officer whose name next appears on the alphabetical list until such appointment is accepted.

The Board believes that an expeditious hearing is essential to accomplish the purposes of the I.D.E.A. and Education Law, §4404. To this purpose, the President of the Board or his or her designee shall only appoint those hearing officers who are prepared to commit to conduct hearing sessions of not less than six hours in duration, inclusive of a lunch break, where appropriate. Travel time to and from the hearing location shall not be counted toward fulfillment of this time commitment.

### **Compensation**

The Board shall compensate an impartial hearing officer for his or her services at the maximum rate established for such purpose by the Commissioner of Education, which rate is currently \$100 per hour for all pre-hearing, hearing and post-hearing activities. The District will reimburse reasonable automotive travel expenses in the nature of mileage expense at the IRS approved rate for not to exceed 200 miles per day and tolls necessarily incurred. The District will not reimburse airfare expenses, meal expenses or lodging expenses under any circumstances.

The District Clerk or his or her designee shall transmit a copy of this policy to all hearing officers on the District's alphabetical list in order to apprise them of the District's policy with respect to

## Students

**SUBJECT: APPOINTMENT AND COMPENSATION OF IMPARTIAL HEARING OFFICERS IN DISPUTES RELATING TO IDENTIFICATION, CLASSIFICATION AND PLACEMENT OF DISABLED STUDENTS; ELECTRONIC REPORTING TO STATE EDUCATION DEPARTMENT (continued)**

appointment and compensation of impartial hearing officers.

**Electronic Reporting**

The Superintendent shall designate an individual or individuals who shall be responsible for implementation of the Education Department's web-based reporting system.

20 United States Code (U.S.C.)  
Sections 1400-1485, Individuals with Disabilities  
Education Act (IDEA)  
Education Law Section 4404 (1)  
8 NY code of Rules and Regulations  
(NYCRR) Section 200.5

Adopted: 10/02/02

## Students

**SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS**

In accordance with Commissioners Regulations 200.1(r) and 200.4(6) it is the policy of the Board of Education to provide the parent/guardian of all students referred to the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) with notice of the due process rights. Included in the due process notice to parent/guardian at the time of the CSE/CPSE initial referral, annual review or triennial evaluation, the Office of Pupil Services will inform parent/guardian regarding the right to an independent educational evaluation (IEE) and the circumstances under which such evaluations will be at District expense.

The names, addresses and telephone numbers of appropriate public and private agencies, and other professional resources where IEEs may be obtained will be provided upon request. The parent/guardian may select professionals to conduct evaluations from the list provided by the District or may select others who meet District criteria. However, the District will not be responsible for the quality of such IEEs. In addition, the District will not be responsible for the cost of such IEEs which do not meet the criteria listed below.

**Definition**

Independent educational evaluation means an individual evaluation of a student who has, or who is thought to have, a disability conducted by a person who is not employed by the District. It shall be the policy of the District that whenever an evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the School District uses when it initiates an evaluation. That criteria shall be as follows:

Location

Geographic location is defined as an evaluation which takes place within a 50 mile radius of the District.

Minimal Qualifications

Minimal qualifications are defined by the District as New York State Education Department certification or licensure within the specific area of the evaluation.

Timeline for IEE and Reimbursement

Timeline for the IEE used to contest an evaluation performed by the District, is defined as being within one year of the District's evaluation. The request for IEE reimbursement must be made within one year of the date of the IEE.

(Continued)



Students

**SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS (Cont'd.)**Reasonable Cost of an IEE

Reasonable costs are defined as up to 20% above the average evaluation costs available through the Student Adjustment Center of the Western Suffolk BOCES.

Public Funding of an IEE

The School District will provide public funding of IEE's only under the following conditions:

- a) Parent/guardian disagrees with the evaluation conducted by the School District, and the resulting IEE provides information that shows that the District evaluation was inappropriate.
- b) The School District was unable to comply with mandated timelines for conducting its own evaluations.
- c) If such IEE is made at the request of an Impartial Hearing Officer as part of a duly convened impartial hearing.

The School District may deny reimbursement for an IEE under the following conditions:

- a) The District either had initiated, or shortly intends to initiate, a due process hearing to show that its evaluation of the child is appropriate or that the parent/guardian has not complied with other District criteria, such as:
  - 1. The criteria under which the IEE was conducted, including the location of the evaluation, does not meet stated District or other legal criteria.
  - 2. The independent evaluator selected by the parent/guardian does not meet stated minimum District qualifications..
  - 3. The parent/guardians' request for reimbursement exceeded stated District timelines for such requests.
  - 4. The parent/guardians' request for reimbursement exceeded stated District guidelines for such requests.
- b) The IEE was not obtained because of a disagreement with the District's evaluation.
- c) The District has already funded an IEE and has conducted no subsequent evaluation.

(Continued)

Students

**SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS (Cont'd.)**

If the District concludes that it is not required to reimburse the parent/guardian for the IEE, it will notify the parent/guardian in writing of the receipt of the request, the basis for the denial and whether the District intends to initiate an impartial hearing.

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

Adopted: 6/16/99

## Students

**SUBJECT: SPECIAL EDUCATION MEDIATION**

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

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

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

Education Law Section 4404-a

Adopted: 6/16/99

2012 8000

Instruction

**South Huntington Union Free School District**

**INSTRUCTION**

**(Section 8000)**

**NUMBER**

**CURRICULUM (GENERAL)**

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**ELEMENTARY AND SECONDARY INSTRUCTION**

2.1 Safety Conditions and Programs .....	8210
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1999 8000

Instruction

## **INSTRUCTION (Cont'd.)**

**(Section 8000)**

**NUMBER**

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## Instruction

**SUBJECT: CURRICULUM DEVELOPMENT, RESOURCES AND EVALUATION**

The Board of Education supports and encourages development of a District-wide, articulated curriculum that conforms to state mandates and is responsive to the needs of children in a rapidly changing society. The principals of the elementary and secondary schools shall be responsible to the Superintendent for developing District-wide efforts toward the short and long-range improvement of curriculum and instruction.

**Curriculum Resources**

There are many resources for curriculum development that exist in our School District, and the instructional staff, under the guidance of the administration, is expected to delve into those resources for possible improvement of the instructional program. Each teacher has the privilege of being an initiator of improvement, as well as a reactor to changing conditions, and the principals shall be involved in curriculum development.

From the staff, the Superintendent may appoint curriculum study committees, and their findings, as well as the collective judgments of the staff about the pertinence of various possible changes, shall be submitted by the Superintendent to the Board of Education for consideration in the forming of curriculum policy.

**Curriculum Evaluation**

The Board of Education requires a continuing evaluation of the curriculum as part of a program of instructional improvement.

All aspects of the curriculum shall be subjected to a searching and critical analysis in an attempt to improve the learning and growth of students.

The administrative staff shall evaluate the curriculum in a systematic manner, involving school personnel and others as appropriate.

All course offerings will be reviewed by the Superintendent, who will make recommendations regarding their adoption to the Board. All courses must meet or exceed guidelines established by the State Education Department.

Education Law Sections 1709 and 3204

Adopted: 6/16/99

## Instruction

**SUBJECT: REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM  
WAIVER FROM COMMISSIONER'S REGULATIONS**

Consistent with the purposes of A New Compact for Learning, the Board of Education encourages collaboration by teachers, administrators, parents and students of the District in developing innovative educational programs and practices that will lead to greater achievement for all students.

Requests for a variance or waiver from the requirements in Part 100 and Sections 200.1/200.6, respectively, of the Commissioner's Regulations must be approved by the local Board of Education and signed by the Superintendent of Schools. An application may also be submitted by several districts, or a combination of districts, BOCES and/or private schools, applying as a consortium. Consortium applications must be approved by each participating local Board of Education and Superintendent of Schools.

Subsequent to Board of Education approval, all applications must be forwarded to the District Superintendent of Schools of which the local district is a part for review, consultation, and recommendation prior to submission to the State Education Department. The District Superintendent may provide technical assistance to the applicant and make recommendations to the State Education Department. Interested applicants may also request technical assistance through their Regional Education Coordinator.

8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.2(n) and 200.6(k)

Adopted: 6/16/99

## Instruction

**SUBJECT: SAFETY CONDITIONS AND PROGRAMS**

The practice of safety will be considered an integral part of the instructional program through fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety.

Each principal will be responsible for the supervision of a safety program for his/her school.

The safety program may include, but not be limited to, in-service training, plant inspection, fire prevention, accident record keeping, driver and vehicle safety programs, emergency procedures and drills, and traffic safety programs relevant to students, employees and the community.

It shall be the duty of the Board of Education to provide inspections and supervision of the health and safety aspects of the school facilities.

**Eye Safety/Student Use of Hand-Held Laser Pointers**

Eye safety devices are to be provided by the School District for the protection of employees, students and visitors, and worn in the technology education classes and labs when activities present a potential eye hazard. The Superintendent or his/her designee will ensure that these devices are properly repaired, cleaned and stored to prevent the spread of germs or diseases after individuals use them.

Each classroom teacher is responsible for the safe and proper use of all instructional materials and equipment by students in his/her classroom. Laser pointers are to be used by students only when such use is approved and supervised by the classroom instructor.

Students will be advised not to stare directly into the beam from a laser pointer or direct the beam at the eyes of another individual. Students are not to aim the pointer into the audience. Students are to be made aware of the hazards associated with the particular type of laser pointer used.

Education Law Sections 409, 409-a, 807-a, and 906  
8 New York Code of Rules and Regulations  
(NYCRR) Part 136



## Instruction

**SUBJECT: PREVENTION INSTRUCTION****AIDS Instruction in Health Education**

The Board of Education shall provide a health education program that will include appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention shall be provided in an age-appropriate manner and shall be consistent with community values and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

A representative community advisory group consisting of appropriate school personnel, School Board members, parents, religious representatives, and other community members shall be established in order to make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

Parents/guardians shall have the right to exclude their children from those portions of a school's health education program that address AIDS prevention instruction. A statement must be completed and filed with the District declaring that the parent/guardian will be responsible for seeing that the student receives prevention instruction outside of the classroom.

**Substance Abuse-Prevention Instruction**

The Board of Education recognizes the need to educate students on the hazards of alcohol, tobacco and/or drug abuse. A prevention program will be developed to inform students of:

- a) Causes for substance abuse;
- b) Physical and psychological damage associated with substance abuse;
- c) Avoidance of alcohol, tobacco and drugs.
- d) Dangers of driving while under the influence of alcohol or drugs.

**Environmental Conservation Instruction**

The Board of Education supports and encourages the development of a District-wide, articulated curriculum of environmental conservation integrated into other program disciplines.

**Fire and Arson Prevention Instruction**

The Board of Education directs the administration to provide instruction in fire and arson prevention for all students in each school for a period of not less than forty-five (45) minutes each month that school is in session.

(Continued)

## Instruction

**SUBJECT: PREVENTION INSTRUCTION (Cont'd.)****Student Safety**

Instruction in courses in technology education, science, home and career skills, art and physical education, health, and safety shall include and emphasize safety and accident prevention.

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

**Emergency Planning**

The School District shall maintain updated plans and operating procedures to be followed in the event of natural or manmade disasters or enemy attack. Students shall be provided instruction to respond effectively in emergency situations.

**Instruction on Prevention of Child Abduction**

All students in grades K through 8 in District schools shall receive instruction designed to prevent the abduction of children. Such instruction shall be provided by or under the direct supervision of regular classroom teachers and the Board of Education shall provide appropriate training and curriculum materials for the regular classroom teachers who provide such instruction. However, at the Board's discretion, such instruction may be provided by any other public or private agency.

The Commissioner of Education will provide technical assistance to assist in the development of curricula for such courses of study which must be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness skills, information, self-confidence, and support to aid in the prevention of child abduction.

(Continued)

## Instruction

**SUBJECT: PREVENTION INSTRUCTION (Cont'd.)**

For purposes of developing such courses of study, the Board of Education may establish local advisory councils or utilize the school-based shared decision making and planning committee established pursuant to the Regulations of the Commissioner to make recommendations concerning the content and implementation of such courses. Alternatively, the District may utilize courses of instruction developed by consortia of school districts, boards of cooperative educational services, other school districts, or any other public or private agency. Such advisory council shall consist of, but not be limited to, parents, school trustees and Board members, appropriate school personnel, business and community representatives, and law enforcement personnel having experience in the prevention of child abduction.

AIDS Instruction: 8 New York Code of Rules and Regulations (NYCRR) Section 135.3(b) and (c)  
Substance Abuse: Education Law Section 804  
8 New York Code of Rules and Regulations (NYCRR) Section 135.3(a)  
Student Safety: Education Law Section 808  
8 New York Code of Rules and Regulations (NYCRR) Sections 107 and 155  
Fire and Arson: Education Law Section 808  
Civil Preparedness: New York State Office of Disaster Preparedness  
Prevention of Child Abduction: Education Law Section 803-a

## Instruction

**SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS****Fire Drills**

The administration of each school building shall instruct and train students, through fire drills, in procedures for leaving the building in the shortest possible time and without confusion or panic.

Fire drills shall be held at least twelve (12) times in each school year; eight (8) of these shall be held between September 1 and December 1. At least one (1) of the twelve (12) drills shall be held during each of the regular lunch periods, or shall include special instruction on the procedures to be followed if a fire occurs during a student's lunch period.

At least two (2) additional drills shall be held during summer school in buildings where summer school is conducted and one of these drills shall be held during the first week of summer school.

**After-School Programs**

The building principal or his/her designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

**School Bomb Threats**

A bomb threat, even if later determined to be a hoax, is a criminal action. No bomb threat should be treated as a hoax when it is first received. The school has an obligation and responsibility to ensure the safety and protection of the students and other occupants upon the receipt of any bomb threat. This obligation must take precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat - location, if any; time of detonation; etc. If the bomb threat is targeted at the school parking lot or the front of the school, building evacuation may not be an appropriate response. If the bomb threat indicates that a bomb is in the school, then building evacuation is necessary unless the building has been previously inspected and secured in accordance with State Education Department Guidelines and as incorporated in the School Emergency Management Plan and administrative regulations.

The decision to evacuate a building or to take shelter is dependent upon information about where the bomb is placed and how much time there is to reach a place of safety. Prudent action dictates that students and other occupants be moved from a place of danger to a place of safety. Routes of egress and evacuation or sheltering areas must be thoroughly searched for suspicious objects before ordering an evacuation. Failure to properly search evacuation routes before an evacuation takes place can expose students and staff to more danger than remaining in place until the search has taken place. Assistance is available from local police agencies and the New York State Police to train staff to check evacuation routes.

(Continued)

## Instruction

**SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS (Cont'd.)****Police Notification and Investigation**

A bomb threat to a school is a criminal act, which is within the domain and responsibility of law enforcement officials. Appropriate State, county, and/or local law enforcement agencies must be notified of any bomb threat as soon as possible after the receipt of the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Therefore, the building administrator or designee is to notify local law enforcement officials and follow established procedures to move all occupants out of harm's way.

**Implementation**

The Board of Education directs the Superintendent or his/her designee to develop administrative regulations to implement the terms of this policy. Additionally, such regulations are to be incorporated in the School Emergency Management Plan, with provisions for written notification by October 1 of each school year to all students and staff about emergency procedures, an annual emergency drill, and the annual updating of the School Emergency Management Plan as mandated pursuant to law and/or regulation.

Education Law Section 807  
Penal Law Sections 240.55, 240.60 and 240.61  
8 New York Code of Rules and Regulations (NYCRR)  
Section 155.13

**Bus Emergency Drills**

The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first week of the fall term, the second between November 1st and December 31st, and the third between March 1st and April 30th.

Each drill shall include instruction in all topics mandated by the Education Law and the Commissioner's Regulations and shall include, but will not be limited to, the following:

- a) Safe boarding and exiting procedures;
- b) The location, use and operation of the emergency door, fire extinguishers, ax, first-aid equipment and windows as a means of escape in case of fire or accident;

(Continued)

## Instruction

**SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS (Cont'd.)**

c) Orderly conduct as bus passengers.

Students who ordinarily walk to school shall also be included in the drills.

8 New York Code of Rules and Regulations  
(NYCRR) Section 156.3(h)(2)  
Education Law Sections 807 and 3623

Adopted: 6/16/99

## Instruction

**SUBJECT: CAREER EDUCATION**

The Board of Education recognizes the need for career education and reaffirms its policy of strengthening the local high school career education program through utilization of any available federal and state funds for that purpose and of supporting the BOCES program.

Education Law Article 93  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.2(h) and 141 et seq.

Adopted: 6/16/99

## Instruction

**SUBJECT: GUIDANCE PROGRAM**

A District plan for the K-12 guidance program shall be filed in the District office and made available for public review. This plan shall be subject to annual review and revised as necessary in the following areas:

- a) Identification of guidance program objectives;
- b) Activities to accomplish the objectives;
- c) Identification of staff members and other resources to accomplish the objectives;
- d) Provisions for the annual assessment of program results.

**Guidance Program (K-5)**

A coordinated guidance program in grades K-5 shall be developed and implemented to:

- a) Prepare students to participate effectively in their current and future educational programs;
- b) Help those students exhibiting any attendance, academic, behavioral or adjustment problems;
- c) Educate students concerning avoidance of child sexual abuse; and
- d) Encourage parental involvement.

**Guidance Program (6-12)**

A coordinated guidance program in Grades 6-12 shall be developed and implemented including the following activities and services:

- a) Each student's educational progress and career plans will be reviewed annually;
- b) Instruction at each grade level to help students learn about various careers and career planning skills;
- c) Other advisory and counseling assistance which will benefit students such as: helping students develop and implement postsecondary education and career plans; helping those students exhibiting any behavioral or adjustment problems; and encouraging parental involvement;
- d) Employment of personnel certified or licensed as school counselors.

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

Adopted: 6/16/99



1999

8240

Instruction

**SUBJECT: ADULT AND CONTINUING EDUCATION PROGRAM**

The Board of Education, through the Adult and Continuing Education Program, as well as the BOCES Adult Basic Education Program, strives to provide opportunities for the adult community to expand and explore a wide variety of learning interests.

Adopted: 6/16/99

## Instruction

**SUBJECT: EVALUATION OF THE INSTRUCTIONAL PROGRAM**

Evaluation may be concerned with the extent to which:

- a) Each student achieves in accordance with his/her ability;
- b) Each staff member performs at full potential;
- c) The total learning environment, including instructional processes, physical facilities, and the educational program, remains consistent with the needs of students and the larger society and contributes to the accomplishment of the goals of the school.

The Board of Education expects staff members to maintain a continual program of evaluation at every level to determine the extent of progress toward the schools' objectives. The Board of Education will periodically request the Superintendent to present factual information that it considers necessary to evaluate the effectiveness of the School System.

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

Adopted: 6/16/99

## Instruction

**SUBJECT: PROGRAMS AND PROJECTS FUNDED BY TITLE I****Parental Notice Requirements**

The South Huntington Union Free School District recognizes the right of parents to know about the achievements/progress of their own children, and the achievement/progress of individual schools and the district as a whole. To this end, the District shall ensure that parents are properly notified by:

- a) Disseminating to parents, schools, and the public an annual report card with aggregate information, including all accountability measures, performance indicators, and other information as required by law;
- b) Disseminating to parents and the community the results of the yearly progress review of each school and the district as a whole;
- c) Providing to parents an explanation of the status of each school in the district and the district as a whole, the means of identification (if applicable), how the schools compare to others, reasons for the identification (if applicable), the district's and school's response(s), how parents can become involved, any corrective action taken (if applicable), the parental choice and supplemental services options (if applicable), restructuring (if applicable), and other information as required by law;
- d) Notifying parents of the district-level parental involvement policy;
- e) Disseminating free of charge adequate information about the written complaint procedures for resolving issues of violation(s) of a Federal statute or regulation that applies to Title I, Part A programs;
- f) Informing parents of the professional qualifications of students' classroom teachers and paraprofessionals providing services as required by law;
- g) Informing parents of limited English proficient children identified for participation or participating in a Title I, Part A-funded language instruction educational program under Title III of the ESEA, of: reasons for the identification, level of English proficiency, methods of instruction, how the program will help the child, and other information; and informing parents of a child with a disability how the language instruction educational program meets the objectives of the child's individualized educational program.

**Parental Involvement**

The Board of Education recognizes the rights of parent/guardians to be fully informed of all information relevant to their children who participate in programs and projects funded by Title I. The District shall ensure parental involvement in these programs and projects by:

- a) Providing such support for parental involvement activities as required by law;
- b) Convening an annual meeting to which all parents/guardians of participating children shall be invited;
- c) Providing parents/guardians with reports on their children's progress;

## Instruction

**SUBJECT: PROGRAMS AND PROJECTS FUNDED BY TITLE I**

- d) Providing opportunities for regular meetings of parents/guardians.

In addition to the above, the District shall, jointly and in agreement with parents of students receiving Title I services, establish expectations for parent involvement in Title I programs in accordance with Section 1118(a) of the Improving America's Schools Act of 1994. Similarly, each Title I school within the District shall establish building level school/parent involvement policies in accordance with Section 1118(b). Such school/parent policies shall include, where applicable, school-parent compacts outlining how parents, the entire school staff, and students will share the responsibility for improved student achievement and the means by which the school and parents will build and develop a partnership to help students achieve the state's high standards.

**Comparability of Services**

The School District shall ensure equivalence among the schools in the District with regard to teachers, administrators and auxiliary personnel as well as equivalence in the provision of curriculum materials and instructional supplies in Title I programs.

Title I of the Elementary and Secondary  
Education Act of 1965, as amended by the  
Improving America's Schools Act of 1994  
34 Code of Federal Regulations (CFR) Part 75

Adopted: 6/16/99

Amended: 9/06/06

**SUBJECT: CHILDREN'S INTERNET PROTECTION ACT  
INTERNET CONTENT FILTERING/SAFETY POLICY**

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet Safety Policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. Further, appropriate monitoring of online activities of minors, as determined by the Superintendent, Director of Technology, and/or his/her designee, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board of Education's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the Superintendent, Director of Technology, and/or his/her designee, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web may include, but shall not be limited to, the following guidelines:

- a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging, blogs, video/audio and photo-sharing websites and any other forms of direct electronic communications. As determined by the Superintendent and/or the Director of Technology or his/her designee, the use of email and chat rooms may be blocked as deemed necessary to ensure the safety of such students;
- b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;
- c) In compliance with this Internet Safety Policy, as well as the District's Acceptable use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action;

**SUBJECT: CHILDREN’S INTERNET PROTECTION ACT  
INTERNET CONTENT FILTERING/SAFETY POLICY**

- d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

The determination of what is “inappropriate” for minors shall be determined by the District and/or designated school official(s). It is acknowledged that the determination of such “inappropriate” material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms “minor,” “child pornography,” “harmful to minors,” “obscene,” “technology protection measure,” “sexual act,” “sexual contact” will be defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District’s educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults/students engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the District.

The District shall provide certification, pursuant to the requirements of CIPA, to document the District’s adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all District computers with Internet access.

**Internet Safety Instruction**

In accordance with New York State Education Law, the District provides to students in Grades K-12 instruction designed to promote the proper and safe use of the Internet. The curricula shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

**SUBJECT: CHILDREN'S INTERNET PROTECTION ACT  
INTERNET CONTENT FILTERING/SAFETY POLICY**

**Notification/Authorization**

The District's Acceptable Use policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

"Affirmative Consent" (Opt-in) student use of the District's computer system (DCS) is conditioned upon written agreement by all students and their parents/guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file.

The District has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Content Filtering/Safety Policy prior to Board adoption. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of the District's Internet Content Filtering/Safety Policy, as well as any other District policies relating to the use of technology.

Violations of such policies will result in the loss of Internet privileges and/or other disciplinary actions as determined by the administration.

47 United States Code (USC) Sections 254(h) and 254(l)  
47 Code of Federal Regulations (CFR) Part 54  
Education Law Section 814

Adopted: 6/16/99  
Amended: 12/19/2001  
Amended: 04/27/2010

## Instruction

**SUBJECT: INSTRUCTION FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY**

The Board of Education recognizes its responsibility to ensure that students of foreign birth or ancestry, who have limited English proficiency (LEP) or English Language Learners (ELL) are provided with an appropriate program of bilingual transitional education or a free-standing program of instruction composed of English as a Second Language (ESL).

The District has developed a comprehensive plan to meet the educational needs of students with limited English proficiency. The plan will be kept on file in the District and made available for SED review upon request. The plan includes:

- a) The District philosophy for the education of ELL/LEP students;
- b) Administrative practices and procedures to:
  - 1. Diagnostically screen students for limited English proficiency;
  - 2. Identify students with limited English proficiency;
  - 3. Annually evaluate each ELL/LEP student including his/her performance in content areas to measure the student's academic progress.
- c) A description of the nature and scope of the bilingual and/or English as a second language Instructional program and services available to ELL/LEP students;
- d) A description of the criteria used by the District to place ELL/LEP students in appropriate bilingual or free-standing English as a second language programs;
- e) A description by building of the curricular and extracurricular services provided to ELL/LEP students;
- f) A description of the District and school level procedures for the management of the program, including staffing, site selection, parental notification, coordination of funds, training and program planning.

The instructional programs and services available to limited English proficient pupils to help them acquire English proficiency may include, pursuant to Commissioner's Regulations, bilingual education programs, free-standing English as a second language programs, appropriate support services, transitional services, in-service training and parental notification.

A student who, as a result of a disability, scores below the State designated level on Language Assessment Battery-Revised (LAB-R) or the NYS English as a Second Language Assessment Test (NYSESLAT) shall be provided special education programs and services in accordance with the individualized education program (IEP) developed for such student and shall also be eligible for services



## Instruction

**SUBJECT: INSTRUCTION FOR STUDENTS WITH LIMITED ENGLISH  
PROFICIENCY**

available to an ELL/LEP student when those services are recommended in the IEP. Such a student will be counted as an ELL/LEP student, as well as a student with a disability for purposes of calculating State aid.

The parent/guardian of a student identified as an English language learner or as limited English proficient shall be informed in his/her native language, if necessary, of the student's identification for and/or participation in an English language learner instructional program, as well as other school related information.

The Superintendent shall ensure that all data required by the Commissioner's Regulations is submitted to the State Education Department in a timely manner.

Title I of the Elementary and Secondary  
Education Act of 1965, as amended by the No  
Child Left Behind Act of 2001, Sections 1112(g)  
and 3302(a)  
Education Law Sections 207, 215, 2117, 3204(2)  
(2-a), 3602, and 3713

Regulations

8 New York Code of Rules and

(NYCRR) Sections 100.2(g), 117, and 154.

Adopted: 6/16/99  
Amended: 2/25/04  
Amended: 5/13/2008

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## Instruction

**SUBJECT: CIVILITY, CITIZENSHIP AND CHARACTER EDUCATION/  
INTERPERSONAL VIOLENCE PREVENTION EDUCATION**Civility, Citizenship and Character Education

The Board of Education recognizes that teaching students respect, civility and understanding toward others, as well as the practice and reinforcement of appropriate behavior and values of our society, is an important function of the school system.

The District wishes to foster an environment where students exhibit behavior that promotes positive educational practices, allows students to grow socially and academically, and encourages healthy dialogue in respectful ways. By presenting teachers and staff as positive role models, the District stresses positive communication and discourages disrespectful treatment. This policy is not intended to deprive and/or restrict any student of his/her right to freedom of expression, but rather seeks to maintain, to the extent possible and reasonable, a safe, supportive, respectful and harassment free, educationally conducive environment for our students and staff.

Furthermore, the District shall ensure that the course of instruction in grades K through 12 includes a component on civility, citizenship and character education in accordance with Education Law. Character education is the deliberate effort to help students understand, care about, and act upon core ethical values.

Character education shall instruct students on the principles of:

- a) Honesty;
- b) Tolerance;
- c) Personal responsibility;
- d) Respect for others;
- e) Observance of laws and rules;
- f) Courtesy;
- g) Dignity and other traits which will enhance the quality of students' experiences in, and contributions to, the community.

For purposes of this policy, "tolerance," "respect for others," and "dignity" shall include awareness and sensitivity to discrimination or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

## Instruction

**SUBJECT: CIVILITY, CITIZENSHIP AND CHARACTER EDUCATION/  
INTERPERSONAL VIOLENCE PREVENTION EDUCATION**

As determined by the Board of Regents, and as further enumerated in Commissioner's Regulations, the components of character education shall be incorporated in existing District curricula as applicable.

The District encourages the involvement of staff, students, parents and community members in the implementation and reinforcement of character education in the schools.

Interpersonal Violence Prevention Education

The District will utilize the interpersonal violence prevention education package provided by the State Education Department. These materials will be incorporated as part of the health or other related curricula or programs for students in grades K through 12.

## Cross Reference:

§7300 Dignity for All Students Act

§7315 Student Harassment &amp; Bullying Prevention

Reference: Education Law Section 804(4)

Adopted: 7/10/2012



## Instruction

**SUBJECT: SUPPLIES/STUDENT PURCHASES**

It shall be the policy of the South Huntington School District to furnish basic supplies necessary for the classroom instruction of all students. The nature of such supplies is to be determined by the instructional staff at the building level, subject to final approval by the Board of Education for purposes of budgetary allocations. All supplies which are not furnished by the Board of Education, but which may be requested by a classroom teacher to supplement the basic educational program, must have the specific approval of the building principal or designee. Reasonable guidelines are to be established to avoid placing an undue financial burden on students. The District will endeavor to provide for students for whom the purchase of such materials would be a hardship.

At the secondary school level, where instruction is departmentalized, principals are to develop procedures to limit the demands for student purchase of supplementary instructional materials.

In addition, guidelines will be established to ensure that all instructional materials will be commensurate with the academic level of the students and the nature of the course.

## Instruction

**SUBJECT: SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS**

The Board of Education agrees that the responsibility of the school library is:

- a) To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students served.
- b) To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.
- c) To provide a background of information that will enable students to make intelligent judgments in their daily lives.
- d) To provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking.
- e) To provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage.
- f) To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

In interpreting these principles, the following will apply:

- a) Broad and varied collections will be developed systematically by the librarian and the audiovisual specialist, based on recommendations of the professional staff and suggestions of students and parents. Final approval will be made by the building principal.
- b) Qualitative standards of selection involving factual accuracy, authoritativeness, artistic quality and appeal will be applied by librarians and audiovisual specialists before purchases are made.
- c) Materials will not be excluded because of the race, nationality, political opinions or religious views of the author.
- d) Materials will be continuously re-evaluated in relation to changing curriculum and instructional needs. Worn out, out-dated materials will be discarded.

Rules of the Board of Regents Section 21.4

Adopted: 6/16/99

## Instruction

**SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS**

The Board, while ultimately responsible for all curriculum and instructional materials (including library books), recognizes the need of free access to many different types of books and materials. It also acknowledges the important role of the instructional staff in selecting books and other materials supportive of the School District's educational philosophy and goals.

The Board will not permit any individual or group to exercise censorship over instructional materials and library collections, but recognizes that at times a re-evaluation of certain materials may be desirable. Should an individual resident or community group ask to have any book or other material reviewed for appropriateness:

- a) The person who objects to the book or other materials should consult with the school principal after first meeting with the appropriate staff member. To proceed further with the complaint, the person will be asked to complete the District complaint form in order to document the nature of the complaint.
- b) Following receipt of the formal complaint, the Superintendent will provide for a re-evaluation of the material in question. The Superintendent will direct a review committee to consider the complaint and to make a recommendation to the Superintendent.
- c) The Superintendent will review the complaint and the committees' recommendation and will render a decision in the matter. If the Superintendent's decision is to remove a book or alter the curriculum or otherwise take action upon the complaint, the Superintendent shall so notify the Board.
- d) Should this session be deemed unsatisfactory by the complainant, that individual may then appeal directly to the Board, who is ultimately responsible for all curriculum and instructional materials.

Education Law Section 3204(5)

Adopted: 6/16/99

## Instruction

**SUBJECT: CONTROVERSIAL ISSUES**

Controversial issues may be studied as part of the curriculum and teachers shall present these issues in their classrooms in an impartial and objective manner.

Teachers wishing to call upon outside speakers in the presentation of controversial issues are required to obtain the approval of the principal who shall keep in mind the obligation for presenting opposing views as well, and who shall inform the Superintendent prior to the presentation.

It is recognized that parents and citizens of the community have a right to protest to the school administration when convinced that unfair and biased presentations are being made by the teacher. In considering such protests, the Superintendent of Schools shall provide for a hearing so that both parties may fairly express their views. If requested, the Superintendent's decision may be appealed to the Board of Education.



## Instruction

**SUBJECT: TEXTBOOKS**

It shall be the policy of the South Huntington Union Free School District to furnish textbooks for classroom instruction in all schools. In addition, the Board also has the responsibility of designating the textbooks to be used in the schools based on the recommendation of the Superintendent, who may involve appropriate supervisory and teaching staff members in the selection of textbooks. The textbooks recommended for adoption will support the best current instructional methods and be consistent with the curriculum established for the school.

Textbooks once designated, shall not be replaced within a period of five years except in such instances where the Board acknowledges extenuating circumstances which require earlier replacement.

Children who are residents of the District and attend nonpublic or private schools will be loaned textbooks designated for use by this Board. Private school students will make individual requests for each textbook they require. However, all students using District textbooks will be held responsible for such property and shall be required to reimburse the District for the damage, loss or destruction of textbooks.

## Instruction

**SUBJECT: USE OF COPYRIGHTED MATERIALS**

It is the intent of the Board of Education to abide by the provisions of the United States Copyright Law (Title 17 United States Code Section 101 et seq.).

All employees are prohibited from copying materials not specifically allowed by the copyright law, fair use guidelines, licenses or contractual agreements, or the permission of the copyright proprietor.

Any employee who willfully disregards the copyright policy shall be in violation of Federal Copyright Laws and District policy and shall assume all liability.

A copyright officer may be appointed by the Superintendent to provide information for all personnel regarding current copyright law and to maintain copyright records.

Regulations and procedures shall be developed by the administration detailing what can and cannot be copied. Appropriate copyright notices will be placed on or near all equipment used for duplication.

Title 17 United States Code (U.S.C.)  
Section 101 et seq.

## Instruction

**SUBJECT: SCHOOL YEAR/SCHOOL CALENDAR/SCHOOL DAY****School Year**

The proposed school calendar for the ensuing school year will be prepared by a committee and forwarded to the Superintendent who will make recommendations to the Board of Education for its formal approval in the spring of each year. The number of days scheduled for students shall meet or exceed the requirements of State law.

**School Calendar**

The calendar sets forth the days schools will be in session, holidays and vacation periods, in service training days, teacher orientation days, days of reports to parents, and other such designations as the Superintendent or Board deems appropriate.

**School Day**

The Board will also set the length of the school day and the hours between which students at various levels will attend classes. The length of the school day at various levels will be in keeping with State requirements, as well as negotiated agreements.

The administration is authorized to make minor changes in school hours to facilitate the scheduling of transportation; however, school hours will be kept as consistent as possible at various levels throughout the District.

Education Law Sections 3204(4) and 3604(7)(8)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 175.5

Adopted: 6/16/99

## Instruction

**SUBJECT: RELIGIOUS OBSERVANCES**

The public school system serves all the children, without regard to racial background or religious belief. Therefore, there must be no teaching of any specific religious doctrine in the public schools. However, religion is an important aspect of our national background because:

- a) It is a great moral force working toward the improvement of mankind, and
- b) It stresses the dignity and value of the individual and thereby builds a solid foundation for the American principles and democratic ideals.

We encourage the observance by the schools of nationally celebrated occasions or events which are of a religious nature, have a religious background or may have been religious in origin, as long as they are directed to education with respect to the cultural, moral, spiritual, historical, social and artistic aspects thereof. Participation by students in any program presented in connection with these observances will be on a voluntary basis. Those students not participating in such programs will be provided with an alternate educational program.

In accordance with our Constitution, which guarantees religious freedom, emphasis will be given to the development of respect and consideration for those of differing religious beliefs. Every effort will be made to insure that no student is hurt, embarrassed or emotionally disturbed because of religious belief.

Students may be excused from attending school on days of religious observance while school is in session, in accordance with the approved list of days of religious observance issued by the Commissioner of Education.

Teachers must be certain that no new or sequential materials for an understanding of the basic curriculum are introduced on those days when students are absent for religious observance or involved in a released-time program for special religious instruction. Included in this category are group tests which are considered an integral part of the basic curriculum. Teachers must be certain not to schedule tests on days when students are absent for religious purposes. However, while school is in session during those days of religious observance, teachers will be allowed to present materials which are designed for enrichment and/or review materials which are related to the particular course of study.

## Instruction

**SUBJECT: STATE AID**

To qualify for apportionment of state aid, schools must be in session as follows:

- a) The daily sessions for student in half-day kindergarten must be a minimum of two-and-one half hours;
- b) The daily sessions for students in full-day kindergarten and grades one through six must be a minimum of five hours, exclusive of the time allowed for lunch.
- c) The daily sessions for students in grades seven through 12 must be a minimum of five-and-one-half hours, exclusive of the time allowed for lunch (8 NYCRR Sections 175.5(a)).

In accordance with the Commissioner's Regulations with respect to the minimum attendance requirements, all students must attend school in the amount consistent with Section 175.5.

## Instruction

**SUBJECT: OPENING EXERCISES**

The Board directs the administration to include the Pledge of Allegiance as part of the opening exercises in all the schools. Under certain circumstances, such as religious conviction, students may be excused from this requirement as a protection of their Constitutional rights.

Education Law Section 802  
8 New York Code of Rules and Regulations  
(NYCRR) Section 108.5

Adopted: 6/16/99

1999

8430

Instruction

**SUBJECT: INDEPENDENT STUDY**

Independent study, for credit, will be available to meet special individual needs of students. Credit shall be granted only for courses in the approved curriculum.

Regulations to implement this policy shall be developed under the direction of the high school principal.

8 New York Code of Rules and Regulations  
(NYCRR) Section 100.5(d)(1)

Adopted: 6/16/99

## Instruction

**SUBJECT: HOMEWORK**

The Board of Education acknowledges that homework is an important educational tool that can offer the student the opportunity for practice, preparation and extension of studies outside the classroom setting.

In order for homework to be most effective, it must be properly planned, with the quantity, frequency and level of difficulty based upon the abilities, activities and needs of the student. Homework should be consistently and clearly assigned and the end product carefully evaluated by the teacher in a timely manner. Recognizing the parents' role of joint responsibility, the schools may offer parental suggestions to assist each student to develop the study habits necessary for homework completion.

Nightly homework is to be expected in relation to a student's grade level, course and program. Many teachers assign homework in advance, while others prefer to give daily assignments.

The successful student regularly reviews materials at home, even when a specific assignment is not given in a particular subject area. Students and parents should be aware that incomplete homework may adversely affect both a student's progress and course grade.



## Instruction

**SUBJECT: HOME TUTORING (TEMPORARY INSTRUCTION)**

Resident children attending public or non-public schools who qualify for home tutoring due to a long term illness shall be provided with such instruction in accordance with New York State Education Law and Commissioner's Regulations. Such instruction will commence immediately upon receipt of the Physicians Request for Homebound Instruction.

Procedures for students requiring home tutoring shall be developed under the direction of the Superintendent or his/her designee.

Education Law Sections 1604(20),  
1709(24), 3202, and 4401

**SUBJECT: FIELD TRIPS**

The Board of Education recognizes that field trips are an educationally sound and important ingredient in the instructional program of the schools.

For purposes of this policy, a field trip shall be defined as any journey by a group of students away from the school premises, under the supervision of a teacher, which is an enhancement of an approved course of study and conducted for the purpose of affording a first-hand educational experience not available in the classroom. Attendance on field trips is voluntary. Students not participating in the field trip are expected to attend school. The school district shall obtain written permission for students going on school-sponsored field trips.

There may also be Extended Trips (i.e. overnight) and Travel Abroad Trips. These are optional trips since students need not participate. Students participating in trips of this nature will be expected to bear the full cost of such trips.

The district may endorse such Extended or Travel Abroad Trips. In these cases prior approval by the Superintendent is required prior to Board of Education approval.

The Superintendent or his/her designee shall prepare procedures for field trip activities. The school district's Code of Conduct shall apply to all field trips.

**Field Trip Transportation**

Field trip transportation means transportation to and from the school and a designated location for purposes of education and/or entertainment. All information on field trips will be filed in advance and approved by the building principal or department supervisor and the transportation supervisor.

Such transportation shall be restricted to the school and specified field trip location. Stops may not be made at additional locations or to deliver students home during a trip.

All field trips must have responsible school personnel on the bus.

**Transportation to School-Sponsored Events**

Where the district has provided transportation to students enrolled in the district to a school-sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district. The parent or legal guardian of a student participating in the activity may provide the district with

Instruction

**SUBJECT: FIELD TRIPS**

written notice, consistent with district procedure, authorizing an alternative means of return transportation for the student.

In cases in which intervening circumstances make the return transportation of a student to the point of departure or appropriate school impractical, a representative of the district shall remain with the student until (1) the student's parent or legal guardian has been contacted and informed of the intervening circumstances making return transportation impractical and, (2) the student has been delivered to his or her parent or legal guardian.

**Cancellation of Field Trips by the Board of Education**

Any student field trip, in which South Huntington students and staff participate, is subject to cancellation if political, weather, or other conditions arise that could place staff or students in potential danger.

Such decisions shall be made judiciously and in as timely a manner as possible.

The district is not responsible for losses incurred as a result of interruption or cancellation of a field trip.

It is strongly recommended that all students who wish to participate in extended and/or travel abroad field trips purchase travel insurance as part of the cost of the trip. The district cannot endorse any particular carrier, and it is the parents' responsibility to research and secure such insurance. In this way, parents and students can be reasonably well protected from financial loss if a trip is canceled or interrupted. Parents shall sign a statement as part of the permission form acknowledging that the district strongly recommends travel insurance and that they affirmatively decline to do so.

Education Law Sections 1604, 1709, 1804, 1903,  
1950, 2503, 2554 and 2590-e  
N.Y. Const. Art. 8, § 1[2006].

Appeal of Christe, 39 Ed. Dept. Rep. 684 [2000];  
Appeal of Giardina, 43 Ed. Dept. Rep. 395 [2004]

Adopted: 6/16/99  
Amended: 3/6/02  
Amended: 11/15/2006

## Instruction

**SUBJECT: HOME INSTRUCTION (HOME SCHOOLING)**

From time to time, parents will choose to instruct their children at home. Although New York State law does not recognize home schools as private elementary or secondary schools, the District will attempt to cooperate with parents who wish to provide home schooling for their children realizing that the child who is educated at home should receive an education in a manner consistent with an educational plan and at least substantially equivalent to that given to students of like age and attainments in the local public schools. The required subjects should be taught in a competent, systematic, and sequential manner, specifically in relation to the required courses as enumerated in Commissioner's Regulation Section 100.10.

Primary responsibility for determining compliance with Commissioner's Regulations addressing home instruction rests with the District's Superintendent in which a home-instructed student resides.

**Provision of Services to Home-Instructed Students**

They are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents, the school or the District.

- a) Extracurricular Participation: The District does not allow students instructed at home to participate in interscholastic sports. Commissioner's Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic sports. Further, the District does not permit home-instructed students to participate in any extracurricular activities.
- b) Textbooks and Materials: The District shall not provide textbooks and other materials to home-instructed students.
- c) Health Services: The District is not required to furnish health services.
- d) Remedial Programs: The District is not responsible for providing remedial programs.
- e) Career and Technical/Gifted Education: The District is not authorized to provide Occupational and Vocational Education programs (career and technical education) nor programs for the Gifted to home-instructed students.
- f) Special Education Services: The District is not authorized to provide individualized education program (IEP) services to home-instructed students as home schools are not recognized in New York State as private elementary or secondary schools pursuant to Section 3602-c of the Education Law.

While the District may not provide special education services to the students that are home

## Instruction

**SUBJECT: HOME INSTRUCTION (HOME SCHOOLING)**

schooled, the Committee on Special Education (CSE) of the District must, if parental consent is obtained, conduct an individual evaluation of a home schooled student and who is suspected of having a disability and develop an IEP for such child, which would be the District's offer of a free appropriate public education (FAPE) to the student if the parents choose to enroll their child in a public or private school. However, the parents of a home schooled student may refuse consent to an initial evaluation and, if they do so or if they do not respond to a request for such consent, the District may not seek to compel the parent to have their child evaluated to determine eligibility for special education services.

g) Use of School Facilities: Students instructed at home shall not be allowed to use school facilities, except as provided for community organizations in accordance with Policy 3280, Community Use of School Facilities.

Education Law Sections 3204, 3205, 3210(2), 3212(2), 3240-42, 3602-c and 4402  
8 New York Code of Rules and Regulations (NYCRR) Sections 100.10, 135.4(c)  
(7)(ii)(b)(2) and 200.2(a)

Adopted: 6/16/99  
Amended: 5/20/2008

## Instruction

**SUBJECT: STUDENT EXCHANGE PROGRAM**

The Board endorses exchange programs as an extension of the ongoing educational program. Exchange programs are designed to provide an inter-cultural experience for both students and teachers, as well as stimulating curriculum development and program enrichment, particularly in the areas of foreign language and social studies instruction.

Key aspects of the program include the continued contact between linked schools; an annual exchange of student groups; and student-to-student and family-to-family contacts.

All school-sponsored exchange trips require the prior approval of the Superintendent of Schools. This includes trips taken on school days, weekends and during vacation periods.

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