

**OCEANSIDE UNION FREE SCHOOL DISTRICT  
OCEANSIDE, NEW YORK**

**SUPERINTENDENT’S REGULATIONS**

**TABLE OF CONTENTS**

<b>SECTION 3 <u>SCHOOL PROGRAM</u></b>	<b><u>Page</u></b>
Attendance	
Refers to Policy #3104	1 a-e
Attendance in Credit Bearing High School Classes	
Refers to Policy #3104	2 a-c
Public Conduct on School Property	
Refers to Policy #6403	3 a-c
Regulation #4 Student Suspensions	
Now Part of Code of Conduct #3108.2	
Passing Regents Exam – Failing Course	
Refers to Policy #3110	5 a
Funding Extra-Curricular Contest Winners	
Refers to Policy #3111	6 a
Procedure for Exclusion of Non-Resident Children	
Refers to Policy #3113	7 a-b
High School Senior’s Status: Transcripts, Class Rank, GPA, Valedictorian, Salutatorian	
Refers to Policy #3122	8 a-b
Programs for Children with Disabilities	
Refers to Policy #3202.4	9 a-e
Limited English Proficiency Instruction	
Refers to Policy #3202.6	10 a-d
Homework	
Refers to Policy #3203	11 a-c
Tutoring Guidelines	
Refers to Policy #3204	12 a-c
Homebound Instruction	
Refers to Policy #3300	13 a-c
Acquired Immune Deficiency Syndrome	
Refers to Policy #3505	14 a-d
Administering Medication to Students in School	
Refers to Policy #3506	15 a-g
Harrassment/Bullying/Dignity for All Students	
Refers to Policy 3108.2	15 h-p

**SECTION 4 PERSONNEL**

Procedures for Reporting Suspected Child Abuse  
And Maltreatment

Refers to Policy #3108 16 a-m

Sexual Harassment of Employees

Refers to Policy #4501 17 a-d

**SECTION 5 STUDENTS**

School Sponsored Clubs

Refers to Policy #5107 18 a

Eligibility Policy

Refers to Policy 5117 19 a-e

Sexual Harassment of Students

Refers to Policy #5118 20 a-e

**SECTION 6 POLICIES OF THE BOARD OF EDUCATION**

Drug and Alcohol

Refers to Policy #3108 21 a-e

Integrated Pest Management

Refers to Policy #6408 22 a-c

Gas Credit Cards

Refers to Policy #6108.2 23 a-b

Staff Use of Cellular Phones

Refers to Policy 6109 24 a-b

Conferences

25 a

Wellness

Refers to Policy #6901 26 a-b

Rev. 8/21/12

Refers to Policy #6901 26 a-b

8/28/06

## **ATTENDANCE**

(refers to policy # 3104)

### **High School**

#### **General Statements**

Students are to be in school every day that school is in session. If a student must be absent or late, his or her parent is expected to call the Attendance Office (678-8532) to report the matter and to state the reason. Students are expected to sign in at the Attendance Office if they arrive late to school. Students should not be admitted to class without a pass from the Attendance office or the Office of the Associate Principals. Absence and lateness notes must be submitted to the Attendance Office upon the student's return to school.

Students are encouraged to make appointments after school or on weekends whenever possible to avoid disrupting their instruction. Early dismissal is granted in emergency situations. To request an early dismissal, a written note from the parent must be submitted to the Attendance Office on the morning of the requested dismissal. Notes requesting early dismissal will only be accepted **prior** to dismissal.

Students are expected to sign out in the Attendance Office before they leave the building. If a student leaves school without permission, he or she will be subject to disciplinary action.

The high school principal will review this regulation with each staff member each year.

#### **Attendance Policy**

Our attendance policy and procedures are based upon the following points:

- Attendance and class participation are essential components of academic success
- All class work and assignments must be done by all students all of the time.
- Credit is earned for a complete unit of study. A student is granted credit if he or she passes a course and makes up **ALL ABSENCES.**
- The responsibility for good class attendance and make-up work rests with the student and parent.

- School personnel are responsible for both accurate attendance record keeping by period and for communicating the information to parents.
- School should be a humane place that provides means for children at risk to be assisted, nurtured, advised, and guided back on their feet.
- School personnel are responsible for providing the opportunity to make up class time and tasks missed.

The following procedures exist:

Upon return from a missed class, the student must request the missed work from the teacher. The make-up responsibility may include any of the four forms listed below at the teacher's discretion.

1. Assignment to another teacher's class for a comparable lesson.
2. Assignment to the teacher's extra help class.
3. Assigned written work.
4. Assignment to the Academic Make-up Center. (except in the case of the following excused absences or lateness: court appearance, verified college visitation, verified college orientation and field trips.)

Before using the Academic Make-up Center as a means of having a student make up work, the teacher will take the following criteria into consideration:

- Seriousness of purpose of student
- Quality of application of student to previous makeup.
- Specific absence pattern of student

If the assignment requires the use of the Academic Make-up Center, the following procedures apply:

- a. Each student must have an assignment from his or her classroom teacher to be admitted. The task is to be meaningful.
- b. The Center is open from 3:00 to 6:00 p.m. on Tuesdays and Wednesdays, and 6 p.m. - 9 p.m. on Tuesday, except for physical education which meets from 7:00 to 7:45 a.m. The length of time is one for one.
- c. Certified teachers will supervise the Make-up Center and will circulate in the room and assist students with their work, if possible.
- d. Each student is responsible for having his or her assignment sheet certified for time and date.

- e. The High School principal will make every effort to provide teachers of math, science, social studies and English as supervisors in the make-up center.

In the case of a physical education class, at the discretion of the teacher, the make-up may be in another class or be in the a.m. class. The a.m. class is held at 7:00 a.m. in the gymnasium or on the track.

NOTE: Regardless of the means of make-up chosen by the teacher, all make-ups must be completed by the student within ten (10) school days of the return from the absence and within a given semester. A student may not exceed fourteen (14) class absences per semester and still be eligible for course credit. It should be clearly understood that non-compliance with the above will result in not being eligible for credit. Additionally, it is the responsibility of the school to intervene at six (6) absences from class with a parent conference or other appropriate means of communication.

A student who suffers from a chronic illness may have sporadic absences throughout the year. His or her parent should notify the appropriate Associate Principal and submit a doctor's note which details the condition within the first ten (10) days of school or at the time of diagnoses. The student's teacher will be informed of the student's condition and will take it into consideration when determining the make-up procedure to be required of that student.

### **Deficient Learning Time (DLT)**

If at the close of a marking period, a student has not met the make-up requirements, the teacher will "grade" the student with a "Deficient Learning Time" (DLT) notation. If an absence has occurred near the end of the marking period, a grace period of ten school (10) days is given to make up the time and task requirement. If the absence(s) are made up within ten school days, the teacher will post a corrected grade.

(Students on an approved field trip or eligible for homebound instruction are not responsible for make-up time in the Academic Center; however, they are responsible for making up all work missed.)

### **Deficient Learning Time consequences include:**

- a. A single quarter DLT results in a loss of credit for the course.
- b. Students with a single quarter DLT who remain in the course and do not receive a second DLT may attend summer school as long as the DLT is not received in the fourth quarter.

- c. All ninth grade students must be enrolled in 5 <sup>%2</sup> courses plus physical education. Tenth, eleventh and twelfth graders must be enrolled in 5 courses plus physical education.
- d. A notation of DLT is thoroughly explained in the "Profile" which accompanies all transcripts. Colleges and employers concerned with attendance and long term commitment may view a DLT "grade" in a negative manner.

### **Deficient Learning Time (DLT) Appeal Process**

If a student or his or her parent thinks that he/she has been treated unfairly as a result of the attendance policy, the following steps should be taken:

1. student asserts and discusses alleged violations of rights with staff member (i.e. teacher) within 10 days
2. if complaint is not resolved to the student's satisfaction, the department chairperson should be consulted (i.e. if a student receives a DLT in English and thinks it is unfair, the student should first confer with the teacher involved, and then, if necessary, with the chairperson on the English department)
3. if the complaint remains unresolved, the student may submit in writing, within five (5) days, a grievance to the principal, which should include the name, class schedule, home address and telephone number of the grievant, name of parent/guardian, a brief statement of the facts relevant to grievance, particular right of student allegedly violated, resolution desired by grievant, name of staff member first consulted, date staff member was consulted, and date of filing grievance, and
4. the principal will then review the case, consult at his or her discretion, and announce a decision on the appeal within a reasonable length of time, advising all concerned.

### **CUTTING POLICY**

Students who do not report to school when sent by the parents or guardian are considered to be truant and in violation of New York State Education law. Such truancy will result in disciplinary action and parental notification.

Students are expected to attend all assigned classes. Student-teacher conferences will take place for all unexcused absences. If it is determined that a cut has occurred, disciplinary action and parental notification will be initiated by the teacher.

Students who are found on school grounds and not in assigned classes or assigned locations will also be subject to disciplinary action. Students must follow their schedules until an official change is received from the Registrar's Office.

**Receiving a " DLT" does not sanction cutting. Students must follow their schedules.**

The range of disciplinary actions which may be imposed for violations of the Student Discipline Code include the following:

- Detention(s)
- In-house suspension(s)
- Suspension (Up to 5 days)
- Parent conference
- Legal action Counseling
- Suspension from privileges

There is not prescribed penalty for a particular offense. School officials shall take into account all relevant data the student to be disciplined, previous referrals, and the severity of the misconduct. The range of penalties is not to be interpreted as a continuum. It represents a set of interventions which may be imposed individually or in concert to bring about a desired change in student behavior.

Approved 7/21/97

Revised 11/5/02

Amended 7/2/07





## Superintendent's Regulation

### ATTENDANCE IN CREDIT-BEARING HIGH SCHOOL CLASSES

(refers to policy # 3104)

The following are the recommended Superintendent's Regulations for attendance in credit-bearing High School classes for the school year 1992/93:

1. All class work and assignments missed because of absence must be made up.
2. Making up class work and class time does not eliminate an absence.
3. Work not make up may be reflected in the student's grade.
4. To receive credit for a course, students may have no more than two (2) un-made-up absences for each marking period. Within a given semester, a student may not exceed fourteen (14) class absences and still be eligible for course credit. Additionally, it is the responsibility of the school to intervene at seven (7) absences from class with a parent conference or another appropriate means of parent communication.
5. Students having more than two (2) un-made-up absences at the end of each marking period shall receive a DLT (deficient learning time) for that marking period.
6. Attendance may not be a factor in a student's GRADE. However, failure to complete missed work may result in a DLT.
7. It shall be the responsibility of the classroom teacher to certify each "MAKEUP."
8. At the discretion of the classroom teacher, any or all makeups may be accomplished through:
  - a. referral to extra help classes
  - b. referral to another teacher's class
  - c. completion of an assignment
9. In cases where the student has more than two (2) un-made-up classes during a marking period, or if that student has more than five (5) total absences during the marking period, the teacher may assign the student to an after-school academic center for the markup.
10. A student assigned to the Academic Makeup Center must be provided with a meaningful assignment to be completed during the time spent in the makeup center.

11. Such academic centers shall be provided in both afternoon and evening hours. These academic centers shall be staffed by certified teachers.
12. A student's attendance at the Academic Makeup Center is at the discretion of the teacher. Before using the Academic Makeup Center as a means of having a student make up work, the teacher will take the following criteria into consideration:
  - a. seriousness of purpose of the student
  - b. quality of application of student to previous makeups
  - c. specific absence pattern of student
- 12A. In the case of a physical education class:

At the discretion of the teacher, the make-up may be in another class or be in the a.m. class. The a.m. class is held at 7:00 a.m. in the gymnasium or on the track.
13. Regardless of the means of makeup chosen by the teacher, it must be completed by the student within ten (10) school days of the absence.
14. SPECIAL CONDITIONS:
  - a. Students attending approved school activities are considered present. They are required to meet obligations to classes missed but are not subject to makeup regulations of this procedure.
  - b. Absences for religious holidays are required to be made up. It should be noted, however, that instruction on those days is specifically defined in Board of Education policy. The makeup should therefore reflect the special conditions of instruction on those days.
  - c. Students receiving homebound tutoring shall be considered present.
  - d. In cases of extended illness or disability, the district will be responsible for homebound instruction as soon as the student is able to benefit.
  - e. A student who suffers from a chronic illness which may result in sporadic absences throughout the year will, within the first ten (10) days of school, present to the High School Principal a doctor's note which details the nature of the student's malady. The student's teachers will be informed of the student's problems and will take this into consideration when determining the makeup procedure to be required of that student.

- f. Students who qualify as DLT in the last days of a marking period, and receive a DLT on their report card, will have up to ten (10) days from the date they became DLT to complete the makeup work and time. (See numbers 5 and 9 and 13 above.)
- 15. All procedures of attendance-taking, makeup, student/parent notification, must be scrupulously administered so as to be equitable to all students.
- 16. The High School Principal shall establish procedures which shall keep the parents and the students constantly aware of the status of the student's attendance problems.
- 17. The High School Principal also shall establish procedures whereby the Pupil Personnel Department becomes involved at the earliest point of need with students who have attendance problems.
- 18. The High School Principal shall establish an appropriate appeal process which is to be included both in his August letters to students and parents, and in the student handbook.

adopted: July 3, 1990

## Superintendent's Regulations

### **PUBLIC CONDUCT ON SCHOOL PROPERTY**

(Refers to Policy #6403)

These rules govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property under the control of the district and used in its teaching programs and activities, and in its administrative, cultural, recreational, athletic, and other programs and activities.

Prohibited Conduct shall include but is not limited to:

No person, either alone or with others, shall:

1. Willfully injure any person or threaten to do so;
2. Willfully damage or remove district property;
3. Disrupt the orderly conduct of classes, school programs or other school activities;
4. Distribute or wear materials on school grounds which are disruptive to the school program or other school activities.
5. Intimidate, harass, or discriminate against any person on the basis of race, color, religion, sex, age or disability;
6. Enter upon any portion of the school premises without authorization or remain in any building or facility after it is normally closed;
7. Obstruct the free movement of any person in any place to which these rules apply;
8. Violate the traffic laws, parking regulations or other restrictions on vehicles;
9. Possess, consume, sell, distribute or exchange alcoholic beverages or controlled substances, or be under the influence of either on school property or at any school related function;
10. Possess or use of firearms and/or other weapons including air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray in or on school property (except in the case of law enforcement officers or except as specifically authorized by the school district);
11. No person shall loiter on or about school buildings or grounds;

12. No person shall promote illegal gambling on school premises;
13. Refuse to comply with any lawful order of an identifiable school district official acting in the performance of his/her duties;
14. Willfully incite others to commit any of the acts herein prohibited; and/or
15. Violate any federal or state statute, local ordinance, or Board policy.

### **PENALTIES AND PROCEDURES**

A person who violates any of the provisions of these rules shall be subject to the following penalties and procedures:

1. If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and he/she shall be directed to leave the premises. In the event of failure to do so, he/she shall be subject to ejection.
2. If a trespasser or visitor without specific license or invitation, he/she shall be subject to ejection.
3. If he/she is a student, he/she shall be subject to immediate ejection and to disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning as prescribed by Section 3214 of the Education Law, so long as the provisions pertaining to notice and hearing have been met.
4. If a tenured faculty member, he/she shall be subject to immediate ejection, and to warning, reprimand, suspension and/or other disciplinary action as prescribed by and in accordance with Section 3020-a of the Education Law.
5. If a staff member in the classified service of the civil service, he/she shall be subject to immediate ejection and to the penalties and procedures prescribed in Section 75 of the Civil Service Law.
6. If a staff member other than one described in subdivisions 4 and 5, he/she shall be subject to immediate ejection and to dismissal, suspension without pay or censure.

### **ENFORCEMENT PROGRAM**

1. The Superintendent shall be responsible for the enforcement of these rules, and he/she shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.
2. In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such school official may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, such school official shall warn such persons of the consequences of persistence

in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these rules.

3. In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which he/she occupies in such violation and/or, if appropriate, make recourse to police authorities. The school official may also initiate disciplinary action as hereinbefore provided.
4. The Superintendent or his/her designee may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules and he/she may request the Board's Counsel to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of such rules.

This Regulation and the penalties contained herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal law, state law, or local ordinance and the imposition of a fine or penalty provided for therein.

(Approved 12/20/99)

## Superintendent's Regulation

### PASSING REGENTS EXAM - FAILING COURSE

(refers to policy #3110)

Currently, it is the policy at Oceanside High School that students who pass a regents examination in a course receive credit for the course itself regardless of the final grade achieved in the subject. For example, a pupil gets a 70 on the regents (passing grade). However, based on the course criteria for the year, his final grade/average in the subject as shown on his report card is 55. Under our policy the 55 remains on the report card (and transcript), but the student received one regents course credit as well as credit for passing the regents exam.

Upon reviewing this practice, it is my recommendation (supported by staff) that a change be made. I propose that students who pass a regents exam do not get automatic course credit in that subject area. Instead, the course itself must be passed. Regents examinations do not reflect all course and teacher requirements. In fact, such tests often measure minimum competencies. Students not meeting our course criteria such as attendance, test grades, participation, behavior, etc., must not be totally "rewarded" by passing one exam. Accountability and credibility should be maintained.

June 30, 1998

## **Superintendent's Regulation**

### **FUNDING EXTRA CURRICULAR CONTEST WINNERS**

(Refers to policy #3111)

From time to time, many of our students distinguish themselves in extra-curricular contests and competitions. The school district will pay registration, transportation and housing expenses up to \$150 at the State level, if a student in any of the following activities distinguishes himself or herself in a local competition:

Odyssey of the Mind  
Nassau County Music Festival Interscholastic Mathletes  
Citizen Bee

Since DECA annually goes to the State level with local contest winners, and DECA is expected to fundraise as part of its charter, expenses for DECA activities at the State level should be paid through their own fundraising. Should DECA fundraising prove inadequate for this purpose, the High School principal will make a recommendation to the Superintendent of Schools for funding, and the Superintendent will take it to the Board of Education for their consideration.

If any of the above activities reach the National or Eastern Regional level, the district will (provide funding for) pay registration, housing and transportation expenses up to \$300 for each participating student.

Should there be any new contests or competitions developed for which Oceanside students receive recognition, the principal will notify the superintendent and make recommendation for funding. The superintendent will then present the recommendation for funding to the Board of Education for their consideration.

Revised and approved: 9/12/92

Revised: 1/21/03



## Superintendent's Regulation

### PROCEDURE FOR EXCLUSION OF NON-RESIDENT CHILDREN

(refers to policy #3113)

Students are entitled to attend school in the school district in which they legally reside. When the Oceanside Union Free School District suspects that a student attending District schools resides outside the District, the District will investigate the student's residency. Students found to be non-residents will be excluded from continued attendance pursuant to the policy of the Board of Education and the laws of the State of New York.

The following procedures will be followed in the investigation and exclusion of non-resident students.

#### **Step One** - Preliminary Determination of Non Residency

When the residency of a student is questioned, the Assistant Superintendent for Pupil Personnel Services or his designee shall investigate the matter. If the Assistant Superintendent for Pupil Personnel Services makes a preliminary determination that the student in question is not a legal District resident, the Superintendent shall advise the parent, person in parental relation, or student, as appropriate, of the preliminary determination. The parent, person in parental relation or student shall be given notice of the right to present evidence to rebut the preliminary determination.

#### **Step Two** - Review by the Assistant Superintendent for Pupil Personnel Services

Upon receipt of a request for a review of a preliminary determination, the Assistant Superintendent for Pupil Personnel Services shall schedule a conference with the parent, person in parental relation, or the student, as appropriate. At the conference, the parent, person in parental relation, or student shall have the opportunity to present evidence to rebut the preliminary determination. The Assistant Superintendent for Pupil Personnel Services shall explain the District's information that led to the preliminary determination. The Assistant Superintendent for Pupil Personnel Services shall issue a written decision within two business days of the step two conference. If the determination at step two is that the student is not entitled to attend District schools, the decision shall give notice of the procedures to obtain review of the determination by the Superintendent.

#### **Step Three** - Review by the Superintendent

Upon receipt of a request for a review of the Assistant Superintendent for Pupil Personnel Services' determination, the Superintendent shall schedule a meeting with the parent, person in parental relation or the student, as appropriate. At the review, the parent, person in parental relation or the student shall have the opportunity to present evidence to rebut the step two determination. The District shall have the opportunity to present evidence in support of that determination.

The Superintendent shall issue a written decision within two business days of the step three review. If the determination at step three is that the student is not entitled to attend District schools, the decision shall provide notice of the right to appeal the determination to the Commissioner of Education of the State of New York and the method of obtaining information regarding the procedures applicable to an appeal to the Commissioner.

If the parent, person in parental relation or the student does not request review of a decision at level one or two within the time specified in the notice, the student shall be excluded from attendance. Similarly, the student will be excluded from attendance following a decision at step three that the student is not entitled to attend District schools.

LEGAL REFERENCES: Education Law SS2045, 3202  
Regulations of the Commissioner of Education: 8 N.Y.C.R.R.  
S100.2 (y)

adopted: November 21, 1989

**HIGH SCHOOL SENIORS' STATUS: TRANSCRIPTS, GPA  
VALEDICTORIAN, SALUTATORIAN**  
(Refers to Policy #3122)

- 2.1 The weighted cumulative average, calculated after seven (7) semesters, shall be the basis for determining honor graduates and for the selection of the valedictorian and salutatorian. A transfer student must be in attendance at Oceanside High School for a minimum of two (2) years in order to be eligible to become valedictorian or salutatorian.

The basis for determining Honor Graduates will be their membership in the National Honor Society or a weighted average of 93.00% or higher.

All school transcripts will indicate unweighted cumulative average and weighted cumulative average. Colleges and universities receiving transcripts regarding Oceanside students will be advised of the method of calculating weighted averages and the distribution of those averages (for six semesters) for that graduating class.

The weighted cumulative average will be utilized on transcripts but will not be reflected in the grades received on their report cards.

Weights will be assigned to each course, except pass/fail and letter grade courses. Full year courses will have weights as follows: School courses 1.00; Regents courses 1.02; Honor courses 1.08; and Advanced Placement or college level courses 1.10. Half-year courses will carry half the weights. These weights will be added to the final unweighted cumulative average for each course to obtain the weighted cumulative average. The weighted cumulative average will be arrived at using the following guidelines:

- 2.1.1. Final grades in all subjects will be included in computing the final average, except pass/fail courses and letter grades.
  - 2.1.2. Full-year courses will be counted twice as heavily as one-semester courses.
  - 2.1.3. When a course is failed and later passed, only the passing grade will be counted.
  - 2.1.4. When a passed course is repeated, only the higher grade will be counted.
  - 2.1.5. The Regents examination grade will be counted in lieu of the final grade when a Regents examination is taken without taking the course.
  - 2.1.6. The cumulative average will be rounded off to two decimal places.
  - 2.1.7. The weights will be added to the cumulative average according to the number and type of courses passed. The result will be the new weighted cumulative average.
- 2.2 Unweighted and weighted cumulative averages (reflected on the transcript) will be distributed, individually, to each member of the senior class for his/her review. Upon request from a student, an individual average will be re-computed and verified by registrar.

- 2.3 The valedictorian and salutatorian will be the two students who, at the end of the seventh (7<sup>th</sup>) semester, have the highest and second highest weighted averages.
- 2.3.1 In the event that two or more students have identical averages, the following shall apply: Students with identical averages will each carry the designated honor. If there are two valedictorians, there will be no salutatorian.
- 2.4 Effective with the 2005/2006 school year, the district will no longer identify students in grades 9, 10 and 11 by their rank in class and will, therefore, no longer give out awards to students in grades 9, 10 and 11 based on rank.

6/20/05

Amended: 7/23/07

## **PROGRAMS FOR CHILDREN WITH DISABILITIES**

(refers to policy #3202.4)

It is the policy of the Board of Education to offer a complete range of services to students with disabilities as contained in the laws of the State of New York and appropriate Commissioner's Regulations.

The Board of Education shall appoint a Committee on Special Education (CSE) composed of.:

1. the child's teacher, as defined by applicable federal regulation;
2. a school psychologist;
3. a representative of the school district who is qualified to provide, administer or supervise special education;
4. a school physician;
5. a parent of a child with a disability residing in the district, provided that the parent may not be employed by or under contract with district, and
6. such other persons designated by the school board.

### **IDENTIFYING CHILDREN WITH DISABILITIES**

The CSE shall identify students with disabilities who are in need of special services or programs and develop an individualized educational program (IEP) for each student.

The district shall establish a register of children with disabilities maintained and revised annually by the CSE. This data shall be compiled and maintained in accordance with the Commissioner's Regulations.

Upon receipt of written notification that a student is suspected of having a disability, the CSE chairperson shall notify the child's parent (s)/guardian that a referral has been made and request consent for the individual evaluation. Such notice must include, among other things, the following information: the right to consent or withhold consent to an initial evaluation or placement; the right to a hearing; procedures for appeal; the availability of mediation to resolve complaints regarding the education of a student with a disability; the acknowledgment that if consent is refused, there will be no evaluation and the student hall remain in his/her current placement, or be admitted to the requested school pending the outcome of a hearing; the availability of free or low-cost legal aid and reimbursement of reasonable attorney's fee if the parent (s) or guardian (s) prevail in the appeal. The notification shall be in the dominant language or dominant mode of communication of the parent (s)/guardian (s).

If parental consent is not obtained within 30 days of receipt of referral, then the Board of Education shall initiate an impartial hearing to determine if the individual evaluation shall be conducted. The CSE chairperson shall notify the parent (s)/guardian (s) of his/her right to request an informal conference at which the parent (s) /guardian (s) may ask questions regarding the evaluation.

### **INDIVIDUAL EVALUATION**

The CSE shall ensure that an individual evaluation of the student is conducted at no cost to the parent (s)/guardian (s). The evaluation shall include, at least the following: a physical examination; a social history; a classroom observation; a psychological evaluation, unless determined unnecessary by the school psychologist; and other appropriate assessments or evaluations as necessary to ascertain the physical, mental and emotional factors which contribute to the suspected disabilities.

The evaluator shall submit a written report to the CSE which shall include a detailed statement of the child's individualized educational needs, and if the child is determined to have a disability, a recommendation as to the frequency and duration of services and the manner in which the child can be provided with instruction in the least restrictive environment. The parent (s)/guardian (s) shall be provided the results of the evaluation and a copy of the CSE recommendation in their dominant language or mode of communication.

If that parent (s)/guardian (s) disagrees with the evaluation, he/she shall notify the district so that the district may initiate an impartial hearing to determine the adequacy of the evaluation. If the hearing officer determines the evaluation was inadequate, then the parent (s)/guardian (s) may obtain an independent evaluation at no cost to themselves. Even if the evaluation is determined to be adequate by the hearing officer, the parent (s)/guardian (s) may obtain an independent evaluation, but not at public expense.

### **DETERMINING THE APPROPRIATE PLACEMENT AND PROGRAM-LEAST RESTRICTIVE ENVIRONMENT**

Following the individual evaluation, if the CSE determines that the student has a disability, the members shall develop an Individual Education Plan (IEP) for the student. The IEP is a written plan which contains:

1. a statement of the present levels of educational performance of such child and individual needs;
2. a statement of annual goals, including short-term instructional objectives;

3. a statement of the specific educational services to be provided to such child, class size if appropriate, and the extent to which such child will be able to participate in regular educational programs;
4. a statement of the needed transition services for students beginning no later than age 16 and annually thereafter (and, when determined appropriate for the individual, beginning at age 14 or younger);
5. the projected date for initiation and anticipated duration of such services;
6. appropriate objective criteria and evaluation procedures, and schedules for determining, on at least an annual basis, whether instructional objectives are being achieved;
7. a description of any specialized equipment and adaptive devices;
8. a list of testing modifications, and
9. a recommended placement.

Before the development of a recommendation, the CSE shall ensure that the appropriateness of the resources of the regular educational program, including educationally related support services and remedial instruction, have been considered. In developing the IEP, the CSE shall consider a student's academic or educational achievement, learning characteristics, social development, physical development and management needs. To ensure the student is placed in the least restrictive environment, the school district, with the input of the student's parent (s)/guardian (s) and teacher (s) and the student, when appropriate, must determine what placement is most appropriate: placement in a general educational program with supplementary aids and services, placement in a special class or special school or a combination of general and special education classes. The CSE must show that a general education program was considered when the student is not placed in such a program.

It is the responsibility of the Board to arrange for the appropriate, approved services recommended by the CSE. Should the Board disagree with the recommendation of the CSE, the Board may follow either of two options:

1. The Board may return the recommendation to the CSE with a statement of the Board's objections or concerns and request that a timely meeting be held to review the Board's objections or concerns. The CSE shall consider the Board's concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree, it may continue to send the recommendation to the CSE for additional reviews of its objections or concerns or establish a second CSE; or

2. The Board may immediately establish a second CSE to develop a new recommendation for the student. If the Board disagrees with the recommendation of the second CSE, the Board may send the recommendation to the second CSE with a statement of their concerns and a request that a timely meeting be held to review and consider the concerns. The second CSE shall consider the Board's concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the second CSE, the Board may continue to remand the recommendation for additional reviews of its concerns by the second CSE.

In either case, once the Board has established a second CSE, the Board can no longer select the recommendation of the original CSE.

The parent (s)/guardian (s) shall be notified of the Board approval or disapproval of the CSE's recommendation, and provided notice of the meeting when the Board disapproved.

The Board must arrange for appropriate special education programs and services to be provided in accordance with the student's IEP within 60 days and receipt of consent to evaluate for a student not previously identified as having a disability, or within 60 days of the referral for review of a student with a disability. However, if the recommendations for placement in an approved in-state or out-of-state private school, the Board shall arrange for such programs and services within 30 days of the Board's receipt of the recommendation.

#### **PARTICIPATION OF STUDENTS WITH DISABILITIES IN EXTRACURRICULAR PROGRAMS AND ACTIVITIES**

Students with disabilities residing in the district shall have the opportunity to participate in district programs, including extracurricular programs and activities, which are available to all other students enrolled in the public schools of the district.

#### **DUE PROCESS PROVISIONS**

In the event the parent (s)/guardian (s) disagree with the CSE's recommendation, the CSE fails to make a recommendation in accordance with the Commissioner's Regulations, or the Board fails to arrange for the programs and services in accordance with the Commissioner's Regulations, the parent (s)/guardian (s) may request, in writing, an impartial hearing.



Parents or guardians of students with, or suspected to have, disabilities shall have mediation available to resolve complaints regarding the education of a student. The availability or use of mediation shall not diminish or limit any rights of parents or guardians provided for in law, including the right of a parent or guardian to request an impartial hearing subsequent to mediation. Parents or guardians will not be deemed to have failed to exhaust administrative remedies by requesting an impartial hearing in the absence of or prior to mediation.

During the pendency of an appeal, unless the parent (s)/guardian (s) and Board otherwise agree, the child must remain in the current educational placement.

**DISTRICT PLANS FOR SPECIAL EDUCATION PROGRAM**

The Board directs the Superintendent to develop and maintain a District Plan which incorporates information concerning the provision of services for students with disabilities, pursuant to the Regulations of the Commissioner of Education.

(Approved 4/14/97)

## Superintendent's Regulations

### LIMITED ENGLISH PROFICIENCY INSTRUCTION

(refers to policy #3202.6)

In attempting to ensure that students who are Limited English Proficient (LEP) receive appropriate schooling in English and curriculum areas, the school district shall:

1. in accordance with Part 117 of the Commissioner's Regulations, diagnostically screen every new entrant to the schools to determine whether they are possibly LEP in accordance with subdivision 2-a of section 3204 of the Education Law. It will also be determined through such screening 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.
2. ensure that students diagnostically determined to be LEP are annually evaluated. Such evaluation will include evaluation of each student's performance in content areas to measure the student's progress.
3. ensure that all LEP students have access to appropriate instructional and support services, including guidance programs.
4. ensure that all LEP students have equal opportunities to participate in all school programs and extra-curricular activities as non-LEP students.
5. annually provide the Commissioner with the following documents, in the form and by the dates prescribed by the Commissioner:
  - a. a copy of the Board of Education's policy;
  - b. a report by building of students initially identified and annually evaluated as being LEP in the preceding school year;
  - c. a report by building of the number of teachers and support personnel providing services to LEP students;
  - d. a description by building of the curricular and extra-curricular services provided to LEP students; and
  - e. results of the annual evaluation of LEP students, including test data and any additional data required by the Commissioner.

The district will also distribute to the parents, or other persons of parental relation to LEP students, school-related information in English, or when necessary, the language they understand, and refer LEP students who are suspected of having a handicapping condition to the Committee on Special Education.

The district shall submit to the State Education Department by September 1 of each year, a comprehensive plan to meet the educational needs of LEP students. Such plan shall include:

1. the criteria used to place LEP students in appropriate transitional bilingual or free-standing ESL programs;
2. a proposed budget for the operation of the state-aided program;
3. a description of the nature and scope of the bilingual and/or ESL services currently available to LEP students;
4. an evaluation plan in the format specified by the State Education Department;
5. a description of procedures for the program's management including: staff selection, parent notification, coordination of funds, training and program planning;
6. an assurance that all regulations and laws governing programs for LEP students will be followed;
7. a description of the support services provided to LEP students;
8. a description of the transitional services provided to LEP students; and
9. a description of the in-service training plan for all school personnel.

**Bilingual Instruction:**

Should twenty (20) or more LEP students with the same native language at the same grade level all attend the same school building in the district, such students shall be provided with a bilingual program. Such program shall be composed of:

1. English as a Second Language (ESL) instruction which emphasizes listening, speaking, reading, writing and communicating skills in English;
2. course content instruction in both English and the native language; and
3. native language arts instruction which emphasizes communication skills in the student's home language.

### **English as a Second Language Instruction:**

Should fewer than twenty (20) LEP students with the same native language at the same grade level all attend the same school building in the district, such students shall be provided with a free-standing English as a Second Language (ESL) program. Such program shall be composed of:

1. instruction which emphasizes listening, speaking, reading, writing and communicating skills in English; and
2. course content area instruction using ESL methods.

Such program need not provide a native language arts component designed to develop skills in the native language.

### **Notification to Persons in Parental Relation:**

The district shall notify, in English, or in the appropriate native language, the parent(s) or guardian(s) of a student designated as LEP, of the student's placement in a transitional bilingual or ESL program. Such notification shall include program options, including the option of not having the student placed in a transitional bilingual program. Should a parent/guardian wish to withdraw his/her child from a transitional bilingual program, the parent/guardian shall meet with the building principal and the Director of ESL and Foreign Language. Such meeting shall be for the purpose of informing the parent/guardian of the nature and value of the transitional bilingual program. Any child that withdraws from a transitional bilingual program must participate in a free-standing ESL program.

Parents shall be informed that they have the option of transferring their child to another school within the district, when the number of eligible students in the student's building does not require the offering of a transitional bilingual education program. If a parent/guardian chooses not to exercise this option, he/she shall be informed that the child will participate in a free-standing ESL program.

Appropriate district personnel shall meet at least twice a year with all parents of LEP students to discuss the students' needs and progress.

### **Support Services**

The district shall provide appropriate support services to students who are participating in either transitional bilingual or free-standing ESL programs in order for such students to achieve and maintain a satisfactory level of academic performance. Such services may include, but shall not be limited to, individual counseling, group counseling,

home visits, and parental counseling. If appropriate, such services shall be provided in the first language of the student(s) and the student's parent(s)/guardian(s).

### **Transitional Services**

The district shall ensure a transition for former LEP students who are transferring from a bilingual or free-standing ESL program into an English mainstream program. Transitional services shall be provided for the first year after such students are placed in the English mainstream instructional program.

### **In-service Training**

The district shall provide in-service training to all personnel providing instruction or other services to LEP students in order to enhance staff appreciation for such students' native languages and cultures and staff ability to provide appropriate instruction and support services.

### **LEP Students with Handicapping Conditions**

If a student's score on an English language assessment instrument approved by the Commissioner is the result of a handicapping condition, the student shall be provided with the individualized education program (IEP) developed for such student. Such student shall also be eligible for all services described above, if such services are recommended in his or her IEP.

The school district shall ensure that when LEP students who are suspected of having a handicapping condition are referred to the Committee on Special Education, a bilingual multi-disciplinary assessment will be conducted.

#### Legal References:

Education Law S3204

Commissioner's Regulations SS80.09; 80.10; 117; 154

adopted: August 21, 1990

## **Superintendent's Regulation**

### **HOMEWORK** (refers to policy #3203)

#### **Elementary**

The following time is approximate and should be flexible for teachers and students:

Grade 1 - 15 minutes per day for four days a week

Grade 2 - 15 to 30 minutes per day for four days a week

Grade 3 - 30 to 45 minutes per day for four days a week

Grades 4,5 - 45 to 60 minutes per day for four days a week

Grade 6 - 60 to 75 minutes per day for four days a week

#### **Middle School**

Grades 7,8 - 60 to 120 minutes per day for four days a week

#### **High School**

Grades 9,10,11,12 - two to three hours per day for four or five days a week

## **All Grade Levels**

Additional assignments at the teacher's discretion.

## **Instructional/Vocal Music**

Elementary - 30 minutes per day

**Middle School/High School** - 45 to 60 minutes per day

## **Guidelines for Effective Homework Assignments:**

Homework should be an appropriate extension of classwork.

The assignment and its purpose should be clearly stated. Homework should be as carefully planned as any classroom activity.

When appropriate, guided practice should take place in the classroom to prepare for homework; homework itself should not be done during class time.

At the beginning of the term, the teacher should always make clear to the students his/her policy regarding the grading of homework and its effect on the final grade.

Although it may not be necessary to correct all homework, it is always necessary to ascertain that the desired learning has taken place. (The important question is, "Have they learned?" rather than, "Have they done it?")

Assignments requiring a prompt teacher response to be effective should be corrected as soon as possible.

Some assignments, however, may include independent exploration into new topics...

Homework should not be assigned if there has not been adequate time to prepare the students; nor should it be assigned for disciplinary purposes.

Complex, long-range assignments should incorporate appropriate structure and guidelines including a sequence of tasks and frequent progress reviews.

Individual or small group assignments are often desirable in meeting the needs of students.

Students should be taught how to study before they are expected to work independently, therefore, the teacher should plan with the students not only what to do but how to do it.

### **Outcomes of Homework**

Effective homework assignments should:

- Strengthen basic skills
- Develop initiative, responsibility and self- direction
- Build independent study skills
- Teach budgeting of study time



## Superintendent's Regulation

### TUTORING GUIDELINES

(refers to policy #3204)

1. No teacher shall tutor any student for pay during school hours or on school grounds.
2. Students shall not be dismissed from school for the purpose of receiving private tutoring.
3. Persons not employed by the district shall not be permitted to tutor students for compensation on school grounds.
4. Tutoring is to be recommended by teachers only after all services offered by the school have been tried. This is especially true of "extra help" offered by each teacher.
5. If "private" tutoring is deemed necessary, it should be recommended only after full discussion with the school personnel of the possible reasons for the need. On the elementary level, this would include the teacher and the principal. On the secondary level, it should include the teacher and counselor or Associate Principal.
6. Staff members who wish to do tutoring for compensation after school hours are to place their name on a list of tutors which will be maintained in the Guidance Office in the secondary schools, or Principal's office in the elementary schools.
7. When a student or parent asks a teacher for the name of a tutor, the student or parent is to be advised to consult the tutoring list in the Guidance office (secondary schools) or Principal's office (elementary schools).
8. Under no circumstances are school personnel to recommend a single person for tutoring.
9. Oceanside school personnel accepting "private" tutoring assignments are requested to ask parents if such tutoring is being requested after such consultation as described above has been accomplished.
10. The Superintendent will evaluate the implementation of this policy annually.

## **TUTORING POLICY**

Teachers in the Oceanside School District are encouraged to provide a quality instructional program by addressing students' instructional needs both during scheduled classes and during mutually convenient times--before, during, and after school.

At times students may request additional tutoring. Tutoring is defined as academic assistance or private instruction involving pay by an individual to a teacher. Extra help classes, informal meetings with teachers, peer assistance, and proper placement must always be explored as desirable alternatives to tutoring. When these resources have been thoroughly explored and tutoring is still requested, volunteer tutoring is encouraged.

If "private tutoring is recommended, it should be done after consultation with both the Guidance Counselor and the teacher.

At no time shall a teacher tutor or provide SAT preparation to a student from his/her own class (es) for pay. It is preferable that a teacher not tutor students for remuneration who are in attendance at the school where the teacher is employed.

Tutoring activity by a teacher must not impinge upon the teacher's efficiency, effectiveness, or availability in the district.

## **SUPERINTENDENT REGULATIONS**

### **Tutoring Guidelines**

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6. Staff members who wish to do tutoring for compensation after school hours are to place their name on a list of tutors which will be maintained in the Guidance Office in the secondary schools, or Principal's office in the elementary schools.

7. When a student or parent asks a teacher for the name of a tutor, the student or parent is to be advised to consult the tutoring list in the Guidance office (secondary schools) or Principal's office (elementary schools).
8. Under no circumstances are school personnel to recommend a single person for tutoring.
9. Oceanside school personnel accepting "private" tutoring assignments are requested to ask parents if such tutoring is being requested after such consultation as described above has been accomplished.
10. The Superintendent will evaluate the implementation of this policy annually.

## Superintendent's Regulation

### HOMEBOUND INSTRUCTION

(refers to policy #3300)

1. A student attending elementary school (grades 1-6) is eligible for a maximum of five hours per week of home instruction.

A student attending middle school (grades 7-8) or high school (grades 9-12) is eligible for a maximum of ten hours per week of home instruction.

2. Certification by an attending physician that the student is unable to attend school must be brought to the school nurse (grades 1-6) or guidance counselor (grades 7-12). The physician's note should indicate the reason for and length of time of homebound instruction.
  - a. Without the certification of the attending physician, homebound services will not be initiated.
  - b. If a child remains out of school for longer than expected, a new certification of the attending physician must be submitted in order to continue homebound services.
  - c. In cases of contagious illnesses, homebound instruction will not begin until receipt of a physician's note stating that the student is no longer contagious.
3. For elementary students, the school nurse will complete the homebound request form. The nurse will indicate whether or not the classroom teacher wishes to do the tutoring. The completed homebound request will be sent to the Homebound Instruction Office with the certification of the attending physician

For students in grades 7-12, the guidance counselor will:

- a. Complete a homebound request form. The guidance counselor will submit the homebound request form along with the certification by attending physician to the Homebound Instruction Office.
- b. When listing the subjects and course titles, the counselor will indicate whether or not the course is regents or local. For students taking high school courses, the guidance counselor must indicate on the teacher's copy whether or not the homebound instruction is going to be short-term (1-10 school days) or long-term (over 10 school days). This information will be helpful to the teachers when preparing homework for the students.

- c. The guidance office will make copies of the homebound request form and put a copy in each teacher's mailbox. The teachers should indicate their willingness to tutor (by marking "yes/no" by their names) and return the form to the Homebound Instruction Office immediately.
- 4 Any In-District teacher who is interested in tutoring should contact the Homebound Instruction Office. If the classroom teacher agrees to do the tutoring, he/she is responsible for contacting the parent and making all necessary arrangements. The parent or guardian should be given a phone number in case of questions or cancellations. If the classroom teacher is not going to do the tutoring, he/she must send the student's work to the main office (grades 1-6) or guidance office (grades 7-12) within 48 hours. All work and books must be clearly identified. In those cases in which long-term absence is indicated, the chairperson (grades 7-12) or principal (grades 1-6) will be responsible for coordinating the submission of student assignments.

If the person in charge of homebound instruction does not receive notice that the classroom teacher will tutor, an outside tutor will be assigned.

- a. The classroom teacher can request that all work be submitted for grading. If this is not requested, the tutors will grade the student's work and return it to the teacher. All work must be returned to the classroom teacher. If a teacher wishes to speak directly with the tutor, the Homebound Instruction Office should be called and arrangements will be made.
  - b. If the student is tutored for only a portion of a marking period, the tutor will submit a grade and a comment for the classroom teacher to incorporate within the classroom grade.
  - c. If a classroom teacher wishes to speak to the tutor, the teacher should call the homebound office and arrangements will be made.
  - d. When the tutor finishes the homebound sessions, a completion form will be sent to the classroom teacher indicating that all sessions have been completed.
5. The home instruction ceases when the child returns to school, except when medical documentation of a serious chronic illness or condition is provided to the school physician for his review and approval and then provided to the Superintendent prior to the opening of school each year or as soon thereafter as medical verification is available. In such cases in which a serious chronic illness is established, the Superintendent may authorize home instruction to be provided only for those absences occurring after the child has been absent more than 15 days without home instruction as a result of said condition or illness.
  6. The school nurse (grades 1-6) or guidance counselor (grades 7-12) should notify the Homebound Instruction Office when a child returns to school.

7. A parent or guardian of 18 years of age or older must be at home during instruction.
8. The following situations will not be counted as homebound instruction time:
  - a. If a session is missed due to the student's illness and prior notice is given to tutor.
  - b. If a session is cancelled by the tutor.
9. The following situation will be counted as homebound instruction time:

If a session is missed because of parental or student cancellation without prior notice.
10. Tutoring by in-district personnel is to be done after then end of the school day.
11. Complying with State regulations, there will be no instruction given on Saturdays, Sunday, Holidays, and Vacations.

#### In Hospital Homebound Students

All procedures from the general instructions should be followed. This is additional information concerning only In-Hospital homebound instruction.

If a student is placed in a hospital for psychological or medical reasons, there are certain procedures to be followed:

1. An In-Hospital Homebound Request Form should be completed by the guidance counselor (7-12) or the nurse (1-6).
2. Many hospital facilities request work and books from the home school. It is the District's intent to comply with these requests. Once a teacher knows that a student is in the hospital, he/she should make arrangements for work and books to be available for student instruction. Work should be sent every week. If there is a problem supplying work on a long-range basis, this must be discussed with the department chairperson or principal in order to make alternate arrangements for work.
3. Guidance counselors or nurses will notify teachers that a student has been hospitalized.
4. The Educational Office of the hospital, for long term patients, will issue grades and comments to the Homebound Instruction Office. The information will be released to the teachers.
5. When a student is to be released, the hospital will contact the District. The school will then be notified.

10/14/03

## **Superintendent's Regulation**

### **ACQUIRED IMMUNE DEFICIENCY SYNDROME**

(Refers to Policy #3505)

The following guidelines shall apply in dealing with students and school employees who have provided informed consent to be tested for AIDS or AIDS-related diseases. These guidelines have been established on the basis of presently available medical information.

The terms "infected student", "infected employee", and "infected individual" as used in these guidelines, apply both (a) to persons who have diagnosed as having AIDS and (b) to persons who have been infected by the AIDS virus.

#### **STUDENTS**

If a student, or if under 18 his/her guardian, consents to be tested and submits to the District's procedures, the following steps shall be taken.

Assuming the student consents, he/she shall be referred to an appropriate medical authority for testing. The results of the tests shall be submitted to the student's parents, the Superintendent of Schools and the School's designated medical officer. The District's team, which shall consist of the Superintendent and/or his designees on a case-by-case basis, shall meet with the Nassau University Medical Center's Medical Review Panel to review the test results and discuss possible ramifications.

The District's team shall consult with the Medical Review Panel in order to determine whether the student's participation in the educational program of the District should be restricted in any way.

The District's team shall communicate the recommendations to the student and his/her guardian for implementation.

Consistent with HIV Confidentiality Law, the recommendations would be forwarded to the Board of Education for action.

#### **SCHOOL EMPLOYEES**

If an employee consents to be tested and submits to the District's procedures, the following steps will be taken.

Assuming the employee consents, he/she shall be referred to an appropriate medical authority for testing. The results of the tests shall be submitted to the employee, the Superintendent of Schools and the School's designated medical officer. The District's team shall meet with the Nassau University Medical Center's Medical Review Panel to review the test results and discuss possible ramifications.

The District's team shall communicate the recommendations to the employee for implementation.

Consistent with HIV Confidentiality Law, the recommendations would be forwarded to the Board of Education for action.

**CONFIDENTIALITY**

Any employee who becomes aware that an employee or student is infected with the AIDS virus or has AIDS, shall respect the individual's right to privacy and shall maintain strict confidentiality of the records regarding said individual. Except as otherwise required by law, the identity of an infected individual and the identity of an individual who is believed to be an infected individual shall not be disclosed.

(Amended 5/5/03)



## **INSERVICE EDUCATION, UNIVERSAL PRECAUTIONS AND STUDENT CURRICULUM**

In-service educational programs for all school personnel will be undertaken so that the proper medical and current information about AIDS and AIDS related diseases is available and used for the appropriate administration of these guidelines.

Employees involved in duties where there is potential for direct contact with blood or other body fluids, shall be educated and directed to use the following enumerated procedures.

- a. Non-sterile gloves are recommended to prevent contact with blood or body fluids. This is particularly recommended for persons who have potential cuts or abrasions on their hands or arms. However, glove inaccessibility should not preclude an employees attempt to provide assistance.
- b. All spills should be cleaned up and the affected area washed with soap and water and then disinfected with a one (1) to ten (10) dilution of sodium hypo chloride (one part household bleach to ten parts water), or other appropriate disinfectant.
- c. Protective eyeglasses or goggles are recommended in the situations where splatter with blood or body fluids is possible to the eye.
- d. Urine and feces shall be disposed of in a toilet with normal flushing.
- e. All disposable materials, including gloves and contaminated material used in cleaning up potential spills or body fluid specimens, should be discarded in a plastic bag and sealed. The sealed plastic bag should be disposed of appropriately.
- f. Mops and reusable items used to clean up spills should be disinfected with the above-stated bleach solution.
- g. Toys and/or other personal non-disposable items should be cleaned with warm, soapy water and followed by disinfection with the above-stated bleach solution before passing onto another person for reuse. A normal laundry cycle is adequate for other non-disposable items, including clothing. It is recommended that all non-disposable articles be bagged until they can be cleaned if there is an intervening time interval.
- h. Hand washing must be used after cleaning up all spills of body fluids. This procedure should be used regardless of the use of non-sterile gloves.

The District health education curriculum shall be amended to incorporate AIDS focused material in accordance with guidance provided by the State Education Department for this purpose. The instructional methods and information so incorporated into the health education curriculum shall be appropriate to age levels.

## **REVIEW PROCEDURE**

These guidelines have been established on the basis of presently available medical and legal information. They should be reviewed and revised as necessary to reflect new medical and legal information regarding AIDS.

## **QUESTIONS ABOUT THESE REGULATIONS**

Questions about these Regulations should be referred to the Superintendent or his designee, the Assistant Superintendent for Instruction and Pupil Services.

(Amended 5/5/03)

## **PROCEDURES FOR ADMINISTRATION OF MEDICATION TO STUDENTS**

(Refers to Policy #3506)

### A. Introduction

It is the responsibility of the school district, through its school nursing personnel, to establish a secure, easy to understand and safe medication delivery system. Only those medications which are necessary to maintain an optimal state of health, maintain the student in school, and enable the student to participate more fully in the educational program may be administered. This policy shall be communicated to staff, parents/guardians and students through the student handbook, school calendar, special mailings and any other reasonable means.

### B. Physician Orders

1. Before medication can be administered, a written order from a duly licensed prescriber and a written statement from the parent/guardian requesting administration of the medication in school are required.
2. Written orders for prescription and nonprescription medications must minimally include: Student's name and date of birth.
  - Name of medication.
  - Dosage and route of administration.
  - Frequency and time of administration.
  - Date written.
  - Prescriber's name, title, signature and phone number.
3. The school nurse may request additional information, such as self-administration orders, diagnosis and/or potential adverse reactions. However, medication delivery will not be delayed pending additional information, unless in the opinion of the school physician [or school nurse] such information is essential to the safe administration of medication.

### C. Parental Responsibilities

1. The parent/guardian is responsible for delivering the medication directly to the health office in a properly labeled original container. The medication shall contain a physician's order in accordance with the provision of this Policy.
2. OTC medications must be in the original manufacturer's container/package with the student's name affixed to the container. The same applies to drug samples.
3. If a student fails to come to the health office for his or her medication, building administration shall assist health office personnel in locating the student. If the medication has not been given for any reason within the prescribed time frame, the school will make all reasonable efforts to notify the student's family that day.
4. If a student chronically fails to come for medications, the school nurse will contact the parent/guardian to address the problem.

D. Responsibility of School Nursing Personnel

1. The school nurse shall develop procedures for the administration of medication, which require that:
  - All medications will be administered by the school nurse, in accordance
  - Medications shall be securely stored in the health office and kept in their with this Policy; original labeled container, which specifies the type of medication, the amount to be given and the times of administration;
  - The school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration; and
  - All medications shall be brought to school by the parent/guardian and shall be picked up by the parent/guardian at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days after the period of medication expires, the medication shall be discarded.
2. School nursing personnel shall be required to:
  - a. Observe and evaluate the student's health status and response to medication, informing parent/guardian, or prescriber as deemed necessary.
  - b. Educate the student regarding the importance of medication and encourage the student's self-directed involvement in the process, including coming to the health office on time and receiving or taking medications.
  - c. Involve school staff to ensure student safety where disclosure of health information is permitted by law.

E. Administering Medication (Oral, Topical or Inhalant) on Field Trips and at After-School Activities

1. The school nurse shall be responsible for preparing medication for out-of-school trips.
2. A self-directed student (i.e., capable and competent of understanding the need for the medication and able to correctly administer the medication) may take medication on field trips and at after-school activities. However, teachers or other school staff should carry the medication so that the self-directed student can take it at the proper time. The school nurse shall be responsible for oversight.
3. If a student is attending a field trip, but is not self-directed, the school district may:
  - Permit the parent/guardian to attend the activity and administer the medication.
  - Permit the parent/guardian to personally request another adult who is not employed by the school district to voluntarily administer the medication on the field trip or activity and inform the school district in writing of such request with oversight by the school nurse.
  - Allow the student's health care provider to be consulted and, if he/she permits, order the medication time to be adjusted or the dose eliminated.

If no other alternative can be found, a school nurse or licensed practical nurse under the direction of the school nurse must administer the medication.

#### F. Storage of Medications

1. No medication may be brought to school without knowledge of the health office.
2. All medications, except as otherwise arranged, must be properly stored and secured within a health office cabinet, drawer or refrigerator. The site must include a lock for the cabinet, drawer and refrigerator, as well as a lock to the outside health office door.
3. Controlled substances must always be secured and must never be left open or accessible to the public at any time. Even self-directed students will not be given unsupervised access to controlled substances under the care of the school.

#### G. Administering Medication in Emergency Situations

1. The use of epi-pens in schools has become a common method of protecting children against severe reactions they may encounter during school hours. Pursuant to Commissioner's Regulations, 8 N.Y.C.R.R. §64.7(b), school nurses may carry and administer anaphylaxis treatment agents, including but not limited to epinephrine for the emergency treatment of anaphylaxis, pursuant to a non-patient specific order and protocol prescribed and ordered by a licensed physician or a certified nurse practitioner. For example, this allows a school nurse or a licensed practical nurse under the direction of a school nurse responding to an emergency in which an individual has an anaphylactic reaction to a wasp sting or the ingestion of peanut butter to administer treatment such as an epi-pen.
2. Moreover, the administration of epinephrine by epi-pen prescribed by a licensed prescriber to a student with a known severe allergy may be performed by a staff member in an emergency situation pursuant to the Education Law and the Good Samaritan Law. The District may provide training through the school nurse or physician to staff on the use of an epi-pen in an emergency situation when a nurse or other licensed health care provider is unavailable.

#### H. Specialized Medication

1. Any prescribed medication which requires administration through a subcutaneous, intramuscular, intravenous or rectal route; or prescribed medications being administered through pumps, tubes or nebulizers; or oral, topical or inhalant medication needed by non-self-directed students must be given by school nursing personnel or licensed practical nurses under the direction of school nursing personnel. Administration of such prescribed medications **may not be performed** by school staff.
2. Designated staff in the school setting, following assignment and in conjunction with approval by school nursing personnel, **may assist** self-directed students with the taking of their own oral, topical and inhalant medication, provided that such staff member has received the training and supervision needed to perform these tasks in a safe and effective manner, and voluntarily opts to do so.

#### I. Self-directed Students

1. If school nursing personnel receive a request from a parent/guardian and licensed prescriber to permit a student to carry and self-administer his/her own prescribed

medication, such decisions will be made on an individual basis and in accordance with the following criteria:

- Severity of health care problems, particularly asthmatic or allergic conditions;
- Licensed prescriber's order directing that the student be allowed to carry her/his medication and self-administer;
- Parent/guardian statement requesting compliance with licensed prescriber's order;
- Whether the student has been instructed in the procedure of self-administration and can assume responsibility for carrying properly labeled medication in original container on her or his person or keeping in school or physical education locker;
- School nursing assessment that student is self-directed to carry and self-administer her/his medication properly;
- Parent/guardian contact made to clarify responsibility to monitor the student on an ongoing/daily basis to insure that the student is carrying and taking medication as ordered. This contact must be documented.

2. Any student self-administering medication without proper authorization will be counseled by the school nursing personnel. In addition, the parent/guardian will be notified. In some instances, school administration may be informed.

#### J. Record Keeping

1. School nursing personnel shall maintain accurate records of the medication administered, any special circumstances related to the procedure, and student's reactions/responses.
2. The following procedure for record keeping shall be followed:
  - Retain the written order from the prescriber;
  - Retain the parent request letter;
  - Retain pertinent information about medication on cumulative health record;
  - Maintain an individual daily medication record for each student taking medication during time frame medication is being given;
  - Periodically summarize daily medication record on cumulative health record.

8/7/03

**(Adopted from SED)**  
**SAMPLE AUTHORIZATION FORM**  
PARENT AND PRESCRIBER'S AUTHORIZATION FOR  
ADMINISTRATION OF MEDICATION IN SCHOOL

Authorization for Administration of Medication

1. To be completed by the parent or guardian:  
I request that my child \_\_\_\_\_ grade \_\_\_\_ receive the medication as prescribed below by our licensed health care prescriber. The medication is to be furnished by me in the properly labeled original container from the pharmacy. I understand that the school nurse will administer the medication or an adult will supervise my child taking his/her own medication.

Signature (Parent or Guardian): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: Home \_\_\_\_\_ Work \_\_\_\_\_ Date: \_\_\_\_\_

- B. To be completed by the licensed health care prescriber:  
I request that my patient, as listed below, receive the following medication:

Name of student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Diagnosis: \_\_\_\_\_

Name of Medication: \_\_\_\_\_

Prescribed Dosage, Frequency and Route of Administration: \_\_\_\_\_

\_\_\_\_\_

Time to be Taken During School Hours: \_\_\_\_\_

Duration of Treatment: \_\_\_\_\_

Possible Side Effects and Adverse Reactions (if any): \_\_\_\_\_

\_\_\_\_\_

Other Recommendation: \_\_\_\_\_

\_\_\_\_\_

Name of Licensed Prescriber and Title (please print): \_\_\_\_\_

Prescriber's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_





**(Adopted from SED)**  
**SELF-MEDICATION RELEASE FORM**

Date: \_\_\_\_\_

Child's Name: \_\_\_\_\_

has been instructed in the proper use of the following medication procedures: \_\_\_\_\_

\_\_\_\_\_

We, (Physician's signature) \_\_\_\_\_

and (Parent or Guardian's signature) \_\_\_\_\_

request that (Child's name) \_\_\_\_\_ be permitted to carry the medication on his/her person to keep same in his/her locker, as we consider him/her responsible. He/she has been instructed in and understands the purpose and appropriate method and frequency of use. We also release the school district from any liability which may arise in connection with this request and/or the child's administration of medication during the school day and/or at school functions and/or during after school activities.

NOTE: This form must be completed in addition to routine district medication form for those students who request permission to carry their own medication or keep this medication in a locker.

# **SUPERINTENDENT'S REGULATIONS**

## **HARASSMENT/BULLYING/ DIGNITY FOR ALL STUDENTS REGULATION (Refers To Policy 3108.2)**

The Board condemns and strictly prohibits all forms of discrimination by District employees, students and volunteers against students, whether in person, in print, or electronically, including but not limited to harassment, hazing and bullying which may occur on school property, school grounds, school buses, using District-owned property, or at a school-sponsored function. The Board also strictly prohibits any harassment including hazing, bullying, cyber-bullying and sexting that occurs off-campus and endangers the health and safety of students or staff members, substantially disrupts the educational process, or creates a reasonably foreseeable risk of such disruption.

### **I. Prevention**

Prevention is the cornerstone of the District's effort to address bullying and harassment. The components of such an effort may involve the following:

1. District curriculum will emphasize developing empathy, tolerance and respect for others.
2. Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
3. Gathering information about bullying at school directly from students (through surveys and other mechanisms); analyzing and using the data gathered to assist in decision-making about programming and resource allocation.
4. Establishing clear school-wide and classroom rules about bullying, consistent with the District's Code of Conduct.
5. Training adults in the school community to respond sensitively and consistently to bullying.
6. Raising awareness among adults, through training, of the school experiences of marginalized student populations (as enumerated in the Definitions section of Policy #3108.2), social stigma in the school environment, gender norms in the school environment, and strategies for disrupting bullying, intimidation, harassment or other forms of violence.
7. Providing adequate supervision, particularly in less structured areas such as in the hallways, in the cafeteria, on school buses and on the playground.
8. Raising parental awareness and involvement in the prevention program and in addressing problems.
9. Using educational opportunities or curriculum, including, if applicable, the Individual Educational Program (IEP), to address the underlying causes and impact of bullying.

## **II. Notification of Contact Information for the Dignity Act Coordinator**

The names and contact information for the Dignity Act Coordinators (“DACs”) shall be shared with all school personnel, students, and persons in parental relation. A District list of the names and contact information for the DACs will be maintained (“DAC List”). Such notification of the names and contact information of the DAC appearing on the List shall include, but is not limited to, providing the name, designated school and contact information of each DAC by:

1. Listing such information in the Code of Conduct and updates posted on the District’s Internet web site;
2. Including such information in the plain language summary of the Code of Conduct provided to all parents/guardians before the beginning of the school year;
3. Once per year, providing the DAC List to parents/guardians in District or school mailing, or other method of distribution. The method of distribution may include sending the DAC List home with each student or including it in the District’s annual registration or orientation materials. If DAC information changes, as soon as practicable thereafter, the DAC List must be updated and provided in at least one subsequent District or school mailing or other such method of distribution;
4. Posting such information in highly-visible areas of school buildings; and
5. Making such information available at the District and school-level administrative offices.

In the event a DAC vacates his or her position, another school employee shall be immediately designated by the school Principal for an interim appointment as Coordinator, pending approval of a successor Coordinator by the Board within 30 days of the date the position was vacated. Upon the Board’s approval of the successor, the DAC List, the Code of Conduct, and the plain language summary of the Code of Conduct must be updated accordingly and distributed pursuant to the notification requirements of this regulation.

In the event a Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as Coordinator, pending return of the previous Coordinator to his or her duties as Coordinator.

## **III. Complaint Reporting and Investigation**

In order for the Board to effectively enforce this regulation and the related policy and to take prompt corrective measures, it is essential that all targeted individuals and persons with knowledge of bullying report such behavior immediately to the Superintendent, Principal, or the appropriate Dignity Act Coordinator (“DAC”) as soon as possible after the incident so that it may be effectively investigated and resolved. The District will collect relevant data from written and verbal complaints to allow reporting to the Board on an annual basis.

The District will promptly and equitably investigate all complaints, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation.

In order to assist investigators, individuals should document the bullying as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, places it has occurred; name of perpetrator(s); witnesses to the incident(s); and the targeted individual's response to the incident.

If, after appropriate investigation, the District finds that a student, an employee or a third party has violated the related policy, prompt corrective and possibly disciplinary action will be taken in accordance with the Code of Conduct, applicable collective bargaining agreement, District policy or state law. If either of the parties disagrees with the findings of the initial investigation, an appeal may be made to the Superintendent in accordance with the process described below.

#### **A. Confidentiality**

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

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the DAC shall inform the complainant that:

1. The request may limit the District's ability to respond to his/her complaint;
2. District policy and federal law prohibit retaliation against complainants and witnesses;
3. The District will attempt to prevent any retaliation; and
4. The District will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the DAC will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the District from responding effectively to the bullying and preventing the bullying of other students.

## **B. Investigation and Resolution Procedure**

### **1. Stage I – Building-level Complaint Reporting and Investigation Procedure**

Whenever a complaint of bullying is received whether verbal or written, it will be subject to a preliminary review and investigation. Except in the case of severe or criminal conduct, the school building DAC shall make all reasonable efforts to resolve complaints informally at the school level. The goal of informal procedures is to end the bullying, prevent future incidents, ensure the safety of the target and obtain a prompt and equitable resolution to a complaint.

As soon as possible, but no later than three (3) school days following the receipt of a complaint the school building DAC should begin an investigation of the complaint by:

1. Reviewing any written documentation provided by the targeted individual(s).
2. Conducting separate interviews of the targeted individual(s), alleged perpetrator(s), and witnesses, if any, and documenting the conversations.
3. Providing the alleged perpetrator(s) a chance to respond and notify him/her that if objectionable behavior has occurred, it must cease immediately. The individual will be made aware of remediation opportunities as well as potential disciplinary consequences.
4. Determining whether the complainant needs any accommodations to ensure his/her safety, and following up periodically until the complaint has been resolved. Accommodations may include, but are not limited to:
  - A “permanent” hall pass that allows the student to visit a designated adult at any time;
  - Access to private bathroom facilities;
  - Access to private locker room facilities;
  - An escort during passing periods;
  - If the student feels unsafe in a specific class, an opportunity for individual tutoring or independent study until the case is resolved;
  - An opportunity for independent study at home with District-provided tutor until the case is resolved;
  - Permission to use a personal cell phone in the event that the student feels threatened and needs immediate access to parent or guardian;
  - Assignment of a bus monitor.

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, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. 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.

Parents of students who are targeted individuals and accused students should be notified within one (1) school day of allegations that are serious and/or involve repeated conduct.

Where appropriate, informal methods may be used to resolve the complaint, including but not limited to:

- a. discussion with the accused, informing him or her of the District's policies and regulations and indicating that the behavior must stop;
- b. suggesting skill building activities and/or sensitivity training;
- c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
- d. requesting a letter of apology to the target;
- e. writing letters of caution or reprimand; and/or
- f. separating the parties.

Appropriate disciplinary action shall be recommended and imposed in accordance with District policy, the applicable collective bargaining agreement or state law. School Districts should make every effort to attempt to first resolve the misconduct through non-punitive measures.

The investigator shall report back to both the targeted individual(s) and the accused, within one (1) week notifying them regarding the outcome of the investigation and the action taken to resolve the complaint. The actions taken will be in conformance with the *Remediation/Discipline/Penalties* section of this regulation. The target shall report immediately if the objectionable behavior occurs again or if the alleged perpetrator retaliates against him/her.

If a complaint contains evidence or allegations of serious or extreme bullying, or a civil rights violation, the complaint shall be referred promptly to the Superintendent. The complainant will also be advised of other avenues to pursue their complaint, including contact information for state and federal authorities.

In addition, where the Principal, the Principal's designee or the DAC has a reasonable suspicion that the alleged bullying incident involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact the appropriate child protection agency and, if appropriate, law enforcement authorities.

Any party who is not satisfied with the outcome of the initial investigation may request a District-level investigation by submitting a written complaint to the Superintendent or District-wide DAC within thirty (30) days.

**2. Stage II – District-level Complaint Reporting and Investigation Procedure**

The District-wide DAC shall promptly investigate and equitably resolve all bullying complaints that are referred to him/her, as well as those appealed to the District-wide DAC following an initial investigation. In the event the complaint involves the District-wide DAC, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to an appropriate individual, who may include the Superintendent, for investigation.

The District-level investigation should begin as soon as possible, but not later than three (3) school days following receipt of the complaint by the District-wide DAC.

In conducting the formal District-level investigation, the District will endeavor to use individuals who have received formal training regarding such investigations or that have previous experience investigating such complaints.

If a District-level investigation results in a determination that bullying did occur, prompt corrective action will be taken to end the misbehavior in accordance with the *Remediation/Discipline/Penalties* section of this regulation.

No later than thirty business (30) days following receipt of the complaint, the District-wide DAC (or in cases involving the District-wide DAC, the Board-appointed investigator) will notify the targeted individual and alleged perpetrator, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation or take appropriate action, the Superintendent or Board-appointed investigator will provide all parties with a written status report within thirty (30) business following receipt of the complaint.

Any party who is not satisfied with the outcome of the District-level investigation may appeal to the Board of Education by submitting a written request to the Board President within thirty business (30) days.

**3. Stage III – Board-level Complaint Reporting and Investigation Procedure**

When a request for review by the Board has been made, the District-wide DAC shall submit all written statements and other materials concerning the case to the President of the Board.

The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within fifteen (15) school days of the receipt of the request of the complainant.

The Board shall render a decision, in writing, within fifteen business (15) days after the hearing has been concluded.

The District shall retain documentation associated with complaints and investigations in accordance with Schedule ED-1 .

#### **IV. Remediation/Discipline/Penalties**

Any individual who violates the governing policy by engaging in bullying will be subject to appropriate action, which may include disciplinary action. Remedial responses to bullying 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:

1. Restitution and restoration;
2. Peer support group;
3. Corrective instruction or other relevant learning or service experience;
4. Changes in class schedule
5. Supportive intervention;
6. Behavioral assessment or evaluation;
7. Behavioral management plan, with benchmarks that are closely monitored;
8. Student counseling;
9. Parent conferences; or
10. Student treatment or therapy.

**Environmental remediation** may include, but is not limited to:

1. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
2. Modification of schedules;
3. Adjustment in hallway traffic and other student routes of travel;
4. Targeted use of monitors;
5. Parent education seminars/workshops;
6. Peer support groups.



**Disciplinary measures** available to school authorities include, but are not limited to the following:

- **Students**: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the Code of Conduct and applicable law.
- **Employees**: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.
- **Volunteers**: Penalties may range from a warning up to and including loss of volunteer assignment.
- **Vendors**: Penalties may range from a warning up to and including loss of District business.
- **Other individuals**: Penalties may range from a warning up to and including denial of future access to school property.

## V. **Reporting Requirements**

The District must submit to the Commissioner of Education (“Commissioner”) an annual report of material incidents of discrimination and/or harassment that occurred in the school year.

A material incident of discrimination and harassment means a single incident or a series of related incidents where a student is subjected to discrimination and/or harassment by a student and/or employee on school property or at a school function that creates a hostile environment by conduct, with or without physical contact and/or by verbal threats, intimidation or abuse, of such severe or pervasive nature that: (a) 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 (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. This conduct includes, but is not limited to threat, intimidation or abuse based upon a person’s actual or perceived race, color, eight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Such annual report to the Commissioner must be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (“BEDS”) reporting deadline or such other date as determined by the Commissioner.

The annual report must include all material incidents of discrimination and/or harassment that: (a) are the result of the investigation of a written or oral complaint made to the school Principal or other administrator responsible for school discipline, or to any other employee, including the DAC; or (b) are otherwise directly observed by the school Principal or administrator, or by any other employee regardless of whether a complaint is made.

The annual report must include information describing the specific nature of the incident including, but not limited to: (a) the type(s) of bias involved (actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or other). Where multiple types of bias are involved, they should all be reported; (b) whether the incident resulted from student and/or employee conduct; (c) whether the incident involved physical contact and/or verbal threats, intimidation or abuse; and (d) the location where the incident occurred (on school property or at a school function).

## **VI. Training**

Training needs in support of this bullying prevention and intervention program will be reflected in the District's annual professional development plan, new teacher orientation, other staff development training, in curriculum and will be considered in the budget process. The DAC, administrative employees and other staff who have specific responsibilities for investigating and/or resolving complaints of bullying shall receive yearly training to support implementation of this policy, regulation and on related legal developments.

**Approved: 8/21/12**

## **Superintendent's Regulation**

### **PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE AND MALTREATMENT**

(refers to policy #3108)

The New York State Protective Services Act of 1973 mandates that school personnel report suspected cases of child abuse and neglect to the New York State Central Register of Child Abuse and Maltreatment. Chapters 504, 544 and 545 of the Laws of 1988 introduced some revisions. Essentially, each public school district must develop, maintain, and disseminate written policies and procedures. In addition, districts are required to establish and implement a training program for current and new employees, on an on-going basis.

#### **I POLICY**

The professional staff of public schools are mandatory reporters of suspicions of child abuse and/or neglect. As mandatory reporters they are required by law to report such suspicions by phoning the Statewide Child Abuse Registry, known as the "Hotline." Failure to report such suspicions is a criminal act punishable as a misdemeanor.

In order to establish a uniform procedure for managing the reporting obligation, each report must be made by the building principal or social worker. In appropriate cases, physical evidence and/or photographs should be taken of any injuries or bruises.

Once the hotline is called, the state will contact the local child protective services for investigation. The investigation is not within the jurisdiction of school staff. However, school staff are required to cooperate with investigators; for example, interviews with the child on school premises must be allowed. The building principal may use his or her discretion to have staff remain present with the child or not, on a case by case basis.

School staff do not have the authority to detain a student. Therefore, in the event a staff member believes that the child's safety and/or welfare may be in jeopardy if the child returns home after school, the staff member must contact appropriate law enforcement officials or, in an appropriate case, hospital officials. Legally, hospital and law enforcement officials may take the child into protective custody. School officials have not been given such authority.

The Board has approved regulations developed to implement this policy.

## II REGULATIONS

### A. Definitions

1. "Abused Child" means a child under the age of eighteen whose parent or other person legally responsible for his/her care:
  - a. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ, or
  - b. creates or allows to be created a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ, or
  - c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law; allows, permits or encourages such child to engage in any act described or encourages such child to engage in any act described in certain sections of the penal law; commits any of the acts described in section 255.25 of the penal law; or allows such child to engage in acts or conduct described in Article 263 of the penal law. (Social Services Law S412 and Family Court Act S1012).
  
2. "Maltreated Child" means a child under the age of eighteen:
  - a. who has had serious physical injury inflicted upon him by other than accidental means, or,
  - b. whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his parent or other person legally responsible for his care to exercise a minimum degree of care:
    - 1) in supplying the child with adequate food, clothing, shelter or education, ... or medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or
    - 2) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by misusing a drug or drugs; or by misusing alcoholic beverages to the extent that he loses self-control of his actions; or by any other acts of a similarly serious nature requiring the aid of the court; provided, however, that where the respondent is voluntarily and regularly participating in a rehabilitative program, evidence that the respondent has repeatedly misused a drug or drugs or alcoholic beverages to the extent that he loses self-control of his actions shall not establish that the child is a neglected child in the absence of evidence establishing

that the child's physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired or

- c. who has been abandoned. (Social Services Law S412 and Family Court Act S1012).
3. "Person legally responsible for a child" includes the child's custodian, guardian or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child where the conduct of such person causes or contributes to the abuse or neglect of the child. Custodian also includes a director, operator, employee or volunteer of a residential care facility or program. (Social Services Law S412 and Family Court Act S1012).
4. Impairment of emotional health and impairment of mental or emotional condition includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out or misbehavior, including incorrigibility, ungovernability or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the respondent to exercise a minimum degree of care toward the child. (Family Court Act S1012).

## **B. General Procedure For Reporting**

3. The following persons and officials, having reasonable cause to suspect child abuse, neglect, or maltreatment, shall immediately report this to the building principal or school social worker: any physician, school official, social services worker, day care worker, child care or foster care worker, or any other members of the staff of the Oceanside Public Schools. In those instances in which the social worker has been informed of a suspicion, he or she shall immediately make a report to the building principal.
4. The principal may, as quickly as possible, but in not more than one (1) hour, call together the appropriate staff, which might include classroom teacher, attendance officer, building supervisor or administrator, guidance counselor, social worker, psychologist and/or nurse to determine whether there is reasonable cause to suspect child abuse.

3. If suspicion is confirmed that there is evidence of child abuse or maltreatment, the principal or social worker will:
  - a. report this to the Superintendent's Designee for Special Education and Pupil Personnel Services.
    - 1) If it appears that a serious medical situation is involved, the school physician will be called.
    - 2) photographs or, if medically indicated, x- rays may be taken (without parental consent).
  - b. refer the suspicion to the State Central Register at 1-800-635-1522. The State Registry will inform the school social worker of the Nassau County State Registry case number and the Registry Worker's name, and will call Nassau County Children's Protective Services Office to report the problem.
    - 1) The principal or social worker will provide the following information on the referral:
      - a) name and address of the child and his/her parents or other person responsible for his/her care;
      - b) the child's age, sex and race;
      - c) the nature and extent of the child's injuries, abuse or maltreatment, including any evidence of prior injuries, abuse or maltreatment to the child or his/her siblings;
      - d) the name of the person or persons responsible for causing the injury, abuse or maltreatment;
      - e) family composition;
      - f) source of the report;
      - g) persons making the report and where he/she can be reached;
      - h) any action taken by the reporting source;
      - i) any additional information which may be helpful.
    - 2) Once the report has been filed as indicated, a school staff member, to be designated by the building principal, shall remain with the child until the County caseworker from Children's Protective Service arrives. When the caseworker arrives, the School District's jurisdiction ceases. However, it may be helpful to the child if the designated school professional remain with him/her during the interview by the CPS worker. If the school day is nearing an end and the child has not been taken into protective custody, the building principal shall contact the Superintendent's Designee. They shall jointly review the case and decide whether or not a dangerous situation would exist if the child is allowed to return home. If the seriousness of the situation is determined to be such, the building principal shall call the local police to request that they intervene by taking

immediate action designed to remove the child from alleged dangerous situation. School personnel are not authorized to take a child into protective custody. If such action is deemed necessary, the Superintendent's Designee will inform the Superintendent immediately.

In appropriate cases, hospital officials have the right to take a child into protective custody without the consent of the parent. However, when the child is in school, the caseworker will be primarily responsible to advise the parent or legal guardian in person or by telephone that they are taking the child into custody. In the event that this is not done, the building principal shall advise the parent that the child has been taken by the Children's Protective Services.

3. a. Within forty-eight (48) hours the staff person originating the referral shall complete Form DSS-2221A, "Report of Suspected Child Abuse or Maltreatment," and mail it to Protective Services, County Seat Drive, Mineola, N.Y. 11501.
- b. One copy of the DSS-2221A will be filed in the building and one sent to the Superintendent's Designee, along with the Oceanside Public School's Report of Child Abuse or Maltreatment.
4. The Superintendent's Designee for Special Education and Pupil Personnel Services will maintain a district-wide log of CPS reports which will include a copy of Form DSS-2221A. No record will be filed with the student's records.

**C. Mandatory Reporting of Deaths Suspected to Have Been Caused by Child Abuse or Maltreatment**

Any person or official required to report cases of suspected child abuse or maltreatment, including workers of the local child protective service, who has reasonable cause to suspect that a child died as a result of child abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner. (Social Services Law S418).

**D. Legal Implications of Making or Failure To Make Mandated Reports**

II Immunity From Liability - Any person, official, or institution participating in good faith in ... the making of a report, the taking of photographs, or the removal or keeping of a child pursuant to this title shall have immunity from any liability, civil or criminal, that might otherwise result by reason of such actions. For the purpose of any proceeding, civil or criminal, the good faith of any such person, official or institution required to report cases of child abuse or maltreatment ... shall be presumed, provided such person, official or institution was acting in the discharge of their duties and within the scope of their employment, and that such liability did not result from the willful misconduct or gross negligence of

such person, official or institution. (Social Services Law S419)

2. Penalties for Failure to Report

- a. Any person, official or institution required by this title to report a case of suspected child abuse or maltreatment who willfully fails to do so shall be guilty of a Class A Misdemeanor.
- b. Any person, official or institution required by this title to report a case of suspected child abuse or maltreatment who knowingly and willfully fails to do so shall be civilly liable for the damages proximately caused by such failure.

**E. EDUCATION REGULATIONS REQUIRE THAT CHILDREN IN GRADES K-6 BE EDUCATED REGARDING AVOIDANCE OF SEXUAL ABUSE**

- 1. Plan for compliance with Commissioner's regulations Part 100, Section 100.2.
  - a. Program Objective:  
To educate children regarding avoidance of child sexual abuse.
  - b. Target Population: Students K-6
  - c. Expected Outcome(s):
    - 1. Students will understand what constitutes sexual abuse and will understand avoidance techniques.
    - 2. Students will be aware of the resources available for reporting and
    - 3. for personal assistance in resolving perceived or real problems.
    - 4. Parents will understand scope of program, content, and procedures.
  - d. Annual Assessment of Program Results:
    - 1. Teacher observations
    - 2. Parent feedback



2. Report of Suspected Child Abuse Program Description

Activities	Target Group	Staff Assigned	Others Resources Assigned	Dates of Activity
Instructional	K-6 Students	Classroom teacher, Resources of Nassau County Policy Dept. Nassau County Mental Health	Curriculum materials Health Ed. Teacher School Social Worker	October - May
Counseling	Identified Students K-6	School Nurse Teacher, School Psychologist School Social Worker	Community Agencies	Ongoing
Parent Notification	Parents K-6	Administrator	Teachers, PPS, Secretaries, Program materials	Fall Semester
Parent Meetings	Parents K-6	Administrator Health Ed.	Teachers, PPS, educator materials. Copies of the policy and procedure will be discussed with and distributed to parents at PTA meetings.	Ongoing
Staff	Teachers, PPS, non-professional staff	Administrator	Community agencies, medical personnel, State Resources, County Resources, Social Worker	Fall & Spring Semester

F. **INDICATORS OF CHILD ABUSE AND NEGLECT** (Prepared by the New York State Department of Social Services - Child Protective Services)

**Physical Abuse**

**Child's Physical Indicators**

Unexplained bruises and welts:  
on face, lips, mouth; on torso, back, buttocks, thighs;  
in various stages of healing;  
in clusters, forming regular patterns, reflecting shape of article used to inflict bruises or welts (electric cord, belt buckle);  
on several different surface areas; and regularly appearing after absence, weekend or vacation

**Unexplained burns:**

cigar, cigarette burns, especially on soles, palms, back or buttocks;  
immersion burns (sock-like, glove-like, doughnut shaped on buttocks or genitalia);  
patterned like electric burner, iron, etc.; and  
rope burns on arms, legs, neck or torso

**Unexplained fractures:**

to skull, nose, facial structure;  
in various stages of healing;  
multiple or spiral fractures; and  
swollen or tender limbs.

**Unexplained lacerations or abrasions:**

to mouth, lips, gums, eyes;  
to external genitalia; and  
on backs or arms, legs or torso

**Human bite marks**

Frequent injuries that are "accidental" or "unexplained"

**Child's behavioral indicators:**

wary of adult contacts;  
apprehensive when other children cry;  
behavioral extremes: aggressiveness, withdrawal;  
frightened of parents;  
afraid to go home;  
reports injury by parents;  
wears long-sleeved or similar clothing to hide injuries; seeks affection from any adult

### **Parent's Behavioral Indicators**

- seems unconcerned about child;
- takes an unusual amount of time to obtain medical care for the child;
- offers an inadequate or inappropriate explanation for the child's injury;
- gives different explanations for the same injury;
- misuses alcohol or drugs;
- disciplines the child too harshly considering the child's age or what he/she did wrong;
- sees the child as bad, evil, etc.;
- has a history of abuse as a child;
- attempts to conceal the child's injury;
- takes the child to a different doctor or hospital for each injury;
- has poor impulse control

### **Maltreatment**

#### **Child's Physical Indicators**

- consistent hunger, poor hygiene, inappropriate dress;
- consistent lack of supervision, especially in dangerous activities or for long periods;
- unattended physical problems or medical or dental needs;
- abandonment;
- often tired or listless;

#### **Child's Behavioral Indicators**

- begging or stealing food;
- extended stays in school (early arrival and late departure);
- attendance at school infrequent;
- constant fatigue, listlessness or falling asleep in class;
- alcohol or drug abuse;
- states there is no caretaker

#### **Parent's Behavioral Indicator**

- misuses alcohol or drugs;
- has disorganized, upsetting home life;
- is apathetic, feels nothing will change;
- is isolated from friends, relatives, neighbors cannot be found;
- has history of neglect as a child;
- exposes child to unsafe living conditions;
- evidences limited intellectual capacity

## **Emotional Neglect**

### **Child's Physical Indicators**

speech disorders;  
lags in physical development; failure  
to thrive

### **Child's Behavioral Indicators**

habit disorders (sucking, biting, rocking, etc.);  
conduct disorders (antisocial, destructive, etc.);  
neurotic traits (sleep disorders, speech disorders, inhibition of play);  
psychoneurotic reactions (hysteria, obsessions, compulsions, phobias, hypochondria);  
behavioral extremes (complaint, passive, shy, aggressive, demanding);  
overly adaptive behavior (inappropriately adult or inappropriately infantile);  
developmental lags (mental, emotional);  
attempted suicide

### **Parent's Behavioral Indicators**

treats children in the family unequally;  
does not seem to care much about child's  
problems; blames or belittles child;  
is cold and rejecting;  
withholds love;  
demonstrates inconsistent behavior toward  
child

## **Sexual Abuse**

### **Child's Physical Indicators**

difficulty in walking or sitting;  
torn, stained or bloody underclothing;  
pain or itching in genital area;  
bruises or bleeding in external genitalis,  
vaginal or anal areas;  
venereal disease (especially in pre-teens);  
pregnancy

### **Child's Behavioral Indicators**

unwilling to change for gym or participate in physical education class;  
withdrawal, fantasy or infantile behavior;  
bizarre, sophisticated or unusual sexual  
behavior or knowledge;  
poor peer relationships;  
delinquent or runaway;

reports sexual assault by caretaker

### **Parent's Behavioral Indicators**

very protective or jealous of child;  
encourages child to engage in prostitution or sexual acts in the presence of caretaker;  
misuses alcohol or other drugs ;  
is geographically isolated and/or lacking in social and emotional contacts outside the family;  
has low self-esteem

## **G. OTHER**

1. The Superintendent may request a summary report of an investigation of a case referred to Child Protective Services. The adult subject of a case of suspected child abuse, neglect or maltreatment has a right to a copy of all information in the state central register.

Personnel have the right to request that information which would identify the person making the report be withheld if furnishing such data might prove detrimental to the safety or interest of that individual.

2. If a report of child abuse or maltreatment has been determined to be unfounded, all records of the report, both in the State Central Register and in school files, must be expunged.

## **III TRAINING**

- A. Each year at a faculty meeting early in September the principals shall distribute to all professional staff the following materials:
  1. The Oceanside Policy on Child Abuse
  2. The Oceanside Regulations on Reporting
  3. Child Abuse
  4. Any other appropriate materials the principal chooses; e.g., the pamphlet Questions Teachers Often Ask about Child Abuse and Neglect, prepared by the Nassau Coalition on Child Abuse and Neglect.
- B. During this meeting, the principal will ensure that the policy and regulations are explained and discussed. The agenda for this meeting may include speakers (from staff or outside agencies) and/or media presentations on the topic for training purposes.
- C. During the year the principal will distribute materials mentioned in the above section A to any new professional staff members.

- D. The principal should ensure that all school staff understand the Oceanside School District procedures for reporting. The principal may use the steps outlined above or develop other procedures that accomplish this important objective.

Oceanside Union Free School District  
Oceanside, New York

Report of Suspected Child Abuse or Maltreatment

Name of Child \_\_\_\_\_

School # \_\_\_\_\_

SCHOOL PROCEDURES CHECKLIST

1. Reported to Principal or social worker by \_\_\_\_\_ Date: \_\_\_\_\_  
Time \_\_\_\_\_

2. Principal convenes staff conference within 1 hour of  
initial report. Date: \_\_\_\_\_  
Time: \_\_\_\_\_

3a. Principal or social worker calls Supteintendent's Designee  
for Special Education and Pupil Personnel Services. Date : \_\_\_\_\_  
Time \_\_\_\_\_

3b. Principal or social worker calls Albany Hotline: 1-800-635-1522  
Caseworker's Name \_\_\_\_\_  
Case # \_\_\_\_\_ obtained. Date: \_\_\_\_\_  
State Registry # \_\_\_\_\_ Time: \_\_\_\_\_

4a. Principal or social worker completes DSS-2221-A form and mails to  
Protective Services, County Seat Drive, Mineola,  
NY 11502, within 48 hours Date \_\_\_\_\_  
of telephone referral. Time: \_\_\_\_\_

4b. Principal or social worker sends copy of this report and DSS-2221-A  
to Superintendent's Designee for Special Education and Pupil Date: \_\_\_\_\_  
Personnel Services within two days of initial report. Time \_\_\_\_\_

5. Superintendent's Designee for Special Education and Pupil  
Personnel Services receives Date \_\_\_\_\_  
and files. Time: \_\_\_\_\_

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Signature - Principal/Social Worker

## **Superintendent's Regulation**

### **SEXUAL HARASSMENT OF EMPLOYEES**

(refers to policy 4501)

In addition to any relevant procedures contained in Policy 4 501, the following regulation will implement the Board of Education's policy concerning sexual harassment of employees.

An employee can be subject to sexual harassment by another employee, a Board member or any individual who foreseeably may come into contact with the employee on school grounds or at any school-sponsored activities.

#### Definitions

Employee shall mean all persons employed by the district as well as volunteers.

Immediate supervisor shall mean the person to whom the employee is directly responsible (e.g., Building Principal, Assistant Superintendent, Superintendent).

#### Procedures

The Board of Education shall designate the district's Title IX officer as the individual responsible for monitoring compliance with the district's policy and Superintendent's regulations regarding sexual harassment of employees. The Superintendent of Schools shall notify all employees of the name, office address and telephone number of this officer. In addition, the Board through this regulation has established procedures that provide for prompt investigation and equitable resolution of employee sexual harassment complaints.

Employees who believe they have been subjected to sexual harassment are to report the incident to the Compliance Officer designated by the Board of Education to coordinate efforts to comply with Title IX and their immediate supervisor. Should the immediate supervisor be the alleged harasser, the report shall be made to the next level of management. Incidents of sexual harassment may be reported informally or through the filing of a formal complaint.

All reports of sexual harassment will be held in confidence subject to all applicable laws and any relevant provisions found in the district's collective bargaining agreements.

Consistent with federal and state law, and all Regulation applicable provisions contained in the district's collective bargaining agreements, the following procedures shall be employed in handling any report, investigation and remedial action concerning allegations of sexual harassment.



## Investigation Of a Complaint

Upon receipt of a formal or informal complaint, a prompt, thorough and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. All witnesses shall be interviewed and if requested, the complainant shall speak with an individual of the same sex. Complainants are to be notified of the outcome of the investigation.

### Informal Complaints

In addition to notification to the Compliance Officer, employees who believe they have been subjected to sexual harassment may request that an informal meeting be held between themselves (the complainant and alleged harasser) and the appropriate supervisor (the Building Principal, Assistant Superintendent, or Superintendent). The purpose of such a meeting will be to discuss the allegations and remedial steps available. The supervisor will then promptly discuss the complaint with the alleged harasser. Should the alleged harasser admit the allegations, the supervisor is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the supervisor may recommend that further disciplinary action be taken. Thereafter, the supervisor is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the supervisor's report whether or not he/she is satisfied with the resolution.

If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported. The supervisor is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur.

Should the complainant be dissatisfied with the resolution, he/she is to file a formal written complaint.

If during the supervisor's informal attempt to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior, the supervisor is to file a report with the next appropriate level of management. The report is to indicate the nature of the complaint, a description of what occurred when the supervisor informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report should be accompanied by a formal complaint.

Should the alleged harasser deny the allegations, the supervisor is to inform the complainant of the denial and state that a formal written complaint will be required for further formal investigation. The supervisor will file a report with the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of it should accompany the supervisor's report with a recommendation for further action.

## Formal Complaints

Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the supervisor originally consulted, who will then forward it to the next appropriate level of management, e.g., the Assistant Superintendent, the Superintendent, for appropriate action.

The formal written complaint will consist of any appropriate forms and a copy of any applicable supervisor reports. The appropriate forms solicit the specifics of the complaint, e.g., date and place of incident, description of sexual misconduct, names of any witnesses, and any previous action taken to resolve the matter.

## Remedial Action

If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law, district policies, and collective bargaining agreements. Depending on the gravity of the misconduct, these may range from a reprimand up to and including dismissal from employment.

Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the district's collective bargaining agreements.

If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level in the complaint procedure. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.

## Post Remedial Action

Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. In the discretion of the district, these follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response. Even in the event that a sexual harassment complaint is deemed to be unfounded, the Title IX Officer or his designee will meet with the individuals involved and review the district's policy on sexual harassment.

## Complaint Records

Upon written request, complainants should receive a copy of any resolution reports filed by the supervisor concerning his/her complaint. Upon substantiation, copies will also be filed with the employment records of both the complainant and the alleged harasser.

Investigation in Absence Qf a Complaint

The Board will, in the absence of a victim's complaint, ensure that an investigation is commenced by the appropriate individuals, upon learning of, or having reason to suspect, the occurrence of any sexual harassment.

Notification la Compliance Officer

The Compliance Officer should be notified of the results of investigations of informal and formal complaints.

Notification 10 Staff

This policy and regulations shall be distributed and reviewed annually with staff at faculty or staff meetings.

adopted 2/23/93

## **Superintendent's Regulation**

### **SCHOOL SPONSORED CLUBS** (refers to policy #5107)

School sponsored clubs must be chartered/approved by the student government. They may not be discriminatory in any way.

Someone wishing to start a club goes to the Director of Student Projects and then sees the principal.

A faculty advisor must be appointed and present at all club functions.

A rationale/constitution is drafted for approval and use. In addition, a minimum of 20 students must sign-up in advance for the club to be considered. Attendance is then carefully monitored at meetings.

The club must follow the policies of the Board of Education - numbers 5107, 5107.1, and 5107.2.

**HB**

June 24, 1997

## Superintendent's Regulation

### ELIGIBILITY POLICY

#### Grade 9-12

(Refers to Policy #5117)

The regulations stated here apply to all students involved in the Co-curricular and Interscholastic Athletic programs in grades 9-12. These regulations do not apply to credit bearing activities or activities related to that which appears on the grades 9-12 transcript.

- I. Students absent from school may not participate in an after school activity on that day. To participate a student must be present in school by 11:00 a.m. It is the principal's responsibility to establish appropriate procedures to keep coaches and advisors informed of the classroom and school attendance of the students participating in after-school activities. It is the coach's/advisor's responsibility to share this information with the students in an effort to improve student attendance in school and class and to increase student learning.
- II. If a student violates the school's rules of behavior and the behavior results in either an in-school or out-of-school suspension from one to five days' duration, the student is also suspended from up to five days of any after school, weekend, and/or recess activity that he or she is involved with at that time.
  - A. In addition, any suspension from co-curricular activities must include at least one but not more than two suspensions from major contests, debates, performances or games, even if this activity occurs after the school suspension period.
  - B. If the violation of school rules involves alcohol or drugs (controlled substances), it is further required that:
    1. the student will attend a meeting with a member of the pupil personnel team;
    2. the student will attend appropriate counseling;
    3. the student and parents will meet with the Principal or Associate Principal and the advisor/coach; and

Students who fail to comply with the above mandates may be precluded from participation in co-curricular activities.

A student with two infractions may not be a participant in after school activities for one calendar year.

- III. To support our primary mission — schooling — it is the responsibility of each student who participates in co-curricular activities, and who falls into probation by achieving less than a 65 average in any subject, to:
  - A. distribute and collect the bi-weekly academic report sheet from each of their teachers and give this report (which is designed to communicate academic progress) to their coach/advisor when they fall into probation;
  - B. demonstrate commitment to attend at least one available extra help session in every class in which they have an average below 65;

- C. show certification of item B above on the bi-weekly academic report; and
- D. continue attending needed extra help until all grades are 65 or above.

Failure to comply A-D for two consecutive academic reports will result in ineligibility to participate in co-curricular activities until an academic report demonstrates compliance.

It is the principal's responsibility to develop an appropriate bi-weekly "Academic Report Form" and "Probation Letter" and to ensure their use and adherence to the intent of this regulation. It is the responsibility of the Principal to establish, in collaboration with the teaching staff, appropriate communication procedures which will ensure the success of this effort.

It is the coach's/advisor's responsibility to diligently collect the bi-weekly academic reports of students on probation and use this information with the students in an effort to improve student academic success.

The principal or the coach/advisor shall contact the parent or parents to enlist their support in the efforts of the school personnel to help the affected child reach excellence by parents' providing quiet study time and all necessary materials, as well as maintaining regular contact with their child's teachers.

- IV. Students affected by the above regulations will have the right to appeal from a determination of ineligibility. There is to be an Appeal Board composed of the High School Principal, the appropriate administrative Director, Student Projects Director, a coach or advisor of an activity other than the activity in which the student is involved, and a teacher who is not a coach or advisor. The Principal is responsible for establishing appropriate procedure for:
  - A. ensuring student and parent timely access to the appeals process;
  - B. working with the teacher and representatives in establishing a list of available teacher panelists; and
  - C. conducting the appeals process in a timely and meaningful manner.

- V. These regulations should be reviewed annually.

## GRADES 7–8

The regulations stated here apply to all students involved in the co-curricular and interscholastic activities in Grades 7 – 8.

I. Students absent from school may not participate in an after school activity on that day. To participate, a student must be present in school by 11:00 a.m. It is the principal's responsibility to establish appropriate procedures to keep coaches and advisors informed of the school attendance of the student participating in after school activities. It is the coach's/administrator's responsibility to share this information with the student in an effort to improve student attendance in school.

II. If a student violates the school rules of behavior and if the behavior results in an in-school or out-of-school suspension of at least one day's duration, the student will be suspended from the after-school or weekend activities that existed during the length of the suspension.

- A. Coaches/advisors will be made aware of students who are sent to Time-out Room and will be expected to use information to encourage appropriate behavior. At the discretion of the coaches/advisors, students who are time-out may be prevented from participation in after-school activities.
- B. If the violation of school rules involves alcohol or drugs (controlled substances), it is further required that:
  - 1. the student will attend a meeting with a member of the pupil personnel team;
  - 2. the student will attend appropriate counseling;
  - 3. the student and parents will meet with the principal and the coach/advisor; and

Students who fail to comply with the above mandates may be precluded from participation in co-curricular activities.

Students with two alcohol or drug-related infractions will be suspended from participation in co-curricular activities. The length of the suspension, not to exceed one year, will be determined by the principal after a meeting with the principal, student's parent(s), team leader, coach/advisor and counselor.

III. It is the intent of the Middle School program to promote academic success. It is the intent of these regulations to support our primary mission, which is to help each student reach his/her academic potential.

Within the framework of the middle school, all students who are experiencing academic difficulty, as indicated by impending multiple failures, are discussed at team meetings and are offered any number of interventions, referred to here as the Individualized Intervention Plan.

Students for whom Individualized Intervention Plans are designed will be considered as being on academic probation. Appropriate notification will be given to parents.

It is the responsibility of each student who participates in after-school activities to follow the Individualized Intervention Plan designed for him/her. This may include:

- A. sharing the academic report sheet given to them by their team leader with their coach/advisor and returning signed sheet to teacher(s);
- B. attending extra-help classes, homework clinic, or participating in volunteer tutoring programs as prescribed by the teacher; and
- C. showing certification of above on the academic report sheet.

It is the Principal's responsibility to develop an appropriate Academic Report Form and to ensure its use. It is the responsibility of the Principal to establish, in collaboration with the teaching staff, appropriate communication procedures which will ensure the success of this effort.

It is the teacher's responsibility to develop appropriate Individualized Intervention Plans. This may include attending in/or after-school, extra-help sessions, homework clinics, or participating in our volunteer tutoring program.

It is the student's responsibility to be an active participant in his/her individualized plan for improvement.

It is the coach's/advisor's responsibility to monitor the academic report sheet and to encourage student to follow Individualized Intervention Plan.

The Principal or coach/advisor shall contact the parent to enlist their support in an effort with the school personnel to help the affected child achieve academic success by parents' providing quiet study time and all necessary materials, as well as parents' maintaining regular contact with their child's teachers.

In addition to the above, it is expected that that coaches/advisors, like all middle school staff, will accept responsibility for the success/achievement of all students on their team or in their club, and that the coaches/advisors will assume a pro-active role in dealing with all students.

Students who do not participate in the Individualized Intervention Plan as indicated above will be referred to the Principal who may declare the student ineligible to participate in co-curricular activities until an academic report demonstrates compliance.



IV. Students affected by the above regulations will have the right to appeal from a determination of ineligibility. There is to be an Appeal Board composed of the Principal, the appropriate administrative director, Students Projects Director, a coach or advisor of an activity other than the activity in which the student is involved, and a teacher who is not a coach or advisor. The Principal is responsible for establishing appropriate procedures for:

- A. enabling student and parent timely access to the appeals process;
- B. working with the teacher representatives in establishing a list of available teacher panelists; and
- C. conducting the appeals process in a timely and meaningful manner.

V. These regulations should be reviewed annually.

12/31/91

3/24/00

## Superintendent's Regulation

### SEXUAL HARASSMENT OF STUDENTS 5118R

In addition to any relevant procedures contained in Policy 5118, the following regulation will implement the Board of Education's policy concerning sexual harassment of students.

A student can be subject to sexual harassment by a student, employee, board member or any individual who foreseeably might come in contact with the student on school grounds or at school activities. Sexual harassment experienced by students is not always easily recognized. The following are examples of sexual harassment one should be aware of when dealing with a complaint of alleged sexual harassment:

1. unwanted sexual behavior, which may include touching, verbal comments, sexual name calling, spreading sexual rumors, gestures, jokes, picture, leers, overly personal conversation, cornering or blocking student's movement, pulling at clothes, attempted rape and rape;
2. a female student in a predominantly male class subjected to sexual remarks by students or teachers who regard the comments as joking and part of the usual classroom environment;
3. impeding a girl's progress in classes, such as industrial arts, by hiding her work, questioning her ability to handle the work or suggesting she is somehow "abnormal" for enrolling in such a class;
4. purposefully limiting or denying female students access to educational tools, such as computers; and
5. teasing a male student about his enrollment in a home economics class.

#### Definition

Employee shall mean all persons employed by the district as well as volunteers.

#### Procedures

The Board of Education shall designate the district's Title IX officer as the individual responsible for monitoring compliance with the district's policy and Superintendent's regulations regarding sexual harassment of students. The Regulation 5118R - P.2

Superintendent of Schools shall notify all students and employees of the name, office address and telephone number of this officer. In addition, the Board through this regulation has established procedures that provide for prompt investigation and equitable resolution of student sexual harassment complaints.

The Superintendent shall implement specific and continuing steps to notify students, parents, employees, and prospective students or employees that the school district does not discriminate on the basis of sex in the educational programs or activities which it operates as required by Title IX. Such notification may include publication in: local newspapers; newspapers and magazines operated by the district or by student, alumnae, or alumni groups for or in connection with the district; and memoranda or other written communications distributed to every student and employee.

Students who believe they have been subjected to sexual harassment are to report the incident to the Compliance Officer. The Compliance Officer shall notify the Building Principal and the Superintendent of all complaints. The student can pursue his/her complaint informally or file a formal complaint.

All reports of sexual harassment will be held in confidence subject to all applicable laws and any relevant provisions found in the district's policy manual and collective bargaining agreements.

Consistent with federal and state law, and all applicable provisions contained in the district's collective bargaining agreements, the following procedures shall be employed in handling any report, investigation and remedial action concerning allegations of sexual harassment.

### **Investigation of a Complaint**

Upon receipt of a formal or informal complaint, a prompt, thorough and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. All witnesses shall be interviewed and if requested, the complainant shall speak with an individual of the same sex. Complainants are to be notified of the outcome of the investigation.

### **Informal Complaints**

In addition to notification to the Compliance Officer, students who believe they have been subjected to sexual harassment may request that an informal meeting be held Regulation 5118R - P.3 between themselves (the complainant and alleged harasser) and the Building Principal or Superintendent. The student may also request a meeting with a counselor or administrator of the same sex. Parents or guardians of the student shall be notified of their right to attend the interview with their child. The purpose of such a meeting will be to discuss the allegations and remedial steps available.

The Building Principal or Superintendent will then promptly discuss the complaint with the alleged harasser. The alleged harasser shall be informed of his/her right to representation by counsel.

Should the alleged harasser admit the allegations, the Building Principal or Superintendent is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the Building Principal or Superintendent may impose further disciplinary action. Thereafter, the Building Principal or Superintendent is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the report whether or not he/she is satisfied with the resolution.

If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported. The Building Principal or Superintendent is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur. Should the complainant be dissatisfied with the resolution, he/she is to file a formal written complaint.

If during the Building Principal or Superintendent's informal attempt to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior, the Building Principal or Superintendent is to file a report with the next appropriate level in the complaint procedure. The report is to indicate the nature of the complaint, a description of what occurred when the Building Principal or Superintendent informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report should be accompanied by the student's formal complaint.

Should the alleged harasser deny the allegations, the Building Principal or Superintendent is to inform the complainant of the denial and request a formal written complaint to file with his/her report to the next level of Regulation 5118R - P.4management on what has transpired to date. If the complainant submits a formal complaint, a copy of the complaint shall accompany the Building Principal's or Superintendent's report with a recommendation for further action.

### **Formal Complaints**

Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the Building Principal or Superintendent originally consulted, who will then forward it to the next appropriate level of management, e.g., the Superintendent or the Board of Education, for appropriate action.

The formal written complaint will consist of any appropriate forms and a copy of any applicable Building Principal or Superintendent reports. The appropriate forms solicit the specifics of the complaint, e.g., date and place of incident, description of sexual misconduct, names of any witnesses, and any previous action taken to resolve the matter.

The Superintendent or the Board shall take immediate, appropriate and corrective action upon a determination of sexual harassment. The Superintendent or the Board shall notify the complainant of any findings and action taken.

### **Remedial Action**

If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law, district policies and regulations and collective bargaining agreements. Depending on the gravity of the misconduct, sanctions may range from a reprimand up to and including dismissal of an employee or suspension of a student.

Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the district's policy manual or collective bargaining agreements. If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level in the complaint procedure. The appeal must include a copy of the original Regulation 5118R - P.5 complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.

### **Post Remedial Action**

Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate supervisory personnel to ensure that the harassment has not resumed and that no retaliatory action has occurred. In the discretion of the district, these follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response. Even in the event that a sexual harassment complaint is deemed to be unfounded the Title IX Compliance Officer or his designee will meet with the individuals involved and review the district's policy on sexual harassment.

### **Complaint Records**

Upon substantiation, copies of resolution reports will be filed with the student or employment records of both the complainant and the alleged harasser.

### **Investigation in the Absence Of a Complaint**

The Board will, in the absence of a victim's complaint, ensure that an investigation is commenced by the appropriate individuals, upon learning of, or having reason to suspect, the occurrence of any sexual harassment.

### **Notification IQ Compliance Officer**

The Compliance Officer should be notified of the results of investigations of informal and formal **complaints**.

### **Notification IQ Staff**

This policy and regulations shall be distributed and reviewed annually with staff at faculty or staff meetings.

**Notification t Students**

Students will be provided with age-appropriate information regarding sexual harassment.

## **Superintendent's Regulation**

### **DRUGS AND ALCOHOL**

(refers to policy#3108)

No person may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia, on school grounds or at school sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall be construed throughout this policy to refer to the use of all substances including, but not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, 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. It shall also be the policy of the District to prohibit smoking in all public access areas of the schools and administrative buildings under its control (see Board policy #6407).

Additionally, the following persons shall be prohibited from entering school grounds or school sponsored events: any person exhibiting behavior, conduct, or personal or physical characteristics indicative of having used or consumed alcohol or other substances.

## Primary Prevention

The intent of primary prevention programming is to prevent or delay the onset of alcohol, tobacco, and other substance use by students. The components of this programming shall include:

1. A sequential K-12 prevention curriculum that provides for:

Accurate and age appropriate information about alcohol, tobacco, and other substances, including the physical, psychological, and social consequences of their use/abuse.

Information about the relationship of alcohol and other substance use/abuse to health-compromising issues such as AIDS, teenage pregnancy, eating disorders, child abuse, suicide, and dropping out of school.

Helping students develop appropriate life skills to resist the use of alcohol and other substances and to promote healthy life styles.

Helping students identify personal risk factors for alcohol and other substance use/abuse and the steps needed for risk reduction.

Helping students develop positive self-concepts.

Helping students identify when they are under stress and how to manage or reduce stress through non-chemical means.

2. Training school staff, parents and guardians to use the information and skills necessary to reinforce the components of this policy in the home, school and community.
3. Community education about the issues of alcohol, tobacco, and other substance use/abuse as a basis for providing a consistent message to district youth.
4. Positive alternatives to alcohol and other substance use/abuse, such as peer leadership programs, service projects, and recreational and extra-curricular activities. Such activities will be planned collaboratively by students, school staff, parents, community members, and agencies.



## **Intervention**

The intent of intervention programming is to eliminate any existing use/abuse of alcohol and other substances and to identify and provide supportive services to kindergarten through 12th grade students at high risk for such use/abuse. The components of such programming shall include:

1. Providing alcohol and other substance use/abuse assessment and counseling services for students.
2. Developing a referral process between District schools and community providers.
3. Identifying and referring students to appropriate agencies when their use/abuse of alcohol and/or other substances requires counseling and/or treatment.
4. Making available services to students in or returning from treatment to assure that the school environment supports the process of recovery initiated in the treatment program.
5. Providing individual, group counseling as well as family support services targeted at students at high risk for alcohol and/or other substance use/abuse.
6. Educating parents on when and how to access the District's intervention services.
7. Confidentiality.

## **Disciplinary Measures**

Disciplinary measures for students found to have used or to be using, in possession of, selling, or distributing alcohol and/or other substances and for students possessing drug paraphernalia are outlined in the District's policy on Student Rights and Responsibilities. Similar disciplinary measures for District staff are addressed in Education Law 1711 (5) (e), 2508 (5), 3020-a, and 913.

Students who are disciplined for any of these infractions will be mandated to the intervention services established by this policy.

Students who are caught in possession of or using controlled substances should be dropped from any athletic extracurricular activities for the balance of the school year.

## **Staff Development**

The Board recognizes that if the administrative, instructional, and non-instructional staff are to be responsible for understanding, implementing and modeling this policy, they must be trained about the components of an effective alcohol and other substance prevention program. Staff training will be an on-going process including the following:

1. For all staff an understanding of: a) why individuals use and abuse alcohol and other substances, (b) their role in implementing this policy, including how to identify students who exhibit high risk behaviors or who are using/abusing alcohol and other substances, and how to refer these students to the appropriate services established by this policy, (c) personal risk factors for alcohol and other substance use/abuse so that they may identify personal use/abuse problems and seek assistance, (d) the special needs of students returning from treatment, (e) how to support the application of prevention concepts through programming targeted at the school, home, and community.
2. Additionally for teachers: the knowledge and skills necessary to implement the District's K-12 alcohol and other substance prevention curriculum.
3. For intervention staff: appropriate staff training for those identified to carry out the intervention function to assure that their assessment, individual, group, and family counseling and referral skills support the needs of high risk, using, and abusing youth.
4. For prevention staff: appropriate staff training to assure that they have the necessary knowledge and skills to support the application of prevention concepts through programming targeted at the school, home, and community.

## **Drug-Free Workplace**

1. The preparation and publication of a statement certifying to Federal agencies to which the District applies for direct grant assistance that the District has taken steps and will continue to take steps to maintain a Drug-Free Workplace;
2. The establishment of and periodic communication with staff a "drug-free awareness program" designed to inform employees about (a) the dangers of drug abuse in the workplace; (b) the policy of maintaining a drug-free workplace; (c) drug counseling or rehabilitation and employee assistance programs available to the employee through the District; and, (d) the penalties for violating the drug-free workplace policy;
3. The publication of a statement notifying District employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace, which statement shall include the specific actions to be taken against employees who violate the prohibition and which statement shall be

distributed to each employee;

4. The notification to each employee that as a condition of employment each employee shall abide by the District's drug-free workplace policy and shall be required to notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace within five days of the conviction;
5. The establishment of provisions for the notification of such criminal drug statute conviction to the Board of Education and the Federal agency making the grant within ten days after receiving notice of the conviction;
6. The establishment and implementation of appropriate disciplinary action to be taken within 30 days of receiving notice of such conviction for criminal drug statute violations, up to and including termination, and/or requiring the satisfactory participation in drug abuse assistance or rehabilitation programs approved for such purposes by federal, state, or local health, law enforcement or other appropriate agency;
7. The District's continued good faith efforts for maintaining a drug-free workplace through the implementation of the regulations to be adopted.

**Legal Reference:** Drug-Free Workplace Act 1988 (41 U.S.C. 7701 . seq.. Subtitle D of the Anti-Drug Abuse Act of 1988)

adopted 7/24/90

## **INTEGRATED PEST MANAGEMENT**

(refers to policy #6408)

The Board of Education ("Board") recognizes there is no greater concern than the safety of students, staff and residents who utilize the facilities and grounds of the School District. The Board is concerned with the potential health and safety risks posed by indiscriminate use of pesticides in and around schools of the District. To this end, the Board authorizes Integrated Pest Management ("I.P.M.") techniques to insure environmentally safe buildings and grounds.

The following steps are examples of practices which will be followed to reduce exposure to pesticide and insecticide chemicals as defined in the I.P.M. policy:

- Observation traps shall be regularly used in problem areas to monitor the situation.
- Elimination of routine spraying/fogging.
- Selection of the most natural and least toxic chemicals for applications.
- The use of New York State and Department of Environmental Conservation certified contractors.
- Elimination of fogging and spraying for head lice.
- Implementation of engineering controls to prevent pests from entering the building.
- Whenever possible I.P.M. procedures will be used when school is not in session.

### **I. Notification Procedures**

- A. Residents of the community shall be notified annually in writing of the District's policy with the following notice:  
"The Oceanside Union Free School District has adopted an Integrated Pest Management System in accordance with the New York State Attorney General's recommendation. This program dictates that the most natural, least toxic pesticides will be used only when absolutely necessary. As part of the notification process, signs will be posted in the main offices each time it is necessary to apply a pesticide/insecticide. The notice will be posted at least 24 hours

before application and remain up for 48 hours after application. Warning notices will also be posted in the immediate area where any chemicals are applied. For further information, please contact the District's Director of Facilities and Operations.

B. Building occupants shall be notified by the following means:

"Pesticide Application Notice": - This notice shall, along with the Material Safety Data Sheet and product label, be posted in the main offices at least 24 hours before any application and remain posted for 48 hours after the application.

"Warning Pesticide Application" - The notice shall be posted in the immediate area of the application and shall remain posted for a minimum of 24 hours after the application is completed.

## **II. Procedures for the Use of Pesticides/Insecticides**

A. An I.P.M. application will be considered only when:

1. Staff has notified building administrators that they feel a problem exists.
2. Facilities staff have reviewed the problem area and determined that remedial action is necessary. In many cases eliminating the source and entrance route may eliminate the problem.
3. If the need for a New York State Certified Applicator exists, he/she will review the area and recommend appropriate action to the District.
4. These recommendations will be reviewed by the Director of Facilities and Operations and the building Principal and shall only take place when they agree no other alternatives are available. The alternate for the Director of Facilities and Operations shall be the Supervisor of Operations and for the Principal shall be the Head Custodian. The second alternate for both parties shall be the Assistant Superintendent for Business.
5. In cases where an agreement cannot be reached, the District's Safety Officer shall be consulted.

6. All posting notice procedures have been followed.
  7. Applications take place during OFF hours, preferably Friday evenings.
- B. In the event of unusual or emergency conditions, it may be necessary to take immediate corrective action to ensure the safety of building occupants. In these cases the safety officer or his/her designee will be consulted for a course of action to be taken.

### **III. Record Keeping**

- A. The Director of Facilities of Operations shall maintain detailed records of any pesticide/insecticide applications. This information shall include location, date, problem-insect/rodent, chemical used, whom the chemical was applied by, application license number, M.S.D.S. and posting notification.
- B. The Material Safety Data Sheet (M.S.D.S.) and/or product label will contain the following:
  1. The material's physical properties or fast acting health effects that make it dangerous to handle.
  2. The level of protective gear recommended.
  3. The first aid treatment to be provided if an individual is exposed to a hazard.
  4. The pre-planing necessary for handling spills, fires, and day-to-day operations.
  5. How to respond to an accident.

#### References:

N.Y.S. Attorney General Publication  
E.P.A. Publication  
Environmental Conservation Law. Article 33

**Regulation Adopted: 8/19/96**

**GAS CREDIT CARDS**  
(Refers to Policy #6108.2)

1. The Assistant Superintendent For Business, and/or his designee, shall monitor all gas credit card usage. Gas credit card usage shall be analyzed and a written report shall be submitted to the Board of Education annually in July.
2. The following employees shall have District-wide gas credit cards:

(SEE SCHEDULE ATTACHED)

3. Employees must take proper care of the gas credit cards and take all reasonable precautions against damage, loss or theft. Any damage, loss or theft must be reported immediately to the Business Office and to the appropriate financial institution.
4. Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature, or violate the intent of this policy shall result in credit card revocation and, as appropriate, user shall be subject to disciplinary action. Reimbursement shall be made to the Business Office for all such purchases.
5. Itemized receipts with license plate numbers and the current mileage indicated must be submitted to the Business Office at a minimum of once a month.

5/23/05





# **SUPERINTENDENT'S REGULATION**

## **STAFF USE OF CELLULAR PHONES**

(Refers to Policy #6109)

1. The following employees shall have access to a cellular phone at District expense:
  - a. Superintendent
  - b. Assistant Superintendents
  - c. Director of Facilities/Assistant Director of Facilities
  - d. Additional District personnel (see schedule attached)
2. List of job titles requiring District-owned cellular phones and the level of service contract shall be maintained in the Business Office and a written report shall be submitted to the Board of Education annually in July.
3. The Assistant Superintendent for Business, and/or his designee, shall monitor all cellular phone usage, annually evaluate the cost and effectiveness of the cellular telephone plan, and shall report this information to the Board of Education in July.
4. In the event there are overages caused by personal use, users shall reimburse the cost of the overage on a per rate basis.
5. Employees shall take proper care of cellular phones and shall take all reasonable precautions against damage, loss or theft. Any damages, loss or theft shall be reported immediately to the Business Office.

5/23/05

(Amended 7/5/06)

**STAFF USE OF CELLULAR PHONES**

(Attachment Refers to Policy #6109)

d. Additional District personnel

<b><u>Nextel User</u></b>	<b><u>User Type</u></b>
Maintenance Supervisor	Full Plan
Maintenance Foreman	Full Plan
District Messenger	Full Plan
District Security	Full Plan
District Security	Full Plan
District Security	Full Plan
Head Custodian 2	Incoming/Radio Only
Head Custodian 3	Incoming/Radio Only
Head Custodian 4	Incoming/Radio Only
Head Custodian 5	Incoming/Radio Only
Head Custodian 6	Incoming/Radio Only
Head Custodian 7	Incoming/Radio Only
Head Custodian 8	Incoming/Radio Only
Assistant Head Custodian 6	Incoming/Radio Only
Assistant Head Custodian 9	Incoming/Radio Only
Assistant Head Custodian 7	Radio Only
Assistant Head Custodian 6	Radio Only
Assistant Head Custodian 9	Radio Only
District Grounds	Radio Only
District Grounds	Radio Only
District Grounds	Radio Only
District Grounds	Radio Only
District Grounds	Radio Only
District Maintenance	Radio Only
District Maintenance	Radio Only
District Maintenance	Radio Only
District Maintenance	Radio Only
District Maintenance	Radio Only
District Maintenance	Radio Only
District Maintenance	Radio Only
District Base Station	Radio Only
District Network Administrator	Radio Only
District Network Specialist	Radio Only
District Network Specialist	Radio Only

5/23/05

**CONFERENCES**  
(Refers to Policy #6111)

Funds are allocated in the School budget for staff and Board members to attend conferences and District events. The District will pay the actual and necessary conference expenses, including meals, travel, registration fees and lodging for all employees and School Board members who have been authorized to attend conferences. Caps on costs for employees in the Teachers' Union and the Administrators' Union that have been mutually agreed to will prevail.

In order to get reimbursed, employees are required to submit receipts for any meals, registration fees, travel and lodging that have not already been prepaid.

The School District will not pay for travel, lodging expenses or meals for a spouse. If a spouse attends a conference, that person must make direct payment and may not reimburse the School District.

Extending official school travel for personal reasons is not precluded. Additional costs associated with such travel must be incurred by the individual, not the School District. Extension of official travel is permitted provided there is no additional cost to the School District. All documentation, with evidence that the School District incurred no additional cost, should be submitted to the Business Office.

5/23/05

SUPERINTENDENT'S REGULATIONS

**WELLNESS – SETTING NUTRITION EDUCATION GOALS**  
(Refers to Board Policy #6901)

**I. Setting Nutrition Education Goals**

- Establish a school-based Wellness Committee, which will meet on a monthly basis; participants may include: administrators), teacher(s), parent(s), school nurse, food services personnel, student(s), pupil personnel staff, and others.
- Investigate a comprehensive nutrition education curriculum K-12 that can be integrated into the district's curriculum.
- Collaborate with outside agencies, such as South Nassau Communities Hospital, to provide nutrition education opportunities, including professional development for staff and workshops for students.
- Promote and display healthier foods options prominently in the food service areas; prominently display nutritional information about items being served.
- Examine, streamline and publicize strategies for parents on the exercise of parental discretion or control of choices offered by food services
- Provide the community with nutritional information in a variety of ways, including but not limited to: the distribution of Wellness Committee Newsletters, Parent and School Seminars (PASS), PTA forums, school-based or district-wide Health Fair, etc.
- Distribute information to parents and classroom staff regarding healthy snack options for consumption in school.

- Schedule specific workshops for Health Education and Family & Consumer Science (FACS) staff related to the teaching of good nutrition practices.
- Schedule general workshops for all other staff that encourage an appropriate nutritional environment.

## **II. Setting Physical Activity Goals**

- Expand intramural programs and other after school physical activities.
- Continue to examine scheduling options at the High School to provide optimum balance of class size and grade level distribution in physical education classes.
- Investigate and promote walk-to-school programs for parents and groups of children.
- Promote additional parent-child activity programs.
- Provide elementary physical education teachers with opportunities to promote games of low organization (minimal rules/equipment/strategies) for staff responsible for playground supervision.

## **III. Establishing Nutrition Standards for All Foods Available on School Campus**

### **During the School Day**

- Consider and encourage ceremonies and observances that recognize important days/dates without the use of food.
- Promote the use of healthier alternatives as food rewards when called for on an Individual Education Program (IEP) or Behavior Intervention Plan (BIP).
- Encourage non-food based fundraising; share examples of best practices and successes with student and parent organizations.
- Allow for food-based fundraising (without limitation by the building or district) where the food items are sold directly to parents and not for consumption on school grounds.
- Establish a process for approval by the building Wellness Committee for all food-based fundraising where items are being sold to students; encourage healthy options.
- Limit vending machine snacks available to students to items that meet the *Choose Sensibly* guidelines.
- Vending machine beverages available to students will be limited to juice and water.
- Promote the sale of snacks by the cafeteria program to those that meet the *Choose Sensibly* guidelines, including beverages such as juice, milk, water, and Snapple (secondary schools only).

## **IV. Setting Goals for Other School-Based Activities Designed to Promote Student Wellness**

- Provide an opportunity for student government to discuss food service offerings, influence the adoption of new food items, and participate in the marketing of such new items to the general student body.
- Continue to support membership in the NYS Healthy School Leadership Institute.
- Consider staff wellness opportunities such as health screenings, smoking cessation programs and related services.
- Arrange for the participation of one representative from each school's Wellness Committee in the district's Drug Advisory/Wellness Council (DAWC).

# SUPERINTENDENT'S REGULATIONS

## INDEX

<b>Acquired Immune Deficiency Syndrome</b> Refers to Policy #3505	14 a-d
<b>Administering Medication to Students in School</b> Refers to Policy 3506	15 a-g
<b>Attendance</b> Refers to Policy 3104	1 a-e
<b>Attendance in Credit-Bearing High School Classes</b> Refers to Policy 3104	2 a-c
<b>Conferences</b> Refers to Policy #6111	25 a
<b>Discipline</b> Refers to Policy 3108	3 a-n
<b>Drugs and Alcohol</b> Refers to Policy 6408	21 a-e
<b>Eligibility – Grades 9 –12</b> Refers to Policy 5117	19 a-e
<b>Funding Extra Curricular Contest Winners</b>	6 a
<b>Gas Credit Cards</b> Refers to Policy #6108.2	23 a-b
<b>Harrassment/Bullying/Dignity for All Students</b> <b>Refers to Policy 3108.2</b>	<b>15 h-p</b>
<b>High School Senior's Status: Transcripts, Class Rank, GPA, Valedictorian, Salutatorian</b> Refers to Policy 3122	8 a-b
<b>Homebound Instruction</b> Refers to Policy 3300	13 a-c
<b>Homework</b> Refers to Policy 3203	11 a-c
<b>Integrated Pest Management</b> Refers to Policy 6408	22 a-c
<b>Limited English Proficiency Instruction</b> Refers to Policy 3202.6	10 a-d

<b>Passing Regents Exam – Failing Course</b> Refers to Policy 3110	5 a
<b>Procedure for Exclusion of Non-Resident Children</b> Refers to Policy 3113	7 a-b
<b>Procedures for Reporting Suspected Child Abuse &amp; Maltreatment</b> Refers to Policy 4204	16 a-m
<b>Programs for Children with Disabilities</b> Refers to Policy 3202.4	9 a-e
<b>School Sponsored Clubs</b>	18 a
<b>Sexual Harassment of Employees</b> Refers to Policy 4501	17 a-d
<b>Sexual Harassment of Students</b> Refers to Policy 5118	20 a-e
<b>Staff Use of Cellular Phones</b> Refers to Policy #6109	24 a-b
<b>Student Suspensions</b> Refers to Policy 3108.2	
<b>Tutoring Guidelines</b> Refers to Policy 3204	12 a-c
<b>Wellness – Setting Nutrition Education Goals</b> Refers to Policy #6901	26 a-b

Rev. 8/21/12

