

FOREWORD

Contained herein are the regulations and/or procedures formulated by the administrators of the Kenmore-Town of Tonawanda Union Free School District.

The organizing system in this manual utilizes the same numerical coding as in the Kenmore-Town of Tonawanda Union Free Policy Manual. Each regulation is followed by the letter "R" and each procedure is followed by the letter "P". Any forms relating to the topics are followed by the letter "F".

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
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SECTION 5000	NON-INSTRUCTIONAL/BUSINESS OPERATIONS
SECTION 6000	PERSONNEL
SECTION 7000	STUDENTS
SECTION 8000	INSTRUCTION

Kenmore-Town of Tonawanda Union Free School District

NUMBER

COMMUNITY RELATIONS

(Section 3000)

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VIOLENT AND DISRUPTIVE INCIDENT REPORT (VADIR) FORM
(Duplicate this page as necessary)

Make additional copies of this form as needed. Do not send copies of this form to SED. Summary results for all reportable incidents occurring during the school year, between July 1 and June 30, should be reported on the following Fall Basic Educational Data System (BEDS) School Data Form.

SCHOOL NAME _____

1. DESCRIPTION OF INCIDENT:

2. CATEGORY OF INCIDENT (Select one) - If the incident involves more than one category, the choice is determined by the building official(s)/police handling the matter. (The bold characters to the right of each item indicate the sections in the Summary of Violent and Disruptive Incidents on the BEDS School Data Form in which tallies of the corresponding incidents will be entered.)

- | | |
|--|--|
| <input type="checkbox"/> (a) Homicide A(1a) | <input type="checkbox"/> (f) Use, Possession, or Sale of Drugs or Alcohol A(1f) |
| <input type="checkbox"/> (b) Weapons (Possession Only) A(1b) | <input type="checkbox"/> (g) Bomb Threat, False Alarm, Arson, or Riot A(1g) |
| <input type="checkbox"/> (c) Weapons Use A(1c) | <input type="checkbox"/> (h) Theft A(1h) |
| <input type="checkbox"/> (d) Personal Injury and Intimidation A(1d) | <input type="checkbox"/> (i) Burglary A(1i) |
| <input type="checkbox"/> (e) Sexual Offenses A(1e) | <input type="checkbox"/> (j) Criminal Mischief A(1j) |

3. DATE AND TIME OF INCIDENT _____

4. LOCATION OF INCIDENT _____

5. INCIDENT OCCURRED (Check one item under each column)

Location

- (a) On school property **A(2)**
 (b) On school transportation **A(3)**
 (c) At school-sponsored function
off school grounds **A(4)**

Time

- (d) During regular school hours **A(5)**
 (e) Before or after regular school hours **A(6)**

6. INCIDENT WAS (Check all that apply)

- (a) Bias related **A(7)**
 (b) Drug related **A(8)**
 (c) Gang Related **A(9)**
 (d) Other **A(10)**

(Continued)

VIOLENT AND DISRUPTIVE INCIDENT REPORT (VADIR) FORM (Cont'd.)
(Duplicate this page as necessary)

7. VICTIMS

Enrolled Students A(11)

	Name	Grade	Age
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

School Personnel A(12)

1	Name	Position
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

Others (Include Unknown) A(13)

1	Name	Position
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

(Continued)

VIOLENT AND DISRUPTIVE INCIDENT REPORT (VADIR) FORM (Cont'd.)
(Duplicate this page as necessary)

8. OFFENDERS

Enrolled Student A(14)

Name: _____ Grade Age
Check all that apply. Report duration in school days. (√) Duration

Removed by teacher A(17)		
Received in-school suspension A(18)		
Received out-of-school suspension A(19)		
Transferred to alternative education program A(20)		
Referred to juvenile justice system A(21)		
Referred to criminal justice system A(22)		
Referred for counseling (voluntary) A(23)		

Other non-punitive referrals A(24) _____

Enrolled Student A(14)

Name: _____ Grade Age
Check all that apply. Report duration in school days. (√) Duration

Removed by teacher A(17)		
Received in-school suspension A(18)		
Received out-of-school suspension A(19)		
Transferred to alternative education program A(20)		
Referred to juvenile justice system A(21)		
Referred to criminal justice system A(22)		
Referred for counseling (voluntary) A(23)		

Other non-punitive referrals A(24) _____

Enrolled Student A(14)

Name: _____ Grade Age
Check all that apply. Report duration in school days. (√) Duration

Removed by teacher A(17)		
Received in-school suspension A(18)		
Received out-of-school suspension A(19)		
Transferred to alternative education program A(20)		
Referred to juvenile justice system A(21)		
Referred to criminal justice system A(22)		
Referred for counseling (voluntary) A(23)		

Other non-punitive referrals A(24) _____

Enrolled Student A(14)

Name: _____ Grade Age
Check all that apply. Report duration in school days. (√) Duration

Removed by teacher A(17)		
Received in-school suspension A(18)		
Received out-of-school suspension A(19)		
Transferred to alternative education program A(20)		
Referred to juvenile justice system A(21)		
Referred to criminal justice system A(22)		
Referred for counseling (voluntary) A(23)		

Other non-punitive referrals A(24) _____

(Continued)

VIOLENT AND DISRUPTIVE INCIDENT REPORT (VADIR) FORM (Cont'd.)
(Duplicate this page as necessary)

8. OFFENDERS

School Personnel A(15)

Name: _____ Position _____

Check all that apply:

Referred to criminal justice system A(27)	
Referred for counseling (voluntary) A(28)	

Other non-punitive referrals A(29) _____

School Personnel A(15)

Name: _____ Position _____

Check all that apply:

Referred to criminal justice system A(27)	
Referred for counseling (voluntary)A(28)	

Other non-punitive referrals A(29) _____

Other (Include Unknown) A(16)

Name: _____ Age (if student) ____ Position _____

Check all that apply:

Referred to school of enrollment A(25)	
Referred to juvenile justice system A(26)	
Referred to criminal justice system A(27)	
Referred for counseling (voluntary) A(28)	

Other non-punitive referrals A(29) _____

Other (Include Unknown) A(16)

Name: _____ Age (if student) ____ Position _____

Check all that apply:

Referred to school of enrollment A(25)	
Referred to juvenile justice system A(26)	
Referred to criminal justice system A(27)	
Referred for counseling (voluntary) A(28)	

Other non-punitive referrals A(29) _____

9. IF THE INCIDENT INVOLVED THE USE OF A WEAPON, INDICATE THE KIND OF WEAPON BELOW. (Check all that apply)

- ___ (a) Handguns **B(1)**
- ___ (b) Rifles/shotguns **B(2)**
- ___ (c) Other firearms **B(3)** (specify _____)
- ___ (d) Knives **B(4)**
- ___ (e) Chemical or Biological Agents **B(5)**
- ___ (f) Other weapons **B(6)** (specify: _____)

(Continued)

VIOLENT AND DISRUPTIVE INCIDENT REPORT (VADIR) FORM (Cont'd.)
(Duplicate this page as necessary)

10. IF THE INCIDENT INVOLVED BRINGING A FIREARM TO OR POSSESSING A FIREARM AT A PUBLIC SCHOOL, INDICATE THE LENGTH OF SUSPENSIONS ASSIGNED TO STUDENT OFFENDERS.

Discipline	Number of	
	General Education Students	Students with Disabilities
(a) Suspended for one year from the date of suspension (<i>C</i>)		
(b) Suspension shortened to less than one year (<i>D</i>)		
(c) Transferred to alternative education program (<i>E</i>)		

Report prepared by _____

Date _____

Retain this form in the school. (Do not send to SED).

- 7)
- 8)
- 9)
- 10)
- 11)
- 12)
- 13)
- 14)
- 15)
- 16)
- 17)
- 18)
- 19)
- 20)
- 21)
- 22)
- 23)
- 24)
- 25)
- 26)
- 27)
- 28)
- 29)
- 30)
- 31)
- 32)
- 33)
- 34)

DIRECTIONS FOR COMPLETING THE "VIOLENT AND DISRUPTIVE INCIDENT REPORT FORM"

The Violent and Disruptive Incident Report (VADIR) Form is designed to assist schools in meeting the Legislature's requirement to report information on violent and disruptive incidents. In addition, this information can also be used to satisfy some of the reporting requirements set forth in the Federal No Child Left Behind (NCLB) legislation. "Violent or disruptive incident" shall mean one of the categories of incidents (Items 2(a) through (j) below) that occurs on property of the school district, Board of Cooperative Educational Services (BOCES), or county vocational education and extension board. "School property" shall mean in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus, as defined in section 142 of the Vehicle and Traffic Law; or at a school-sponsored function.

Each school must complete a form for each reportable incident and keep the report on file in the school for a minimum of six years. A summary of all incidents will be reported on the BEDS School Data Form the following fall. The Violent and Disruptive Incident Report (VADIR) Form serves two purposes:

- To provide documentation of each incident to be used by school administrators and Department staff (when warranted) to discern patterns and prevent future incidents, and
- To assist schools in compiling the summary data that must be reported on the BEDS School Data Form.

A bold character to the right of an item on the VADIR Form indicates the category in the Summary of Violent and Disruptive Incidents on the BEDS School Data Form in which tallies of corresponding incidents will be entered. For example, item 2(b) on the VADIR corresponds to **A(1b)** on the BEDS form and item 6(a) on the VADIR corresponds to **A7** on the BEDS form.

Schools may wish to create an electronic database to record and store individual incident reports. This is permissible provided that the electronic database contains all the information contained in the VADIR form.

Item 1

Provide a brief narrative description of the incident. It is not necessary to repeat information recorded elsewhere on the form. *The narrative is not required on the summary report.*

Item 2

Designate the most appropriate category (a) through (j) for each incident, using the definitions below. Each incident should be reported under only **one** category. If the incident involves more than one category, the school building official handling the incident is responsible for choosing the most appropriate category based upon his/her knowledge concerning the incident. Incidents involving the possession or use of a weapon must be reported in **one** of those categories.

- (a) *Homicide*. Any conduct that results in the death of another person.

(Continued)

**DIRECTIONS FOR COMPLETING THE
"VIOLENT AND DISRUPTIVE INCIDENT REPORT FORM" (Cont'd.)**

- (b) *Weapons (Possession Only)*. Possession of one or more of the following dangerous instruments, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of a teacher or other school personnel as authorized by school officials. (Possession includes bringing a weapon to or possessing a weapon at school):
- (1) a firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, or spring gun;
 - (2) a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife;
 - (3) a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;
 - (4) a sandbag or sandclub;
 - (5) a sling shot or slungshot;
 - (6) a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nin-chuck, or shirken;
 - (7) an explosive, including but not limited to a firecracker or other fireworks;
 - (8) a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;
 - (9) an imitation gun;
 - (10) loaded or blank cartridges or other ammunition; or
 - (11) any other deadly or dangerous instrument.
- (c) *Weapons Use*. Unlawful use of a "weapon," as defined in item 2(b)(1-11) above.
- (d) *Personal Injury or Intimidation*. Any of the following acts:
- (1) Assault. Intentionally causing physical injury to another person, with or without a dangerous weapon;
 - (2) Criminal harassment. Intentionally striking, shoving or kicking another person or subjecting another person to unwanted physical contact, or threatening to do the foregoing; following a person in or about a public place; or otherwise engaging in a course of conduct which alarms or seriously annoys another person; where such behavior, under the district's code of conduct, is of sufficient seriousness to warrant the suspension or removal of a student or the referral of a student to the juvenile justice system, or disciplinary action against or dismissal of a school employee, or notification of law enforcement of the commission of a crime;

(Continued)

**DIRECTIONS FOR COMPLETING THE
"VIOLENT AND DISRUPTIVE INCIDENT REPORT FORM" (Cont'd.)**

- (3) Intimidation or bullying. Threatening, stalking, or seeking to coerce or compel a person to do something; engaging in verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process;
 - (4) Menacing. Intentionally placing or attempting to place another person in fear of imminent physical injury;
 - (5) Reckless endangerment. Subjecting individuals to danger by recklessly engaging in conduct that creates a substantial risk of physical injury;
 - (6) Kidnapping. Abducting a person, which is defined in section 135.00 of the Penal Law as restraining a person with intent to prevent his liberation by either (a) secreting or holding him in a place where he is not likely to be found, or (b) using or threatening to use deadly physical force.
- (e) *Sexual Offenses*. Rape, sodomy, sexual abuse, or other inappropriate contact of a sexual nature.
- (f) *Use, Possession, or Sale of Drugs, or Alcohol*. Illegally using or possessing a controlled substance, marijuana, or alcohol on school property, including having such substance on a person or in a locker, vehicle, or other personal space; selling or distributing a controlled substance or marijuana on school property; finding a controlled substance, marijuana, or alcohol on school property that is not in the possession of any person; provided that nothing herein shall be construed to apply to the lawful administration of a prescription drug on school property. Tobacco and tobacco products are not to be considered as drugs for the purposes of incident reporting.
- (g) *Bomb Threat, False Alarm, Arson, or Riot*. Any of the following acts that create a risk of injury to students and/or school employees:
- (1) Bomb threat. A telephoned, written, or electronic message that a bomb, explosive, or chemical weapon has been or will be placed on school property.
 - (2) False alarm. Falsely activating a fire alarm or other disaster alarm.
 - (3) Arson. Deliberately starting a fire with intent to destroy property.
 - (4) Riot. Simultaneously when four or more persons engage in tumultuous and violent conduct and thereby intentionally or recklessly cause or create a grave risk of physical injury or cause public alarm.
- (h) *Theft*. Wrongfully taking, depriving, or withholding property from another, including but not limited to robbery or theft with force. Reportable incidents are those considered serious enough to warrant contacting the police.
- (i) *Burglary*. Entering school property with intent to commit a crime.

(Continued)

**DIRECTIONS FOR COMPLETING THE
"VIOLENT AND DISRUPTIVE INCIDENT REPORT FORM" (Cont'd.)**

- (j) *Criminal mischief.* Intentional or reckless damaging of the property of the school or of another person, including but not limited to vandalism and the defacing of property with graffiti. Reportable incidents are those serious enough to warrant contacting the police.

Item 3

Record the date and time of the incident.

Item 4

Record the location of the incident: classroom, playground, school bus, etc. or name of establishment, address where school-sponsored event was held (restaurant, firehouse, State, Country) etc.

Item 5

Categorize where the incident occurred as (a) in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or (b) in or on school transportation, as defined in section 142 of the Vehicle and Traffic Law; or (c) at a school-sponsored function conducted off school grounds. Categorize the time of the incident as before, during, or after school hours.

Item 6

Check if the incident was bias related, drug related, gang related, or other. Check all that apply.

An incident is bias related if it is motivated by prejudice related to some characteristic or perceived characteristic of the victim, including but not limited to race, religion, color, sexual orientation, gender, age, or disability.

An incident is drug related if there is evidence that those involved were under the influence of drugs or if the incident is related to the possession, use, or sale of drugs.

An incident is gang related if it is gang motivated, if gang membership caused the incident or was a contributing factor. A gang is an organized group of some duration, sometimes characterized by turf concerns, symbols, special dress, and colors. The group is recognized as a gang by its association with members and others.

The "other" category includes each incident that cannot be characterized as bias related, drug related, or gang related.

Item 7

List each victim by category -- enrolled student, school personnel, and/or others. Provide the grade and age of student victims and the position of school personnel and others. Pursuant to subdivision 6 of section 2802 of the Education Law, all personally identifiable information included in a violent or disruptive incident report shall be confidential, and shall not be disclosed to any person for use by any person for purposes other than the purposes of section 2802 of the Education Law, except as otherwise authorized by law. Names should neither be reported to the State nor released in any way that violates the Federal Family Education Rights and Privacy Act.

(Continued)

**DIRECTIONS FOR COMPLETING THE
"VIOLENT AND DISRUPTIVE INCIDENT REPORT FORM" (Cont'd.)**

Make additional copies of Item 7 as necessary.

Item 8

List each offender by category -- enrolled student, school personnel, and/or others. Provide the grade and age of each student offender. Indicate each disciplinary measure imposed by the school on each student offender including the duration of the disciplinary action measured in school days. For each offender who was a school staff member, indicate the person's position and each disciplinary measure imposed by the school. For each offender who was not a school staff member or enrolled student, indicate the person's position and each disciplinary measure imposed by the school. Pursuant to subdivision 6 of section 2802 of the Education Law, all personally identifiable information included in a violent or disruptive incident report shall be confidential and shall not be disclosed to any person for use by any person for purposes other than the purposes of section 2802 of the Education Law, except as otherwise authorized by law. Names should neither be reported to the State nor released in any way that violates the Federal Family Education Rights and Privacy Act.

Make additional copies of Item 8 as necessary.

Item 9

If the incident involved the use of a weapon, indicate the kind of weapon used. Check all that apply.

Item 10

If the incident involved bringing a firearm to or possessing a firearm at a public school, indicate the number of general-education students and students with disabilities who were suspended for one full school year (180 days) from the date of suspension, the number who had their suspensions reduced to less than one school year from the date of suspension, and the number who were transferred to an alternative education program. (Students with disabilities are students identified as disabled by the district Committee on Special Education.)

Community Relations

SUBJECT: WORLD WIDE WEB: DISTRICT WEBSITE

The availability of Internet access in the School District provides an opportunity for students and employees to contribute to the District's presence on the World Wide Web. The website provides information to the world about curriculum, instruction, activities and information as enumerated in the District "Web" Policy.

The District has established a Website Committee that oversees and monitors the District website for compliance with District policies, regulations and/or procedures. The Committee's composition may include, but is not limited to, representation from students, staff (instructional and non-instructional), administration, and the community. This Website Committee must approve all web pages or links on the District's web servers.

All web authors must participate in appropriate training to familiarize themselves with and adhere to the related District policies, regulations and procedures. Failure to follow these policies or regulations may result in the loss of authoring privileges or more stringent disciplinary measures in accordance with law and/or applicable collective bargaining agreement(s).

All District web pages must have an objective that conforms to the District Web Policy as well as District educational goals and objectives. Documents on the District's server, as well as links to non-District servers, must reflect the standards for instructional resources/materials established in District policy and/or regulations. Web pages must also adhere to copyright laws.

Links to non-District servers must contain a disclaimer indicating that the user is leaving the District server and that the linked material is not necessarily approved by the District.

Web pages on the District's server are the property of the District. The web server will be examined periodically to check for the timeliness and relevance of its pages.

Student Safeguards

Web pages may include only the first name and the initial of the student's last name. Pages or filenames may not include a student's telephone number, address, e-mail address, or names of other family members or friends.

Personally identifying images of students such as use of student pictures (video or photograph) audio clips on a District web page must have signed parent/guardian approval on file with the appropriate administrator for students under eighteen (18) years of age.

Employee Safeguards

Personal information about employees (name, telephone number, address, e-mail address, picture -- video or photograph, audio clip) may be published only with their written permission.

**SCHOOL DISTRICT
WEBSITE RELEASE FORM**

Dear Parent/Guardian:

The goal of our School District Website is to publish information celebrating our schools, our students, and our accomplishments. Your child's first name, photograph, and original school work* will not appear on our Website until and unless we receive this signed form from you.

Please check your preference in each category:

Photograph (check one)

I give permission for my child's first name and photograph to be used on the School Web Pages during the current school year.

I do not give permission for my child's first name and photograph to be used on the School Web Pages during the current school year.

I give one-time-only permission for my child's first name and photograph to be used on the School Web Pages in the circumstances described here: _____

Original Work (check one)

I give permission for my child's first name and original work to be published on the School Web Pages during the current school year.

I do not give permission for my child's first name and original work to be published on the School Web Pages during the current school year.

I give one-time-only permission for my child's first name and original work to be published on the School Web Pages in the circumstances described here: _____

Student Name: _____ Date: _____

Teacher Name: _____ School: _____

Grade/Subject: _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____ Date: _____

Student Signature (if applicable): _____ Date: _____

* Original student work will appear with a copyright notice prohibiting the copying of such work without express written permission. Requests for such permission received by the District will be forwarded to the parents/guardians. Under District Policy 7240 and accompanying regulation 7240R directory information may be released including the following information relating to a student, the student's full name, participation in school clubs, activities, sports, degrees and awards received.

Adopted: 1/13/09

SUBJECT: NAMING OF SCHOOL FACILITIES, PLAQUES AND MEMORIAL/PUBLIC DEDICATION

Criteria

Individual moral character and contribution to education: The Board and the naming committee (if appropriate) will consider the individual's moral character; his or her contribution to education, and the example he or she has set for others. When considering contribution to education, the Board and naming committee may also consider financial contribution. Facilities may/may not be named for corporate donors.

Connection between the facility and the individual: The Board and naming committee will consider the real or symbolic connection between the individual and the facility.

Community reaction to name: The Board and naming committee will consider any input from community members and will avoid names that are controversial or create strong negative feelings.

Timing: The Board and naming committee will consider the timing of the naming request. For past staff and board members, the Board and naming committee will consider whether sufficient time has passed since active service and employment. For a deceased individual, the Board and naming committee will consider whether sufficient time has passed since his or her death.

Signage

The Board of Education and District facilities department must approve all signage design plans for the facility. Signage designs must be appropriate for a school and conform with all safety regulations. Any religious messages in signs must not interfere with the separation between church and state. Final plans will be submitted to the Board of Education for final ratification.

Community Relations

SUBJECT: MEDIA ACCESS: STUDENT INTERVIEWS, PHOTOGRAPHS AND VIDEOTAPES

These regulations apply to all representatives of news media agencies and govern media access to students during instructional hours and/or school activities whether occurring on or off school grounds. These regulations do not apply to general media coverage of any events of public interest (such as an athletic event, lecture, school play, Board meetings, and the like) regardless of the time and location of such public interest events.

Authorization

All media representatives must report to the main office of the building to which access is requested in order to obtain authorization from the building principal or his/her designee for access to the building and/or to interview, photograph, or videotape District students.

Parental/guardian consent must be obtained prior to granting the media permission to interview students, or prior to the taking of photographs and/or videotapes (as well as subsequent publication) which would identify individual students or groups of students. In such instances, parents/guardians will be advised of the use and ultimate disposition of the interview, photograph and/or videotape to assist them in making their decision.

Parental/guardian permission is to be obtained beforehand by the signing, when possible, of a Release Form or, in the alternative, by contacting the parent/guardian by telephone. *Form #3120F* is to be used for parental/guardian consent to School District *media* releases; *Form #3120F.1* is to be used for parental/guardian consent, on a case-by-case basis, by *outside news media representatives*. If the principal or his/her designee has concerns as to the nature of the requested media access, the principal/designee should contact the Superintendent, as well as the student's parent/guardian, for further direction.

No special permission shall be required from media representatives prior to the publishing of news articles, taking of photographs and/or videotapes of general school events which are of public interest as noted above.

Prior to granting media access to individual students, the principal or his/her designee shall be apprised of all information including, but not limited to, the date, location, purpose, and length of access time requested by the media representative. Where permission is granted, media representatives will be permitted access to the school building and/or students provided the presence of such representatives will not unduly disrupt the educational operations or instructional activities of the school.

If the student from whom information is sought by the media does not want to be interviewed, photographed and/or videotaped, or if the parent/guardian of the student denies permission for media access to his/her child, such access will be denied by the building principal/designee.

(Continued)

**SUBJECT: MEDIA ACCESS: STUDENT INTERVIEWS, PHOTOGRAPHS AND
VIDEOTAPES (Cont'd.)**

Time and Location of Access

Media access to students while on school grounds and/or at school related activities may be granted only during non-instructional hours or during non-instructional time periods for the students involved such as study halls and lunch periods.

Access shall be limited to non-instructional areas as determined by the building principal/designee. Media access to public events shall be limited to the specific location and immediately surrounding areas where such public event is taking place.

The building principal/designee may place reasonable limitations on the length of any media access to students. Media access of public events shall be restricted to the time period for such events, along with a reasonable time period prior to and after the activity.

Violations of District Regulations

Any person who violates District rules and regulations governing the maintenance of public order on school property and/or media access to students shall be subject to appropriate sanctions including, but not limited to, suspension of access privileges by the Superintendent/Board of Education.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
SCHOOL DISTRICT RELEASE FORM:
STUDENT INTERVIEWS, PHOTOGRAPHS AND VIDEOTAPES**

Dear Parents/Guardians:

Please complete and return the bottom of this form to your child's teacher as soon as possible.

Thank you for your cooperation.

Sincerely,

Principal

.....
Please Check only ONE Item:

- I hereby consent that interviews, photographs and/or videotapes of my child may be taken or used by the *School District only* for public relations, educational or other purposes consistent with the purpose and mission of the School District, including publication on the School District website.
- I further agree that said materials shall become the property of the School District, and I hereby release and discharge the School District and its representatives from any and all claims that may arise by reason of taking of said interviews, photographs and/or videotapes.
- I do not give permission for my child to be interviewed, photographed, and/or videotaped for School District purposes.

CHILD'S NAME _____

HOMEROOM TEACHER _____

PARENT/GUARDIAN SIGNATURE _____

DATE _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
OUTSIDE NEWS MEDIA RELEASE FORM:
STUDENT INTERVIEWS, PHOTOGRAPHS AND VIDEOTAPES**

Dear Parents/Guardians:

Periodically outside news media representatives desire to do a feature or news story on an educational or safety topic concerning our schools. It is not unusual for photographs and/or videotapes of our students to accompany these articles for print or broadcast purposes.

The date, location, type of media release, and purpose for which parental/guardian consent is requested is as follows: _____

Please complete and return the bottom of this form to your child's teacher as soon as possible.

Thank you for your cooperation.

Sincerely,

Principal

.....
Please Check only ONE Item:

[] I give permission for my child to be interviewed, photographed and/or videotaped by outside news media representatives for press or media print or broadcast purposes as indicated above.

I further agree that such material shall become the property of the applicable media agency, and I hereby release and discharge the School District and its representatives from any and all claims that may arise by taking of such interviews, photographs and/or videotapes.

[] I do not give permission for my child to be interviewed, photographed, and/or videotaped by outside news media representatives for press or media print or broadcast purposes as indicated above.

CHILD'S NAME _____

HOMEROOM TEACHER _____

PARENT/GUARDIAN SIGNATURE _____

DATE _____

Community Relations

SUBJECT: FLAG DISPLAY

- 1) The flag will be displayed during school hours upon or near every school building within the District during days that school is in session.
- 2) The flag will be displayed in assembly rooms and in all rooms used for instruction. The Pledge of Allegiance shall be recited daily during the home room period. The flag will be displayed in the room where the meetings of the Board of Education are conducted.
- 3) The flag shall not be displayed on days when weather is inclement.
- 4) The flag may be displayed at night and appropriately lighted upon special occasions when it is desired to produce a patriotic effect, when so authorized by the Board or by the Superintendent as its designee to authorize such display.
- 5) The flag will be flown at full-staff at all times except that it may be flown at half-staff to commemorate the death of a:
 - a. Person of national standing as designated by the President or Governor;
 - b. Present or former Board member;
 - c. Present or former employee of the District;
 - d. Student of the District.

The flag may also be flown at half-staff on other occasions at the discretion of the Superintendent of Schools. The period of half-staff shall be from the day of death to the day of interment.

- 6) The flag will not be flown at half-staff in response to a petition from students, faculty, or other employees of the District, or petition from a member or members of the community, who have as their intent an expression of sympathy, support, dissent, or opposition to a cause which is political, social, or economic.

Community Relations

SUBJECT: FLAG DISPLAY

<u>Responsibility</u>	<u>Action</u>
Student/Faculty/District Employee	1) Submits a request to display flag at half-staff with rationale to the Superintendent through the immediate supervisor or principal.
Superintendent	2) a. Approves or denies the request. In case of denial, provides a rationale for same. b. Informs the Board of Education of the action. c. If request is approved, notifies the custodial/maintenance provider.
Custodial/Maintenance Provider	3) Ensures that flag is flown at half-staff for the duration as specified in request.

Community Relations

SUBJECT: ADULT SCHOOL VOLUNTEERS

An adult school volunteer is defined as a non-paid person who assists District staff, including but not limited to instructional personnel, in curricular, co-curricular, or extracurricular programs. A volunteer is a person who offers to provide assistance or service of his/her own free will without legal obligations.

General Guidelines

- 1) Use of volunteers shall not conflict with or replace any duly appointed and/or authorized District personnel or the duties/job responsibilities of such personnel. Any information gained through volunteering must be held in strict confidence with the principal/designee assuring that the volunteer has no access to confidential student or personnel data.
- 2) Volunteers may assist on an occasional or regularly scheduled basis, yet, may not teach or provide the initial instruction for accomplishing educational objectives; but may reinforce skills taught by the professional staff.
- 3) Volunteers may not provide transportation to students in their personal automobiles for any school-sponsored activities.
- 4) Volunteers may not be assigned the responsibility for disciplining students but may assist the teacher in maintaining proper behavior of students and report behavioral problems to the teacher.
- 5) Volunteers may not supervise a class in the absence of the teacher.
- 6) Volunteers are not to contact parents regarding the performance of students or write comments on any papers/school work sent home.

Implementation of the Volunteer Program

- 1) General administration of the volunteer program in the District shall be the responsibility of the Superintendent or his/her designee with principals assuming general authority over volunteers.
- 2) The need for volunteers will be determined by the principal and other personnel.
- 3) An application shall be filled out by each prospective volunteer and forwarded to the District Office for evaluation. All regularly scheduled volunteers will, at a minimum, complete an application, provide authorization for a reference check, and shall be screened and interviewed by the building principal or his/her designee. Occasional volunteers will be screened by the building principal in a manner of his/her choosing.

(Continued)

SUBJECT: ADULT SCHOOL VOLUNTEERS (Cont'd.)

- 4) The building principal will forward his/her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent of Schools, volunteers selected for work in the District shall be placed on the list of approved volunteers. However, the Superintendent retains the right to approve or reject any volunteer applications submitted for consideration.
- 5) Principals shall assume final responsibility for the assignment of volunteers from the approved list. Assignment of a volunteer must be acceptable to the supervisory staff member.
- 6) Orientation and inservice training will be provided by appropriate staff.
- 7) Volunteers will work under the supervision of appropriate staff and are expected to comply with all District rules and regulations.
- 8) An accurate list of volunteers shall be kept by each principal or supervisor and forwarded to the Superintendent. Also, a copy of each building's volunteer registry file will be forwarded to the Personnel Office.
- 9) The District does not carry health/accident insurance or Workers' Compensation on volunteers. They are covered for their actions or omissions within the scope of their approved authority under the liability section of the District's umbrella policy. However, this is not the case for visitors to the school who do not act in a volunteer capacity.
- 10) Volunteers must sign in and out in the school office.
- 11) Each school will keep a volunteer registry which will include, but not be limited to, the following information: name, address, telephone number, emergency contact.
- 12) Volunteers must wear appropriate identification to ensure immediate recognition as persons whose specific purpose is helping students and staff. Appropriate identification will be determined by the Superintendent or building principal/supervisor, or designee.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
APPLICATION FOR ADULT SCHOOL VOLUNTEERS**

Personal Information

Date _____

Name _____
(Last) (First) (Middle)Address _____
(Street) (City) (State) (Zip)Phone No. _____
(Home) (Work)**General** What volunteer services are you willing to perform? _____**Employer** List below your current or last employer

DATE, MONTH AND YEAR	NAME AND ADDRESS OF EMPLOYER	POSITION
From		
To		

References List below three persons not related to you, whom you have known at least one year.

NAME	ADDRESS	YEARS ACQUAINTED

Emergency Information In case of emergency, please notify:

Name _____ Address _____ Phone _____

My signature below permits the District to contact any or all references listed if necessary.

Date _____ Signature _____

DO NOT WRITE BELOW THIS LINE -- OFFICE USE ONLY

Reviewed by _____ Date _____

REMARKS: _____

Approved [] Not Approved []

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The School District is committed to creating and maintaining a working and learning environment which is free of discrimination and intimidation. Based upon the principle that every individual is entitled to be treated with dignity and respect, and a recognition that harassment is a violation of law and District policy, the District strictly prohibits communication (verbal, written or graphic) and/or physical conduct which constitutes harassment based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex (including sexual harassment), sexual orientation (the term "sexual orientation" means heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived), age, marital, military or veteran status, disability, or personal characteristics outside the accepted norm. The District also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes.

Anyone who is in violation of District policy and/or regulation will be subject to sanctions and/or disciplinary action as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the Student Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors/contractors, etc.) who are found to have violated District policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

Retaliation against any individual for filing a charge of harassment or reporting allegations of harassment is illegal and prohibited. Similarly, retaliation against any person who participates in a related investigation or proceeding and/or hearing of such a charge or complaint of harassment is also prohibited. Any employee or student who retaliates against another individual shall be subject to disciplinary action, as warranted, in accordance with legal guidelines, applicable contractual mandates and/or the Student Code of Conduct.

The District strictly prohibits all forms of harassment on school premises and in school buildings; and at all school-sponsored programs, activities and events, including those which take place off school premises.

Harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to, derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Definitions/Examples of Prohibited Conduct**Harassment Based on Race, Color and/or National Origin

Harassment based on race, color and/or national origin consists of communication (verbal, written, or graphic) and/or physical conduct relating to an individual's race, color, or national origin (including an individual's ancestry, country of origin, or country of origin of the individual's parents, family members, or ancestors) that is sufficiently severe, pervasive, or persistent so that such conduct:

- 1) Has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- 2) Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- 3) Otherwise adversely affects an individual's employment or academic opportunities.

Examples of such conduct include, but are not limited to, the following:

- 1) Intimidation and implied or overt threats of physical violence motivated by race, color, and/or national origin.
- 2) Physical acts of aggression or assault upon another, or damage to another's property that is motivated by the individual's race, color, and/or national origin.
- 3) Demeaning jokes based on an individual's race, color and/or national origin, taunting, racial slurs and derogatory racial "nicknames," innuendoes, or other negative or derogatory remarks of a racial nature or relating to national origin.
- 4) Graffiti and/or slogans or visual displays such as cartoons or posters depicting racial/ethnic slurs or racially/ethnically derogatory sentiments.
- 5) Criminal offenses directed at persons because of their race, color, and/or national origin.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)Sexual Harassment

Sexual harassment consists of *unwanted and unwelcome* sexual or gender-based behavior including, but not limited to, overt or implicit bribes, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature or that is based on sexual/gender stereotypes which has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit; or which interferes with an employee's ability to work; professional performance; productivity; physical security; or career opportunities, services or other benefits of employment.

Sexual harassment does not depend on the "voluntary" nature of the behavior or activity, but instead focuses on whether the alleged advances or behavior was unwelcome.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from supervisors, co-workers and third parties such as visitors and school volunteers. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff. Prohibited conduct can be verbal, non-verbal, or physical (the latter may qualify as criminal sexual assault.) Examples of such conduct include, but are not limited to, the following:

- 1) Verbal abuse or ridicule, including innuendoes, stories and jokes, which are of a sexual nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.
- 2) Direct or indirect threats or bribes for unwanted sexual activity.
- 3) Asking or commenting about a person's sexual activities.
- 4) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.
- 5) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.
- 6) The use of profanity and/or other obscenities that are sexually suggestive or degrading in nature.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

- 7) Demanding sexual favors of a student or employee insinuating that refusal to acquiesce in such favors will adversely affect a student's grades, references, academic/scholastic placement, and/or participation in extracurricular activities or an employee's evaluation, wages, advancement, assignment of duties or shifts, or any other condition of employment, benefits or career development.
- 8) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.
- 9) Unwelcome and/or offensive public displays of sexual/physical affection.
- 10) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.
- 11) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Behavior shall be considered unwelcome and unwanted if the student or employee did not initiate, request or invite such conduct or communication and/or regarded such conduct or communication as undesirable or offensive.

Harassment Based on Disability

For purposes of this regulation, harassment because of disability consists of severe, persistent or pervasive communication (verbal, written or graphic) and/or physical conduct relating to an individual's physical or mental impairment such that it substantially or unreasonably interferes with an individual's work or academic environment; affects an individual's ability to participate in or benefit from employment/educational programs or activities; or creates an intimidating, threatening or abusive work/educational environment. Such harassing conduct includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or intentional interference with necessary equipment.

Examples of prohibited conduct include, but are not limited to, the following:

- 1) Graffiti containing offensive language which is derogatory to others because of their physical or mental disability.
- 2) Threatening or intimidating conduct directed at another because of the other's physical or mental disability.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

- 3) Jokes, rumors or name calling based upon an individual's physical or mental disability.
- 4) Slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability.
- 5) Graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes.
- 6) A physical act of aggression or assault upon another because of an individual's physical or mental disability.
- 7) Other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

Harassment Based on Religion and/or Creed

Harassment on the basis of religion and/or creed consists of unwelcome communication (verbal, written or graphic) and/or physical conduct directed at the characteristics of a person's religion or creed including, but not limited to, derogatory comments regarding surnames, religious tradition, religious clothing, or religious slurs or graffiti. It has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; or substantially or unreasonably interferes with an individual's work or academic performance; or otherwise adversely affects an individual's employment or academic opportunities.

Other Forms of Harassment

In accordance with applicable laws, as well as District policy, regulation, collective bargaining agreements, and/or the Student Code of Conduct, the District condemns and prohibits all other forms of unlawful harassment based on the characteristics named above that substantially or unreasonably interfere with an individual's work/academic environment; adversely affect an individual's work/academic performance; or otherwise adversely affect an individual's employment or academic opportunities in violation of law and regulations, District policies, collective bargaining agreements and/or Student Code of Conduct, as applicable.

This regulation should not be read to abrogate other District policies and/or regulations prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within this District. It is the intent of this District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities. However, different treatment of any member of the above named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy and/or regulation.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Authority and Responsibility**

It is the responsibility of all School District employees and students to ensure that their behavior and environment are maintained free of harassment. Furthermore, each administrator and supervisor has the responsibility to maintain a non-threatening environment which includes discussing the District's policy and regulation pertaining to harassment with all employees and students, and assuring students and staff that they are not required to endure insulting, degrading or exploitative treatment.

All complaints of harassment, whether written or verbal, formal or informal, will be thoroughly investigated to determine whether the totality of the alleged behavior and circumstances may constitute harassment. It is recommended that any individual of the above named group who believes he/she has been subjected to harassment, or has reason to know of and/or witnesses any incident of harassment by a District employee, student, or other third party subject to the control and supervision of the District, submit a *written* complaint; however, complaints may be filed verbally and the absence of a written complaint does not negate the District's responsibility to investigate such allegations as thoroughly as possible. School officials are required to provide a written report of investigation findings and any action taken to resolve the complaint within time frames as established by the District.

Any individual of the above named group who believes he or she has been subjected to harassment in the school environment or at school-sponsored activities, including those which take place off school premises, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of harassment, shall promptly report such occurrence; the report is to be directed to or forwarded to the District's designated complaint officer(s) or as otherwise indicated in this regulation. If the individual is in doubt as to the "seriousness" of the incident and/or whether such behavior constitutes harassment, he/she is still encouraged to immediately report such conduct for resolution. If the complaint officer is the alleged offender, the report shall be directed to the next level of supervisory authority as indicated below. Allegations of harassment may be reported through informal and/or formal complaint procedures; and utilization of the District's grievance guidelines does not preclude an individual from pursuing other avenues of legal recourse.

If there is some reason why an individual cannot make a report to the designated complaint officer, the individual may report the matter to the next level of supervisory authority or building administrator as appropriate. However, if the individual reports such occurrence to any other school employee, the individual shall be informed of the employee's obligation to report the complaint to administration. The administrator who is made aware of the occurrence of possible harassment, whether or not a complaint has been filed, is required to promptly report the incident(s) to the Superintendent and/or designated complaint officer as appropriate.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Complaints of harassment will be investigated thoroughly, promptly and impartially in accordance with law and regulations as well as any applicable collective bargaining agreement(s). *However, when school officials receive a complaint or report of alleged harassment that is criminal in nature or that could lead to in-school or out-of-school violence, law authorities should be immediately notified.*

The Superintendent is to be informed as soon as possible regarding all complaints and/or reports regarding harassment, and the status of any investigations.

Reporting of Complaints: General Guidelines

Any individual of the above named group who believes that he or she has been subjected to harassment or who is made aware of and/or witnesses any possible occurrence of harassment shall report such complaint as soon as possible after the alleged incident occurs in order to help the District effectively and promptly investigate and resolve the complaint. In order to assist in the investigation, victims and/or witnesses should document the harassment as soon as it occurs, providing as much detail as possible including, but not limited to, the following:

- 1) The name, address and telephone number of the complainant.
- 2) The name and/or description of the alleged offender or offenders.
- 3) The specific nature of the alleged harassment including the complainant's explanation of why he/she believes it to be harassment.
- 4) A thorough and detailed account of the actions and/or dialogue which occurred between the alleged harasser and the complainant. This account should include the frequency of the conduct, the date, time, location of the incident, and the complainant's actions and responses during the incident(s).
- 5) The names of witnesses or of persons who have knowledge of the incident, including the names of persons with whom the complainant discussed the incident, and the time and date of this discussion.
- 6) Written material, documents, or other evidence related to the incident.

In investigating the complaint, the designated complaint officer will meet separately with the complainant and the alleged harasser, and will follow applicable law and regulations as well as any applicable collective bargaining agreement(s).

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

All parties will be assured that complaints and discussions will remain as confidential as possible, and will be disclosed only on a "need to know" basis in order to effectively investigate the complaint and/or as mandated by law or court order. However, a written record of the investigation and any action taken will be established. Additionally, parents of students subjected to possible harassment and/or students filing a harassment complaint, as well as parents of accused students, may be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. If the accused student has been identified as having a disability (or is suspected of having a disability) pursuant to Section 504/Individuals with Disabilities Education Act, a student referral shall be made to the Section 504 Team/Committee on Special Education for evaluation/assessment and/or a manifestation determination, as may be applicable in accordance with state and federal law and regulations, to determine whether the student's conduct is caused or affected by his/her disability.

The complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending.

The designated complaint official will begin investigating the allegations of harassment no later than three (3) working days following receipt of the complaint; and will report the findings of the investigation to the Superintendent no later than twenty (20) working days following receipt of the complaint. In the case of extenuating circumstances, the complaint officer will file a status report with the Superintendent/designee if it becomes necessary to extend the timeline for completion of the investigation.

During the course of the investigation and thereafter, the complaint officer will instruct the alleged harasser to have no contact or communication regarding the complaint with the victim and/or any witnesses; and that retaliation, whether direct or indirect, against the victim and/or witnesses is prohibited and may be subject to disciplinary action. Similarly, the complaint officer will instruct the victim and/or witnesses to refrain from contacting or communicating with the alleged harasser regarding the complaint. The complaint officer will ask the victim what specific action the victim wants taken by the District in order to satisfactorily resolve the complaint.

If the complainant attempts to withdraw a complaint, the complaint officer will determine that the withdrawal is not caused by retaliation and then document the complainant's reasons and ask the complainant to sign the documentation. A copy of all written material pertaining to the case/investigation will be retained in a separate confidential file.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Step 1 – Informal Complaints**

An individual of the above named group who believes that he/she has been subjected to harassment or anyone who is aware of or who has knowledge of or witnesses an occurrence of harassment may file an informal complaint, whether verbal or written, by requesting a meeting between himself/herself and the complaint officer (or by reporting such occurrence as otherwise indicated in this regulation) in order to discuss the allegations and further appropriate actions, if any. The complaint officer will next discuss the complaint with the alleged offender; if the alleged offender is a District employee, the investigation will be in accordance with any applicable collective bargaining agreement. All complaints, whether formal or informal, concerning allegations of harassment are to be reported immediately to the building principal* and/or immediate supervisor* and Superintendent for his/her information; and the complaint officer will keep the building principal/supervisor and Superintendent informed throughout all stages of the investigation. The principal/supervisor and Superintendent will be kept informed of the complainant's and/or accused's response and recommended course of action, if any.

If the initial investigation results in a finding that harassment did occur, the complaint officer will notify the building principal/supervisor and Superintendent of his/her recommendations. If the Superintendent concurs with the report of the complaint officer, the Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The complaint officer will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the complaint.

If the complainant is satisfied with the report of the complaint officer, the complainant will so indicate in writing. If not satisfied with the complaint officer's report, the complainant and/or the accused may proceed to file a formal complaint.

Informal complaint procedures will generally take place at the building level and involve resolution steps short of a comprehensive investigation and/or formal hearing. For example, in attempting to resolve a complaint informally, the complaint officer may interview the alleged harasser, inform the alleged harasser of the complaint, question the harasser about the alleged incidents, and review the District's policy and regulations regarding harassment. The complaint officer will inform the alleged harasser that he or she must immediately stop any offensive conduct or face appropriate disciplinary action. The complaint officer will follow the provisions of any applicable collective bargaining agreement(s) throughout the course of such investigation(s).

(Continued)

*If the building principal/immediate supervisor is the alleged offender, then the complaint officer shall designate another school official who will take the place of the building principal/supervisor in all applicable phases of the complaint process.

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Step 2 – Formal Complaint**

An individual of the above named group may file a formal complaint of harassment as an initial step or as a result of an unsatisfactory resolution of an informal complaint. The formal complaint should include all applicable information as indicated in this regulation as well as any other pertinent information which may be helpful in the course of the investigation.

As noted above, the complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending. Disclosure of information will be on a "need to know" basis.

The formal complaint will be filed with the designated complaint officer who will submit a copy of the complaint to the building principal/supervisor and Superintendent of Schools. The complaint officer will, in accordance with federal or state laws and regulations and any applicable collective bargaining agreement(s), conduct a prompt and thorough investigation no later than three (3) working days following receipt of the complaint.

If the formal investigation results in a finding that harassment did occur, the complaint officer will notify the building principal/supervisor and Superintendent of his/her recommendations. If the Superintendent concurs with the report of the complaint officer, the Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The complainant officer will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the formal complaint.

If the complainant is satisfied with the report of the complaint officer, the complainant will so indicate in writing. If not satisfied with the complaint officer's report, the complainant and/or the accused may appeal the determination to the Superintendent of Schools. The appeal should be in writing and submitted no later than ten (10) working days following receipt of the complaint officer's decision.

Step 3 – Appeal to the Superintendent of Schools

All formal complaints, if not satisfactorily resolved at the initial stage of investigation, may be appealed by any party to the Superintendent of Schools.

If the Superintendent of Schools issues a finding that no harassment has occurred, the complainant, if not satisfied with this resolution, may appeal the decision to the Board of Education within ten (10) working days following receipt of the report. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Should the Superintendent determine that corrective action is necessary, the Superintendent will follow all applicable law and regulations, District policy and guidelines, and appropriate collective bargaining agreements in the resolution of the complaint. If the accused is not satisfied with this resolution; he/she may appeal the decision to the Board of Education within ten (10) working days following receipt of the report.

The complainant and the accused will receive a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint within thirty (30) working days following receipt of the complaint. If additional time is necessary to either complete the investigation or institute disciplinary/remedial action, the Superintendent will provide all parties and the Board of Education with a written status report requesting additional time to complete the investigation.

Step 4 – Appeal to the Board of Education

In the event that a complainant and/or accused files an appeal with the Board of Education following an investigation by the Superintendent of Schools, such appeal must be submitted within ten (10) working days of receipt of the Superintendent's report. The Board of Education will conduct a hearing and issue a written response to the complainant and the accused following completion of the hearing within thirty (30) days of receipt of the complaint. If additional time is needed, a written status report shall be submitted to all parties, indicating the need for additional time.

Prohibition of Retaliation

Regardless of the stage of the investigation, the victim will be instructed by the complaint officer to report immediately if the offensive behavior occurs again and/or if the alleged harasser retaliates against him/her. Any witnesses who cooperated in the investigation of the complaint will be similarly instructed to report to the complaint officer immediately as to any retaliatory action(s). Additionally, the designated complaint officer will make follow-up inquiries to ensure that harassment has not resumed and that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Discipline/Penalties

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

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable law, regulation, and the Student Code of Conduct.

Vendors/contractors and other individuals who do business with the District, who have been found to violate the terms of the anti-harassment policy and/or regulation by engaging in prohibited conduct, will be subject to appropriate sanctions up to and including loss of District business. School volunteers who are found to have violated District policy and regulation may face loss of volunteer status.

Should the offending individual be a visitor, guest or other third party, then any corrective action deemed appropriate will be taken, including, but not limited to, expulsion from the District premises and/or school activities/events under the control and supervision of the School District.

The application of such disciplinary measures by the District does not preclude the appropriate filing of civil and/or criminal charges as may be warranted.

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Complaint Officer will so notify the complainant, the alleged offender and Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy of regulation and/or pursuing other legal avenues of recourse.

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

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that harassment did not occur.

Knowingly Making False Accusations

Employees and/or student who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**District Responsibility/Training**

Regardless of whether a complaint has been filed, if the District knows of the occurrence or the possible occurrence of any harassment, the District will require a prompt and thorough investigation by appropriate personnel.

Principals in each school building and/or program supervisors will be responsible for informing students and staff on a yearly basis of District policy and regulations regarding the prohibition of harassment, including the procedures established for the investigation and resolution of harassment complaints, the general legal issues pertaining to harassment, and the rights and responsibilities of employees and students.

Those administrators and/or supervisors who have specific responsibilities for the investigation and resolution of harassment complaints will receive specialized training on conducting such investigations and application to applicable laws and collective bargaining agreements.

Dissemination of District Policy/Regulation and Evaluation

A copy of District policy and regulations pertaining to prohibition of harassment will be available upon request. A copy of District policy and regulations may be posted in various locations throughout each school building. Additionally, the District's policy and regulations will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

The Superintendent of Schools, or his/her designee(s), has a responsibility to review District policy and regulations to ensure continued effectiveness and compliance with applicable law. The Superintendent will recommend revisions as may be warranted to the Board of Education.

NOTE: Refer also to Regulations #3230R.1, #3231R, and #3232R.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
HARASSMENT COMPLAINT FORM**

Name and Position of Complainant: _____

Address: _____ Home Phone: _____ Work Phone: _____

Date Complaint Filed: _____

Name and/or Description of Alleged Harasser: _____

If the Alleged Harassment was toward Another Person, Identify that Other Person: _____

Description of Alleged Harassment: Describe the incident(s) as clearly as possible, including such things as any verbal statements made (e.g., threats, requests, demands); what, if any, physical contact was involved; etc. Attach additional pages if necessary. _____

Date and Place of Incident(s): _____

Were there Other Individuals Involved in the Alleged Harassment? _____

If Yes, Name the Other Individual(s) and Their Role in the Alleged Harassment: _____

Names of Witnesses (if applicable): _____

Has the Incident Been Previously Reported? _____

(If Yes, When and to Whom?) _____

Describe the Outcome and/or Resolution: _____

(Use additional sheets to provide additional information if necessary.)

Remedy Sought by Complainant: _____

(Continued)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
HARASSMENT COMPLAINT FORM (Cont'd.)**

APPEAL FORM (If Applicable)

Name and Position of Complainant: _____

Date Appeal Filed: _____

Date Original Complaint Filed: _____

Have There Been Any Prior Appeals Filed Related to this Complaint? _____

If Yes, When and to Whom? _____

Describe the Decision Being Appealed and Why: _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
HARASSMENT COMPLAINT FORM (Cont'd.)
(To Be Completed By Various District Personnel)**

Decision of Complaint Officer and Action Taken: _____

Action Taken by Superintendent (if applicable): _____

Action by the Board (if applicable): _____

Other Comments: _____

Date

Signature of Complaint Officer

Date

Signature of Superintendent

Date

Signature of Complainant

NOTE: For a complaint regarding **Sexual Harassment**, please refer to Forms #6121F or #7531F, as applicable.

Community Relations

SUBJECT: VISITORS TO SCHOOL BUILDINGS

Close communication and supportive relationships between parents/guardians and schools are essential to increasing student achievement and enhancing school climate. The Kenmore-Town of Tonawanda Union Free School District supports these efforts through effective and appropriate visitations to schools and to classrooms by parents/guardians, community members, and other appropriate individuals, subject to the following guidelines:

- 1) Parents/guardians may request a visit to their child's classroom(s) through the building principal, at which time the purpose of the visit will be established. The date and time of the visit will be mutually agreed upon directly between the parent/guardian and the teacher. The building principal will be notified, in advance, of the arrangements which have been agreed upon for the visit.
- 2) Teachers may request that a parent/guardian visit the classroom by directly contacting the parent/guardian and establishing a mutually agreed upon time and date. The building principal will be notified of the visit, in advance.
- 3) Visitations by individuals other than parents/guardians shall be arranged directly between the building principal and the individual making the request. The purpose of the visit will be made clear at that time in order to facilitate appropriate arrangements.
- 4) Visitation will occur in a way that avoids or minimizes disruption to the normal learning process and the ordinary classroom routine. The building principal may be present when appropriate. Visitors agree to maintain confidentiality regarding information which they acquire during the course of the visit as explained to the visitor by the building principal.
- 5) Individuals visiting the schools are to go directly to the main office of the building which they are planning to visit, and follow the specific visitor procedures prescribed by that building.
- 6) If a staff member notices that a visitor does not report to the main office upon entering the building, he/she should report that occurrence to the building principal/designee.
- 7) Before a child may be taken from the building by a non-school person, the visitor must be recognized by the building principal or his/her designee as one having the legal right to take the child. The visitor will wait in the main office for the child to come from the classroom and/or follow other duly approved procedures for that building.
- 8) Signs will be posted throughout the school building directing visitors to report to the main office.

Community Relations

SUBJECT: VISITORS TO THE SCHOOL

<u>Responsibility</u>	<u>Action</u>
Principal/Designee	1) Ensures that notices are posted at all building entrances directing visitors to report to the principal's office immediately upon arrival.
Visitor	2) Reports to the principal's office stating intended business to the principal/designee. Follows school's procedures for "signing in" and "signing out."
Principal/Designee	3) a. Grants permission for the visitor to carry out his/her stated business. b. Accompanies visitors where appropriate. or c. Denies permission for access to the building and/or staff and explains the reason(s) for the decision. d. Escorts the visitor to the door and witnesses his/her departure from the building. e. If visitor refuses to leave, notifies the legal authorities.
Teacher	4) a. Notifies principal of scheduled visits to classroom in advance. b. Contacts parent/guardian directly to establish agreed-upon time and date for visitations requested by teacher.

Community Relations

SUBJECT: COMPLAINTS CONCERNING SCHOOL PERSONNEL

Complaints or inquiries concerning school personnel shall be referred to the department or school to which the matter pertains.

Normally, such complaints or inquiries shall be referred to the immediate supervisor who will make initial inquiries and investigations, and if unable to resolve the matter satisfactorily shall refer the matter to the next appropriate level. If necessary the matter will be referred through successive levels of authority to the Superintendent of Schools.

All administrators will process such complaints in a thorough and expeditious manner. A preliminary report should be submitted to the complainant within five business days or soon thereafter as feasible pending the details of the investigation if a final report is not completed.

Complaints against personnel will be discussed by supervisors only with superiors or with those persons directly involved in the matter.

Applicable provisions of all contracts with negotiating units, in addition to federal and state laws and Board of Education policies pertaining to Rights of Privacy, will be strictly observed in the processing of complaints and inquiries about School District employees.

Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES

Any type of discrimination allegedly occurring within the District shall be investigated by the appropriate official in accordance with the following District regulations and procedures.

In following these procedures, should the investigating official be the alleged source of discrimination, then the employee/student or potential employee/student shall report his/her complaint to the next level of supervisory authority. Both informal and/or formal complaint procedures may be used to report allegations of discrimination.

All reports of alleged discrimination will be held confidential to the extent possible consistent with the District's legal obligations in conducting a thorough investigation and/or taking appropriate disciplinary measures. Subject to all applicable laws and collective bargaining agreements, the following guidelines shall be utilized in the investigation and resolution of discrimination complaints.

Step 1 - Informal Complaint

- 1) An employee or student who believes that he/she has been subjected to any type of discrimination shall immediately notify his/her immediate supervisor or principal on the complaint form provided by the District.
- 2) A potential employee or potential student who believes that he/she has been subjected to any type of discrimination shall immediately notify the District's complaint officer. Those procedures established under Step 2 - Formal Complaint will then apply (see below).
- 3) Within 14 days after receipt of the complaint the supervisor or principal will correct the situation stated in the complaint if he/she finds the complaint valid and if the correction of the complaint is within his/her scope of authority.

The action taken by the supervisor or principal will be noted on the complaint form.

- a. The supervisor or principal may consult with or seek the assistance of the complaint officer in resolving the complaint.
- b. If the supervisor or principal can not resolve the issues raised in the complaint within 14 days, he/she shall notify the complainant of that fact before the expiration of the 14 day period and he/she shall further indicate the approximate date on which his/her determination will be made.
- c. If resolution of the complaint is not within the scope of the authority of the supervisor or principal, he/she shall immediately notify the complainant who may then initiate those procedures set forth in the next section if he/she so desires.

(Continued)

SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Cont'd.)**Step 2 - Formal Complaint**

If the complaint was not resolved at the informal stage to the satisfaction of the complainant, he/she may within 14 days of the decision of the supervisor or principal ask that the complaint officer or his/her designee review the allegations raised by stating his/her reasons on the complaint form provided by the District and filing them with the complaint officer.

- 1) The complaint officer or his/her designee will review the file and if necessary conduct his/her own investigation. The decision of the complaint officer will be made in writing within 14 days from presentation of the complaint to him/her unless the complaint officer has notified complainant that a period in excess of 14 days will be needed for him/her to conduct the investigation and render his/her decision.
- 2) If the complaint officer concludes that further action beyond that taken by the supervisor or principal must be taken, he/she shall immediately notify the Superintendent so that the complaint officer's recommendations may be reviewed and implemented by the Superintendent.

Step 3 - Corrective Action/Resolution

The complaint officer will inform the Superintendent of the outcome of his/her investigation. If the Superintendent of Schools issues a finding that no form of discrimination has occurred, the complainant, if not satisfied with this resolution, may appeal the decision to the Board of Education. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing and the matter will be deemed closed.

Should the Superintendent determine that corrective action is necessary, the Superintendent of Schools shall follow all applicable law and regulations and appropriate collective bargaining agreements in the resolution of the complaint.

The complainant shall receive a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint.

Step 4 - Appeal to the Board of Education

In the event that a complainant files an appeal with the Board of Education following a finding by the Superintendent of Schools, the Board of Education will conduct a hearing and issue a written response to the complainant following completion of the hearing.

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

(Continued)

SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Cont'd.)

Regardless of whether a complaint has been filed, if the District knows or has reason to know of the existence of any type of discrimination, the District shall require a prompt and thorough investigation by appropriate personnel.

Scope of Legal Action

The filing of a complaint, and/or the rendering of a decision regarding the complaint shall in no way prohibit, prevent or limit the complainant from taking appropriate legal action in accordance with state and federal law.

NOTE: Refer also to Regulation #3190R -- Anti-Harassment in the School District.

Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT PROCEDURES

<u>Responsibility</u>	<u>Action</u>
Complainant (Employee/Student)	1) Notifies his/her immediate supervisor or principal on the complaint form provided by the District. (In the case of a potential employee/student, he/she shall immediately notify the District's complaint officer).
Supervisor/Principal*	2) a. Within 14 days after receipt of the complaint, corrects the situation stated in the complaint if he/she finds the complaint valid and if such action is within his/her scope of authority. b. Notes on the complaint form the action taken.
Complainant	3) If the complaint has not been resolved to his/her satisfaction, may file a formal complaint with the complaint officer within 14 days of the decision of the supervisor or principal on the form provided by the District.
Complaint Officer/Designee*	4) a. Reviews the file and, if necessary, conducts his/her own investigation. b. Makes decision in writing within 14 days from receipt of the complaint, or notifies the complainant that more time will be needed for further investigation before rendering a decision. c. Notifies the Superintendent of his/her recommendations for review and/or implementation.
Superintendent	5) a. Issues a finding as to whether discrimination has occurred.

* If the investigating official is the alleged source of discrimination, then the complainant shall report his/her complaint to the next level of supervisory authority.

(Continued)

Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT PROCEDURES (Cont'd.)

<u>Responsibility</u>	<u>Action</u>
Superintendent (Cont'd.)	b. If corrective action is deemed necessary, follows all applicable law and regulations and appropriate collective bargaining agreements in implementing such action.
Complainant	6) a. Receives a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint. b. If satisfied with the resolution, so indicates in writing. c. If not satisfied, may appeal to the Board of Education or may take appropriate legal action in accordance with state and federal law.
Board of Education	7) If complainant files an appeal, conducts a hearing and issues a written response to the complainant.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
ANTI-DISCRIMINATION COMPLAINT FORM**

Complainant:

Name _____

Mailing Address _____

Telephone _____ Date Filed _____

Description of Alleged Discrimination _____

Time and Place of Violation _____

Statement of Complaint _____

Remedy Sought by Complainant _____

Reason for Dissatisfaction with Informal and/or Formal Steps (Steps one and/or two) of Anti-Discrimination Complaint Procedures (if applicable):

Date

Signature of Complainant

(Continued)

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
ANTI-DISCRIMINATION COMPLAINT FORM (Cont'd.)
(To Be Completed by Various District Personnel)

Decision of Principal or Supervisor and Action Taken

Decision of Complaint Officer

Action Taken by Superintendent

Action by the Board

Other Comments

NOTE: Refer also to Form #3190F -- Harassment Complaint Form as may be applicable.

SUBJECT: EMPLOYEE DISCRIMINATION GRIEVANCE GUIDELINES**General Statement**

The Kenmore-Town of Tonawanda Union Free School District does not discriminate on the basis of sex, sexual orientation, age, veteran or marital status, political affiliation, race, creed or religion, color, national origin, or disability in the employment and educational opportunities it offers, including vocational educational opportunities as required by Title IX of the 1972 Educational Amendments, Section 504 of the Rehabilitation Act of 1973 and Section 291 of the Executive Law of the State of New York.

Guidelines

Employees of the Kenmore-Town of Tonawanda Union Free School District are protected from discrimination in the following areas:

- 1) Access to employment, including:
 - recruitment policies and practices
 - advertising
 - application procedures
 - testing and interviewing practices
- 2) Hiring and promotion, including:
 - selection practices
 - application of nepotism policies
 - demotion, lay off, termination
 - tenure
- 3) Compensation, including:
 - wages and salaries
 - extra compensations
- 4) Job assignments, including:
 - classification and position descriptions
 - lines of progression
 - seniority lists
 - assignment and placement
- 5) Leaves of absence, including:
 - leaves for temporary disability
 - childbearing leave and related medical conditions
 - childrearing leave

(Continued)

SUBJECT: EMPLOYEE DISCRIMINATION GRIEVANCE GUIDELINES (Cont'd.)

- 6) Fringe benefits, including:
 - insurance plans
 - retirement plans
 - vacation time
 - travel opportunities
 - selection and support for training
 - employer-sponsored programs
- 7) Labor organization contracts or professional agreements.

Grievance Process

Any employee suspecting discrimination on the basis of sex, sexual orientation, age, marital or veteran status, political affiliation, race, creed or religion, color, national origin, or disability may make a claim of discrimination. This claim or grievance is filed with the Superintendent/designee who will assist with the grievance process if necessary. The following information should be included on the grievance:

- 1) The exact nature of the grievance - actions, policies, or practices believed to be discriminatory and any person(s) believed to be responsible.
- 2) The date, time and place of the alleged discriminatory action(s).
- 3) The names of witnesses or persons who have knowledge about the grievance.
- 4) Any available written documentation or evidence that is relevant to the grievance.
- 5) The actions that could be taken to correct the grievance.

The Superintendent/designee shall cause a review of the grievance to be conducted (including necessary meetings and interviews) and a written response mailed to the complainant within ten school days after receipt of the complaint.

If it is agreed that discrimination occurred, corrective action will be taken to restore denied rights.

If there is not agreement, a written appeal may be submitted to the Board of Education indicating the reasons for disagreement. The Board of Education shall consider the appeal at its next regularly scheduled meeting following receipt of the appeal.

A complaint of illegal discrimination may also be filed with the Federal Office for Civil Rights, United States Department of Education, or the New York State Division of Human Rights.

NOTE: Refer also to Regulation #3190R -- Anti-Harassment in the School District.

Community Relations

SUBJECT: STUDENT DISCRIMINATION GRIEVANCE GUIDELINES**General Statement**

The Kenmore-Town of Tonawanda Union Free School District does not discriminate on the basis of sex, sexual orientation, age, marital status, political affiliation, race, creed or religion, color, national origin, or disability in the employment and educational opportunities it offers, including career and technical educational opportunities as required by Title IX of the 1972 Educational Amendments and Section 504 of the Rehabilitation Act of 1973.

Guidelines

Students of the Kenmore-Town of Tonawanda Union Free School District are protected from discrimination in the following areas:

- 1) Admission to schools
- 2) Access to enrollment in courses
- 3) Access to and use of school facilities
- 4) Counseling and guidance materials, tests, and practices
- 5) Career and technical education
- 6) Physical education
- 7) Competitive athletics
- 8) Graduation requirements
- 9) Student rules, regulations, and benefits
- 10) Treatment as a married and/or pregnant student
- 11) Financial assistance
- 12) Health services
- 13) School-sponsored extracurricular activities
- 14) Most other aids, benefits, or services

Grievance Process

Any student suspecting discrimination on the basis of sex, sexual orientation, age, marital status, political affiliation, race, creed or religion, color, national origin, or disability may make a claim of discrimination. This claim or grievance is filed with the Superintendent/designee, who will assist with the grievance process if necessary. The following information should be included on the grievance:

- 1) The exact nature of the grievance - actions, policies, or practices believed to be discriminatory and any person believed to be responsible.
- 2) The date, time and place of the alleged discriminatory action(s).

(Continued)

SUBJECT: STUDENT DISCRIMINATION GRIEVANCE GUIDELINES (Cont'd.)

- 3) The names of witnesses or persons who have knowledge about the grievance.
- 4) Any available written documentation or evidence that is relevant to the grievance.
- 5) The actions that could be taken to correct the grievance.

The Superintendent/designee shall cause a review of the grievance to be conducted (including necessary meetings and interviews) and a written response mailed to the complainant within ten school days after receipt of the complaint.

If it is agreed that discrimination occurred, corrective action will be taken to restore denied rights.

If there is not agreement, a written appeal may be submitted to the Board of Education indicating the reasons for disagreement. The Board of Education shall consider the appeal at its next regularly scheduled meeting following receipt of the appeal.

A complaint of illegal discrimination may also be filed with the Federal Office for Civil Rights, United States Department of Education.

NOTE: Refer also to Regulation #3190R -- Anti-Harassment in the School District.

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The School District is committed to creating and maintaining a working and learning environment which is free of discrimination and intimidation. Based upon the principle that every individual is entitled to be treated with dignity and respect, and a recognition that harassment is a violation of law and District policy, the District strictly prohibits communication (verbal, written or graphic) and/or physical conduct which constitutes harassment based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, age, marital or veteran status, or disability. The District also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes.

Anyone who is in violation of District policy and/or regulation will be subject to sanctions and/or disciplinary action as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the Student Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors/contractors, etc.) who are found to have violated District policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

Retaliation against any individual for filing a charge of harassment or reporting allegations of harassment is illegal and prohibited. Similarly, retaliation against any person who participates in a related investigation or proceeding and/or hearing of such a charge or complaint of harassment is also prohibited. Any employee or student who retaliates against another individual shall be subject to disciplinary action, as warranted, in accordance with legal guidelines, applicable contractual mandates and/or the Student Code of Conduct.

The District strictly prohibits all forms of harassment on school premises and in school buildings; and at all school-sponsored programs, activities and events, including those which take place off school premises.

Harassment can include any unwelcome verbal, written or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to, derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

(Continued)

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Definitions/Examples of Prohibited Conduct**Harassment Based on Race, Color and/or National Origin

Harassment based on race, color and/or national origin consists of communication (verbal, written, or graphic) and/or physical conduct relating to an individual's race, color, or national origin (including an individual's ancestry, country of origin, or country of origin of the individual's parents, family members, or ancestors) that is sufficiently severe, pervasive, or persistent so that such conduct:

- 1) Has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- 2) Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- 3) Otherwise adversely affects an individual's employment or academic opportunities.

Examples of such conduct include, but are not limited to, the following:

- 1) Intimidation and implied or overt threats of physical violence motivated by race, color, and/or national origin.
- 2) Physical acts of aggression or assault upon another, or damage to another's property that is motivated by the individual's race, color, and/or national origin.
- 3) Demeaning jokes based on an individual's race, color and/or national origin, taunting, racial slurs and derogatory racial "nicknames," innuendos, or other negative or derogatory remarks of a racial nature or relating to national origin.
- 4) Graffiti and/or slogans or visual displays such as cartoons or posters depicting racial/ethnic slurs or racially/ethnically derogatory sentiments.
- 5) Criminal offenses directed at persons because of their race, color, and/or national origin.

Sexual Harassment

Sexual harassment consists of unwanted and unwelcome sexual or gender-based behavior including, but not limited to, sexual advances, requests for sexual favors, sexually motivated physical conduct, or other communication (verbal, written or graphic) and/or physical conduct of a sexual nature when:

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

- 1) Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of an individual's employment or education.
- 2) Submission to, or rejection of, such conduct or communication is used as a factor in decisions affecting an individual's employment or education.
- 3) Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's work or education; or creates an intimidating, hostile or offensive work or educational environment.

For specific information relating to sexual harassment complaints, prohibited conduct, and grievance procedures, please refer to the District's policies and/or regulations addressing Sexual Harassment of District Personnel and Sexual Harassment of Students.

Harassment Based on Disability

For purposes of this regulation, harassment because of disability consists of severe, persistent or pervasive communication (verbal, written or graphic) and/or physical conduct relating to an individual's physical or mental impairment such that it substantially or unreasonably interferes with an individual's work or academic environment; affects an individual's ability to participate in or benefit from employment/educational programs or activities; or creates an intimidating, threatening or abusive work/educational environment. Such harassing conduct includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or intentional interference with necessary equipment.

Examples of prohibited conduct include, but are not limited to, the following:

- 1) Graffiti containing offensive language which is derogatory to others because of their physical or mental disability.
- 2) Threatening or intimidating conduct directed at another because of the other's physical or mental disability.
- 3) Jokes, rumors or name calling based upon an individual's physical or mental disability.
- 4) Slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability.
- 5) Graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes.

(Continued)

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

- 6) A physical act of aggression or assault upon another because of an individual's physical or mental disability.
- 7) Other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

Harassment Based on Religion and/or Creed

Harassment on the basis of religion and/or creed consists of unwelcome communication (verbal, written or graphic) and/or physical conduct directed at the characteristics of a person's religion or creed including, but not limited to, derogatory comments regarding surnames, religious tradition, religious clothing, or religious slurs or graffiti. It has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; or substantially or unreasonably interferes with an individual's work or academic performance; or otherwise adversely affects an individual's employment or academic opportunities.

Other Forms of Harassment

In accordance with applicable laws, as well as District policy, regulation, collective bargaining agreements, and/or the Student Code of Conduct, the District condemns and prohibits all other forms of unlawful harassment based on the characteristics named above that substantially or unreasonably interfere with an individual's work/academic environment; adversely affect an individual's work/academic performance; or otherwise adversely affect an individual's employment or academic opportunities in violation of law and regulations, District policies, collective bargaining agreements and/or Student Code of Conduct, as applicable.

This regulation should not be read to abrogate other District policies and/or regulations prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within this District. It is the intent of this District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities. However, different treatment of any member of the above named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy and/or regulation.

Authority and Responsibility

It is the responsibility of all School District employees and students to ensure that their behavior and environment are maintained free of harassment. Furthermore, each administrator and supervisor has the responsibility to maintain a non-threatening environment which includes discussing the District's policy and regulation pertaining to harassment with all employees and students, and assuring students and staff that they are not required to endure insulting, degrading or exploitative treatment.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

All complaints of harassment, whether written or verbal, formal or informal, will be thoroughly investigated to determine whether the totality of the alleged behavior and circumstances may constitute harassment. It is recommended that any individual of the above named group who believes he/she has been subjected to harassment, or has reason to know of and/or witnesses any incident of harassment by a District employee, student, or other third party subject to the control and supervision of the District, submit a *written* complaint; however, complaints may be filed verbally and the absence of a written complaint does not negate the District's responsibility to investigate such allegations as thoroughly as possible. School officials are required to provide a written report of investigation findings and any action taken to resolve the complaint within time frames as established by the District.

Any individual of the above named group who believes he or she has been subjected to harassment in the school environment or at school-sponsored activities, including those which take place off school premises, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of harassment, shall promptly report such occurrence; the report is to be directed to or forwarded to the District's designated complaint officer(s) or as otherwise indicated in this regulation. If the individual is in doubt as to the "seriousness" of the incident and/or whether such behavior constitutes harassment, he/she is still encouraged to immediately report such conduct for resolution. If the complaint officer is the alleged offender, the report shall be directed to the next level of supervisory authority as indicated below. Allegations of harassment may be reported through informal and/or formal complaint procedures; and utilization of the District's grievance guidelines does not preclude an individual from pursuing other avenues of legal recourse.

If there is some reason why an individual cannot make a report to the designated complaint officer, the individual may report the matter to the next level of supervisory authority or building administrator as appropriate. However, if the individual reports such occurrence to any other school employee, the individual shall be informed of the employee's obligation to report the complaint to administration. The administrator who is made aware of the occurrence of possible harassment, whether or not a complaint has been filed, is required to promptly report the incident(s) to the Superintendent and/or designated complaint officer as appropriate.

Complaints of harassment will be investigated thoroughly, promptly and impartially in accordance with law and regulations as well as any applicable collective bargaining agreement(s). *However, when school officials receive a complaint or report of alleged harassment that is criminal in nature or that could lead to in-school or out-of-school violence, law authorities should be immediately notified.*

The Superintendent is to be informed as soon as possible regarding all complaints and/or reports regarding harassment, and the status of any investigations.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Reporting of Complaints: General Guidelines**

Any individual of the above named group who believes that he or she has been subjected to harassment or who is made aware of and/or witnesses any possible occurrence of harassment shall report such complaint as soon as possible after the alleged incident occurs in order to help the District effectively and promptly investigate and resolve the complaint. In order to assist in the investigation, victims and/or witnesses should document the harassment as soon as it occurs, providing as much detail as possible including, but not limited to, the following:

- 7) The name, address and telephone number of the complainant.
- 8) The name and/or description of the alleged offender or offenders.
- 9) The specific nature of the alleged harassment including the complainant's explanation of why he/she believes it to be harassment.
- 10) A thorough and detailed account of the actions and/or dialogue which occurred between the alleged harasser and the complainant. This account should include the frequency of the conduct, the date, time, location of the incident, and the complainant's actions and responses during the incident(s).
- 11) The names of witnesses or of persons who have knowledge of the incident, including the names of persons with whom the complainant discussed the incident, and the time and date of this discussion.
- 12) Written material, documents, or other evidence related to the incident.

In investigating the complaint, the designated complaint officer will meet separately with the complainant and the alleged harasser, and will follow applicable law and regulations as well as any applicable collective bargaining agreement(s).

All parties will be assured that complaints and discussions will remain as confidential as possible, and will be disclosed only on a "need to know" basis in order to effectively investigate the complaint and/or as mandated by law or court order. However, a written record of the investigation and any action taken will be established. Additionally, parents of students subjected to possible harassment and/or students filing a harassment complaint, as well as parents of accused students, may be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. If the accused student has been identified as having a disability (or is suspected of having a disability) pursuant to Section 504/Individuals with Disabilities Education Act, a student referral shall be made to the Section 504 Team/Committee on Special Education for

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

evaluation/assessment and/or a manifestation determination, as may be applicable in accordance with state and federal law and regulations, to determine whether the student's conduct is caused or affected by his/her disability.

The complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending.

The designated complaint official will begin investigating the allegations of harassment no later than three (3) working days following receipt of the complaint; and will report the findings of the investigation to the Superintendent no later than twenty (20) working days following receipt of the complaint. In the case of extenuating circumstances, the complaint officer will file a status report with the Superintendent/designee if it becomes necessary to extend the timeline for completion of the investigation.

During the course of the investigation and thereafter, the complaint officer will instruct the alleged harasser to have no contact or communication regarding the complaint with the victim and/or any witnesses; and that retaliation, whether direct or indirect, against the victim and/or witnesses is prohibited and may be subject to disciplinary action. Similarly, the complaint officer will instruct the victim and/or witnesses to refrain from contacting or communicating with the alleged harasser regarding the complaint. The complaint officer will ask the victim what specific action the victim wants taken by the District in order to satisfactorily resolve the complaint.

If the complainant attempts to withdraw a complaint, the complaint officer will determine that the withdrawal is not caused by retaliation and then document the complainant's reasons and ask the complainant to sign the documentation. A copy of all written material pertaining to the case/investigation will be retained in a separate confidential file.

Step 1 – Informal Complaints

An individual of the above named group who believes that he/she has been subjected to harassment or anyone who is aware of or who has knowledge of or witnesses an occurrence of harassment may file an informal complaint, whether verbal or written, by requesting a meeting between himself/herself and the complaint officer (or by reporting such occurrence as otherwise indicated in this regulation) in order to discuss the allegations and further appropriate actions, if any. The complaint officer will next discuss the complaint with the alleged offender; if the alleged offender is a District employee, the investigation will be in accordance with any applicable collective bargaining agreement. All complaints, whether formal or informal, concerning allegations of harassment are to be reported immediately to the building principal* and/or immediate supervisor* and Superintendent for his/her information; and the complaint officer will keep the building

(Continued)

*If the building principal/immediate supervisor is the alleged offender, then the complaint officer shall designate another school official who will take the place of the building principal/supervisor in all applicable phases of the complaint process.

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

principal/supervisor and Superintendent informed throughout all stages of the investigation. The principal/supervisor and Superintendent will be kept informed of the complainant's and/or accused's response and recommended course of action, if any.

If the initial investigation results in a finding that harassment did occur, the complaint officer will notify the building principal/supervisor and Superintendent of his/her recommendations. If the Superintendent concurs with the report of the complaint officer, the Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The complaint officer will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the complaint.

If the complainant is satisfied with the report of the complaint officer, the complainant will so indicate in writing. If not satisfied with the complaint officer's report, the complainant and/or the accused may proceed to file a formal complaint.

Informal complaint procedures will generally take place at the building level and involve resolution steps short of a comprehensive investigation and/or formal hearing. For example, in attempting to resolve a complaint informally, the complaint officer may interview the alleged harasser, inform the alleged harasser of the complaint, question the harasser about the alleged incidents, and review the District's policy and regulations regarding harassment. The complaint officer will inform the alleged harasser that he or she must immediately stop any offensive conduct or face appropriate disciplinary action. The complaint officer will follow the provisions of any applicable collective bargaining agreement(s) throughout the course of such investigation(s).

Step 2 – Formal Complaint

An individual of the above named group may file a formal complaint of harassment as an initial step or as a result of an unsatisfactory resolution of an informal complaint. The formal complaint should include all applicable information as indicated in this regulation as well as any other pertinent information which may be helpful in the course of the investigation.

As noted above, the complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending. Disclosure of information will be on a "need to know" basis.

The formal complaint will be filed with the designated complaint officer who will submit a copy of the complaint to the building principal/supervisor and Superintendent of Schools. The complaint officer will, in accordance with federal or state laws and regulations and any applicable collective bargaining agreement(s), conduct a prompt and thorough investigation no later than three (3) working days following receipt of the complaint.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

If the formal investigation results in a finding that harassment did occur, the complaint officer will notify the building principal/supervisor and Superintendent of his/her recommendations. If the Superintendent concurs with the report of the complaint officer, the Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The complainant officer will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the formal complaint.

If the complainant is satisfied with the report of the complaint officer, the complainant will so indicate in writing. If not satisfied with the complaint officer's report, the complainant and/or the accused may appeal the determination to the Superintendent of Schools. The appeal should be in writing and submitted no later than ten (10) working days following receipt of the complaint officer's decision.

Step 3 – Appeal to the Superintendent of Schools

All formal complaints, if not satisfactorily resolved at the initial stage of investigation, may be appealed by any party to the Superintendent of Schools.

If the Superintendent of Schools issues a finding that no harassment has occurred, the complainant, if not satisfied with this resolution, may appeal the decision to the Board of Education within ten (10) working days following receipt of the report. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing.

Should the Superintendent determine that corrective action is necessary, the Superintendent will follow all applicable law and regulations, District policy and guidelines, and appropriate collective bargaining agreements in the resolution of the complaint. If the accused is not satisfied with this resolution; he/she may appeal the decision to the Board of Education within ten (10) working days following receipt of the report.

The complainant and the accused will receive a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint within thirty (30) working days following receipt of the complaint. If additional time is necessary to either complete the investigation or institute disciplinary/remedial action, the Superintendent will provide all parties and the Board of Education with a written status report requesting additional time to complete the investigation.

(Continued)

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Step 4 – Appeal to the Board of Education**

In the event that a complainant and/or accused files an appeal with the Board of Education following an investigation by the Superintendent of Schools, such appeal must be submitted within ten (10) working days of receipt of the Superintendent's report. The Board of Education will conduct a hearing and issue a written response to the complainant and the accused following completion of the hearing within thirty (30) days of receipt of the complaint. If additional time is needed, a written status report shall be submitted to all parties, indicating the need for additional time.

Prohibition of Retaliation

Regardless of the stage of the investigation, the victim will be instructed by the complaint officer to report immediately if the offensive behavior occurs again and/or if the alleged harasser retaliates against him/her. Any witnesses who cooperated in the investigation of the complaint will be similarly instructed to report to the complaint officer immediately as to any retaliatory action(s). Additionally, the designated complaint officer will make follow-up inquiries to ensure that harassment has not resumed and that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Discipline/Penalties

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

Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable law, regulation, and the Student Code of Conduct.

Vendors/contractors and other individuals who do business with the District, who have been found to violate the terms of the anti-harassment policy and/or regulation by engaging in prohibited conduct, will be subject to appropriate sanctions up to and including loss of District business. School volunteers who are found to have violated District policy and regulation may face loss of volunteer status.

Should the offending individual be a visitor, guest or other third party, then any corrective action deemed appropriate will be taken, including, but not limited to, expulsion from the District premises and/or school activities/events under the control and supervision of the School District.

(Continued)

Community Relations

SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

The application of such disciplinary measures by the District does not preclude the appropriate filing of civil and/or criminal charges as may be warranted.

District Responsibility/Training

Regardless of whether a complaint has been filed, if the District knows of the occurrence or the possible occurrence of any harassment, the District will require a prompt and thorough investigation by appropriate personnel.

Principals in each school building and/or program supervisors will be responsible for informing students and staff on a yearly basis of District policy and regulations regarding the prohibition of harassment, including the procedures established for the investigation and resolution of harassment complaints, the general legal issues pertaining to harassment, and the rights and responsibilities of employees and students.

Those administrators and/or supervisors who have specific responsibilities for the investigation and resolution of harassment complaints will receive specialized training on conducting such investigations and application to applicable laws and collective bargaining agreements.

Dissemination of District Policy/Regulation and Evaluation

A copy of District policy and regulations pertaining to prohibition of harassment will be available upon request. A copy of District policy and regulations may be posted in various locations throughout each school building. Additionally, the District's policy and regulations will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

The Superintendent of Schools, or his/her designee(s), has a responsibility to review District policy and regulations to ensure continued effectiveness and compliance with applicable law. The Superintendent will recommend revisions as may be warranted to the Board of Education.

Community Relations**BOOSTER CLUB REGULATIONS****Kenmore-Town of Tonawanda Union Free School District**

- 1) All Booster Clubs must annually gain approval to organize by the Board of Education.
- 2) A Board of Directors must be formed and will include a president, vice president, secretary and treasurer. The treasurer should have experience with business accounting practices.
- 3) All fundraising activities must be pre-approved by the Superintendent of Schools or his/her designee through the use of the Request for Approval of Fund Raising Activities form.
- 4) Booster Clubs must work through the District to reserve any school facility. They must provide insurance and may be subject to a user fee.
- 5) Booster Clubs must open a separate bank account in the name of the Booster Club.
- 6) Booster Clubs will maintain current and accurate financial records and make these records available for Board of Education, Administration, or public inspection upon request.

Adopted: November 13, 2007

Booster Club Application
for the

Booster Club Name

School Name

Date

School Year

Sport or Student Activity the Club will work to supplement

The Kenmore-Town of Tonawanda Union Free School District (KTUFSD) recognizes the need for community support in conducting extracurricular programs; therefore, financial assistance from approved Boosters is encouraged. However, all information requested must be submitted for approval prior to any fundraising activities. Once approved, Booster Clubs must be renewed annually using a Renewal Application. Moreover, the KTUFSD reserves the right to deny approval for any specific fundraising event.

The club's purpose and/or reason(s) for its existence:

The club's major goal(s):

Formal By-Laws and/or Mission Statement are: attached. have not been adopted.

As President of the Booster Club named and described above, I have read the requirements, policies and regulations as set forth by the Kenmore-Town of Tonawanda Union Free School District pertaining to the organization and approval of booster clubs. I also attest that my fellow officers and I agree to prohibit the use of alcohol during all Club events when students are present as well as to follow said regulations as stated in District Policy 3260 and understand that not doing so could result in the dissolution of our club.

Booster Club President's Signature

Print Name

Date

Address: _____ City: _____ Zip: _____

Home Phone: _____ Cell Phone: _____ Email: _____

Additional Officers:

Vice President: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Secretary: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Treasurer: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Approved by:

Building Principal's Signature

Date

Athletic Director/Asst. Superintendent of Curriculum's Signature

Date

Board of Education Signature

Date

Renewal Application

for

at

Recognized Booster Club Name

School Name

Date

School Year

Requested By

Office Held

Sport or Student Activity the Club will work to supplement

Head Coach/Advisor

The Kenmore-Town of Tonawanda Union Free School District (KTUFSD) recognizes the need for community support in conducting extracurricular programs; therefore, financial assistance from approved Boosters is encouraged. However, this information must be submitted annually for approval prior to any fundraising activities. Moreover, the KTUFSD reserves the right to deny approval for any fundraising event and will, furthermore, consider club dissolution should it be determined that alcoholic Beverages were consumed during any club event while students were present.

Please Check All That Apply:

Our Club's purpose & goals remain unchanged

Our Club's revised purpose & goals are attached

Our Club's mission statement remains unchanged

Our Club's revised mission statement is attached

Our Club's by-laws remain unchanged

Our Club's revised by-laws are attached

Previous Year's Financial Information:

Beginning Balance \$ _____

Total Receipts \$ _____

Total Disbursements \$ _____

Ending Balance \$ _____

Current Officers:

President: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Vice President: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Secretary: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Treasurer: _____ Phone: _____ Email: _____

Address: _____ City: _____ Zip: _____

Approved by:

Building Principal's Signature

Date

Athletic Director/Asst. Superintendent of Curriculum's Signature

Date

Board of Education Signature

Date

Community Relations

SUBJECT: SOLICITATION OF CHARITABLE DONATIONS FROM SCHOOL CHILDREN

In accordance with Section 19.6 of the Rules of the Board of Regents and School District policy, the direct solicitation of charitable donations from public school students on school property during school hours in which they are compelled to be in attendance is strictly prohibited.

To implement the terms of District policy and the Rules of the Board of Regents, the following regulations shall apply:

- 1) School children may be recruited to participate as fund raisers for the benefit of a charity on a voluntary basis when such fund raising is to be conducted off school premises and/or when school is not in session. School personnel may distribute flyers or other literature, put up posters or otherwise notify students of out-of-school fund raising activities. However, school personnel may not act as a conduit and collect funds from students on behalf of a charity for which they recruited, even though the funds were raised by students off school property and not during school hours.
- 2) The prohibition against solicitation of charitable donations "during school hours" extends to homerooms and lunch periods. School hours end when students are released from compulsory attendance, which means that the Rules of the Board of Regents and District policy prohibiting such solicitation of charitable donations from students does not apply to before-school or after-school extracurricular periods.
- 3) The District will allow school children to participate in fund raising athletic events, such as walk-a-thons in which the school children perform and receive pledges from parents/guardians and members of the community at large, as long as the school itself is not used as a conduit to collect the money earned on behalf of the organization.
- 4) The District may allow students to participate during the school day in a food drive or clothing drive or similar activity involving the donation of goods for the needy only where the food, clothing, other goods or funds are collected in a non-coercive and passive fashion, such as through a bin or receptacle placed in a hallway or other common area, so that the identities of students making and not making donations are not revealed. Collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.
- 5) Student participation in fund raising activities off school premises which occurs as part of a community service program in which students receive high school credit for providing services to a charitable organization shall not be prohibited, provided that there is no solicitation of donations from students while they are attending school.

(Continued)

Community Relations

SUBJECT: SOLICITATION OF CHARITABLE DONATIONS FROM SCHOOL CHILDREN (Cont'd.)

- 6) Student organizations, such as a key club, may engage in fund raising for charitable purposes as an extracurricular activity provided that the student organization does not solicit funds directly from students during school hours.
- 7) The sale of tickets to students for a social, musical, theatrical or athletic event where a portion of the proceeds go to a charitable purpose shall not be prohibited. For example, the purchase of a ticket to a dance to raise money for a student trip or scholarship fund or for a ticket to a concert or play or charity basketball game or similar event where a portion of the proceeds go to charity shall not be prohibited by District policy. In such a situation, the student is receiving consideration for the purchase of the ticket and the risk of coercion of economically disadvantaged students is diminished, since there are many reasons for declining to attend an event. However, in accordance with District policy and the Rules of the Board of Regents, the sale on school grounds during school hours of lottery tickets or tickets for chance would be prohibited because there is no benefit received by the purchaser in consideration of his/her purchase. Furthermore, the conduct of a lottery or other game of chance that is not specifically authorized by law constitutes a gambling offense proscribed by Article 225 of the Penal Law.
- 8) The direct solicitation of charitable donations from students is prohibited where the object is to raise money to defray medical expenses for another student or other member of the school community who is ill or to raise money for a scholarship fund in memory of a deceased member of the school community. However, such prohibition will not apply to the distribution of flyers requesting that students make contributions outside of school to a fund established for such purposes. Alternatively, funds could be collected for this purpose on school property through the establishment of a collection box or receptacle in a hallway or common area.
- 9) In accordance with District policy and the Rules of the Board of Regents, the prohibition against the solicitation of charitable donations during school hours does not contain any exceptions for charitable fund raising by students or for school related organizations, such as parent-teacher associations. Direct solicitation of students during school hours is prohibited regardless of the nature of the person or organization soliciting donations.
- 10) There is no prohibition against the kinds of organizations that can engage in fund raising activities. Rather, it is the final determination of the Board of Education as to which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities otherwise comply with District policy and regulations and the Rules of the Board of Regents.

Community Relations

SUBJECT: THE USE OF PRODUCTS, MATERIALS AND SERVICES PROVIDED BY COMMERCIAL (FOR PROFIT) ORGANIZATIONS

- 1) The Superintendent or his/her designee shall establish a committee of representatives from the school staff, parents/guardians, community and, as appropriate, students to make recommendations regarding the appropriateness of the use or distribution of a commercial product, promotion, or service.
- 2) Participation in any approved programs does not constitute an endorsement by the District. Endorsement of a commercial product or service by the School System is prohibited.
- 3) Giveaways, coupons, donations, and other kinds of promotions which require purchasing a product are prohibited unless it is the intent of the District to use such promotion to support a specific educational objective.
- 4) School publications such as yearbooks, programs and newspapers may include paid advertising obtained under procedures authorized by the Superintendent or his/her designee.
- 5) Instructional time should not be used by students or staff for any promotions.
- 6) This regulation applies to schools and school-sponsored organizations. Parental organizations may sponsor promotions following the approval of the Superintendent or his/her designee.
- 7) Individual employees may not benefit either monetarily or with products or services provided from programs involving students.
- 8) Officers and employees of the District are bound by the District's Code of Ethics. This code under Section 806 of the General Municipal Law prohibits officers and employees from soliciting any gift or accepting any gift worth more than seventy-five dollars (\$75) under circumstances in which it could reasonably be inferred that the gift was intended to influence them or was intended as an award for official action.
- 9) The Superintendent or his/her designee will establish a record keeping system where flyer distribution will be recorded and monitored for each school.
- 10) Distribution of flyers will be given preference to those organizations with which relationships have previously been established.

ADOPTED: 11/18/08

Community Relations

SUBJECT: USE OF PROPERTY AND/OR FACILITIES BY OUTSIDE GROUPS

Use of Kenmore-Town of Tonawanda Union Free School District property and/or facilities, including buildings, grounds or equipment, shall be granted in accordance with Federal and New York State Law and these regulations.

District property and/or facilities are used primarily for daytime instruction. In addition, they may be utilized to meet some of the needs of the community as meeting places and recreation centers at times when school is not in session. That notwithstanding, no individual, association or organization is entitled as a matter of right to use District property and/or facilities without the express permission of the Board of Education or its designee, the Superintendent of Schools. The District has absolute discretion in granting or refusing use of its property and/or facilities and prescribing terms of their use.

Types of organizations and priority for scheduling use of District property and/or facilities:

- 1) Activity/Outgrowth of Daytime Educational/Instructional Program
- 2) Student Activity Programs: Intramurals, Co-curricular, Interscholastic, PTA, HSA and PTSA
- 3) Community Education -- Staff Development
- 4) Town and Independent Youth Programs (Majority of participants must be District residents.)
- 5) Town and Independent Adult Programs (Majority of participants must be District residents.)
- 6) Employee Groups
- 7) Programs sponsored by Government agencies: HEAP, etc.
- 8) Non-profit organizations
- 9) Profit organizations

General Conditions

Organizations utilizing school facilities must have open membership and must not be secret or fraternal societies. Political meetings may not be held in public school facilities without prior approval by vote of the eligible voters of the District.

(Continued)

Community Relations

SUBJECT: USE OF PROPERTY AND/OR FACILITIES BY OUTSIDE GROUPS (Cont'd.)

The request for use of District property and/or facilities shall be made in writing on forms provided by the District, by the official adult representative of a regularly organized group. This representative shall be responsible to the District on behalf of the organization while it is using such District property and/or facilities.

All organizations using the District's property and/or facilities must furnish proper supervision at all times to ensure good conduct of participants, safety of the parties and the proper care and maintenance of District property and/or facilities.

The District may require personnel to supervise specific activities and the proper use of equipment. If required, a charge for this personnel will be assessed the organization.

The use of alcoholic beverages and/or illegal nonprescription controlled substances are prohibited on District premises.

Smoking and/or the use of tobacco is prohibited on school grounds and is not permitted in any facility owned by the District. Such use is in violation of District Policy, NYS Public Health Law and the Federal Pro-Children Act of 1994.

All groups using the District's property and/or facilities will be held responsible for the full cost of repair or replacement of items damaged, lost or destroyed. The District reserves the exclusive right to determine whether an item will be repaired or replaced. Restitution for vandalism may be sought to the extent permitted by law.

Parking is limited to designated areas. All vehicles, with the exception of emergency type vehicles during an actual emergency, shall be restricted to the parking areas and the interconnecting paved roads servicing them.

Loitering in or around the District's buildings and premises is prohibited. Any person, who is present in or around District buildings and premises without express authorization, may be charged with "loitering" or "criminal trespass" pursuant to the New York State Penal Law, including the possible imposition of a fine or imprisonment or both.

School equipment may be loaned to community groups or employees, on premises, at the discretion of the Superintendent of Schools or his/her designee.

The Board of Education reserves the right to alter or change any or all provisions of this Regulation or to cancel it in its entirety at any time, provided that notice of such action by given in writing to organizations which have already applied or received approval for use of District property and/or facilities. Failure to comply with the requirements set forth in this Regulation shall automatically result in

(Continued)

Community Relations

SUBJECT: USE OF PROPERTY AND/OR FACILITIES BY OUTSIDE GROUPS (Cont'd.)

the revocation of the organization's permission to use District property and/or facilities for a period of one year.

Room occupancy should not exceed the posted capacity allowed by law.

Application and Approval

- 1) Organizations or individuals in the community may request permission to use District property and/or facilities by completing an "Application for Use of School Facility" form and submitting the form to the building principal. School District property and/or facilities may be used where there is no conflict with any District program and the requested property and/or facilities have not previously been reserved by another group.
- 2) All organizations desiring to use District property and/or facilities must make a proper application in writing. Request forms are to be submitted to the Encore Manager or Athletic Director, as the case may be, who, after determining if the property and/or facilities are available, will have Encore Manager calculate fees.
- 3) The Superintendent or his/her designee is responsible for approving or disapproving requests for use of District property and/or facilities. In those cases where an organization charges admission, the Board must give approval to use the property and/or facilities. Admission fees may be charged only where permitted by applicable law and the process of which are to be used for educational or charitable purposes within the District. EDUCATION LAW – Title 1, SCHOOL BUILDINGS AND SITES – Article 9 States: "For meetings, entertainment and occasions where admission fees are charged with the proceeds thereof are to be expended for an educational or charitable purpose; but such use shall not be permitted if such meetings, entertainment and occasions are under the exclusive control, and the said proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers."
- 4) When areas of a District building are requested for athletic practices and/or events on weekends or vacation days, by outside organizations, a custodian will be provided by the Superintendent of Buildings and Grounds to examine the state of such areas after the practices have concluded.

Assessment of Fees

Please see "Use of Building Matrix" to identify possible fees. Fee determination will be calculated by the Encore Manager. If any question arises with use or fee calculation, final determination will be made by the Assistant Superintendent for Finance.

(Continued)

Community Relations

SUBJECT: USE OF PROPERTY AND/OR FACILITIES BY OUTSIDE GROUPS (Cont'd.)

Separate leases for long-term occupancy may be entered into between specific groups or organizations and the District. All such leases are subject to Board of Education approval or their designee.

Charges for use of property and/or facilities by District organizations may be waived or modified by the Board of Education at its discretion. The following groups are not charged a fee unless they are doing a fund raiser or require staffing outside normal hours: Boys and Girl Scouts, Campfire Organizations, Towne Players, Cub Scouts, Brownies, and Neighborhood Watch.

Insurance Requirements

Each organization must deliver to the District certificate of insurance covering the period of use, at least ten days prior to the scheduled use of the property and/or facilities. The certificate shall be submitted to the Superintendent of Schools or his/her designee and must name the District as an additional insured and includes, as a minimum, the following coverage:

- 1) Permanent Tenants: Liability Insurance (minimum \$1,000,000), plus Fire Legal Liability (minimum \$1,000,000) - \$2,000,000 aggregate (both).
- 2) Casual Users – Athletic Accident Policy or a Special Accident Policy (minimum \$500,000). These policies are available from agents. The cost varies depending on the number of participants. A waiver/release form may be substituted for this requirement based on the judgment of the Encore Manager.

NOTE: The School District reserves the right to waive or modify this requirement under such circumstances as it may deem appropriate.

Facilities AvailableRifle Range

Not available at this time.

Pool(s)

- 1) An adult instructor with the appropriate valid American Red Cross Lifeguard Certification, including CPR, must be present and physically in the pool area when the pool is in use.
- 2) In addition to the instructor, there shall be a lifeguard with the appropriate American Red Cross Certification, including CPR, for every additional 25 individuals using the pool. At no time shall the pool be utilized by more than 60 people.

(Continued)

Community Relations

SUBJECT: USE OF PROPERTY AND/OR FACILITIES BY OUTSIDE GROUPS (Cont'd.)

- 3) The instructor and lifeguard shall be suitably dressed to enter the water when necessary. No individual, under any circumstances, will be allowed in the pool until the instructor or lifeguard is on duty.
- 4) Everyone using the pool shall have a shower and wash with soap prior to entering the pool. Towels and soap must be provided by individual users or the organization that is using the facility. In addition, all girls and boys with long hair shall wear plain rubber bathing caps. Long hair is defined as touching the collar.
- 5) Individuals with evidence of skin infection, foot infection, respiratory disease, open cuts or sores, must be excluded from entering the pool area.
- 6) The locker rooms must be supervised at all times when in use. The doors leading from the locker rooms to the pool may be opened only when the instructor or lifeguard is present in the pool area. Those doors shall be locked at the conclusion of the activity, and the instructor must determine that there is no one (including spectators) left in the pool area before he or she leaves.
- 7) When the diving boards are in use, a rope must be put across the pool and no individuals, other than those utilizing the boards, may be in that area.
- 8) Rough or boisterous play, running, or playing tag in or around the pool area shall NOT be tolerated.
- 9) The use of balls in the pool area, for any reason, must have prior written approval from the Athletic Director.
- 10) Spectators are only allowed in the bleachers and/or other areas specifically set aside for them.
- 11) The person in charge is not only responsible for those individuals who are actively engaged in aquatic activities, but is also responsible for the spectators at all times.
- 12) Whenever possible, a 15 minute "flex" will be used at the beginning and end of an activity to allow changing of clothes in the locker rooms and putting up/or taking down of equipment before the next scheduled group is allowed in the locker rooms, pool, gym, or field house.

(Continued)

SUBJECT: USE OF PROPERTY AND/OR FACILITIES BY OUTSIDE GROUPS (Cont'd.)**Physical Education Facilities**

- 1) Outside groups are encouraged to provide their own equipment, such as balls, racquets, etc. If it is impossible for the requesting group to provide their own equipment, equipment may be provided by the schools, if available. The quantity of equipment to be utilized must be requested in writing from the Athletic Director in advance of the date(s) of use of the facilities. At no time will additional supplies be available nor can a different type of equipment be utilized without written permission of the Athletic Director and the building principal of the facility in question. In addition, outside groups are reminded that they are totally responsible for returning said equipment in the condition in which it was received.
- 2) The locker room(s) shall be supervised during all times of use. The showers are available, but towels and soap must be provided by individual users or the organization that is using the facility. The individual users or organization may provide locks for the lockers, if available, but they must be removed at the end of the time period. If locks are left on the lockers, they will be removed by the District and the privilege of using lockers will be revoked.
- 3) **NO FOOD OR DRINKS ARE ALLOWED** in the gymnasium, fitness center, pool, or locker rooms **AT ANY TIME!**
- 4) All individuals actively utilizing the gymnasium must be in tennis shoes or sneakers. All other footwear is prohibited at all times on the gymnasium floor. This, however, does not preclude spectators from wearing normal footwear when prior administrative approval has been given.
- 5) Outside groups shall not enter the physical education offices.
- 6) Outside groups shall not enter the equipment or storage areas of the physical education facilities. District personnel shall provide, if available, the equipment request on the "Application for Use of School Facility."
- 7) Outside groups are responsible for supplying their supervisors with access to outside communication lines (cell phone).

Community Relations

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES GUIDELINES

- 1) Requests for use of school facilities should be submitted to the Athletic Director or Encore Manager prior to the anticipated activity. Authorization to use school facilities will be granted on the priority basis as described on the "Use of Building Matrix." Thirty (30) day advance notice is recommended. Requests for each year should be received prior to June 1, after than date it will be on a first come, first serve basis.
- 2) A custodian may be required to be on duty at all times when facilities inside a school building are in use.
- 3) The School District may not aid or perpetuate discrimination on the basis of race, creed, color, country of national origin, religion, sex, sexual orientation, age, marital status or disability in accordance with law and/or regulation. Community groups and organizations should review their use of school facilities request for conformity. The District reserves the right to require evidence of compliance with civil rights law. However, in accordance with law, the District will not discriminate in its community use of school facilities against any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code. Nor will the District deny such access or opportunity for reasons based on the membership or leadership criteria or oath of allegiance to God and country. However, such use must be in accordance with the District's community use of school facilities guidelines.
- 4) All activities conducted on school property shall conform with federal and New York State law and municipal ordinances.
- 5) Organizations authorized to use school facilities assume responsibility for the conduct of both participants and spectators. Each group shall designate a responsible adult representative who must be present at all times. Arrangements for supervision of anticipated crowds must receive prior approval of the building principal.
- 6) School facilities must be left in the same condition as they are found. Desks, displays, etc. should not be disturbed. All electrical equipment or movable properties owned by the District shall at all times remain under the control of the District.
- 7) The District will assume no responsibility for equipment or property belonging to a community group or organization. Such property shall not be stored on school property, unless specifically approved by the Superintendent or his/her designee.
- 8) Community groups shall be liable for any damage to school property resulting from activities they sponsor. A check of the school facility shall be made before and after each activity by the "person in charge" and the custodian assigned.

(Continued)

Community Relations

SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES GUIDELINES (Cont'd.)

- 9) If the pool is to be used, an adult lifeguard, with a valid American Red Cross Lifeguard Certification, including CPR, must be on duty. Each group is responsible for providing and paying its own lifeguard. Rules for use of the pool are posted in the poolroom and must be strictly observed.
- 10) Kitchen facilities are only available by prior arrangement with the Food Service Supervisor and only when a Food Service employee is on duty. When overtime pay for such services is required, a fee will be assessed to reimburse the District for this service.
- 11) Vehicles are not allowed on grassed areas or athletic fields. Parking for any large event should be controlled by sufficient personnel. Use of auxiliary police for this purpose may be required.
- 12) Admission charges, approved registration fees, or concessions may only be administered as stated on the request. (Must be described under Specific Instructions.)
- 13) Except for rest room facilities, participants and spectators should remain in the area or room assigned for any activity.
- 14) The District assumes no liability for injuries resulting from community group activities. For all activities, the District will require either a submission of a certificate of liability or insurance bond to the Superintendent or his/her designee or waived by all participants.
- 15) The School District or its representative must have free access to all facilities at all times.
- 16) The District reserves the right to revoke authorization to use school facilities at any time.
- 17) The Superintendent of Schools shall in the event of a contingent budget determine appropriate use fees to be charged after the close of school each day and on non-school days, to satisfy legal requirements related to contingent budgets.
- 18) School property, such as gymnasiums, community rooms, auditoriums, labs, cafeterias, swimming pools and playing fields used outside the normal school hours/days, require a permit signed by all parties.
- 19) Room occupancy should not exceed the posted capacity allowed by law.

Smoking, Drugs and Alcoholic Beverages

Smoking is prohibited in school buildings and on school grounds. No person shall knowingly have in his/her possession, upon any premises to which these rules apply, any alcoholic beverages and/or illegal or non-prescribed "controlled substance." ("Controlled substance" as defined by Penal Law Section 220.00.)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
PARTICIPANT RELEASE FORM**

_____ (name of participant) does hereby covenant and agree to defend, indemnify and hold harmless the Kenmore-Town of Tonawanda Union Free School District from and against any and all liability, loss, damages, claims, or actions (including costs and attorney's fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of participation in the _____ (activity.)

I certify that I understand participation in the _____ (activity) involves rigorous physical activity, and I further certify that I am in good physical condition and I have no medical or physical conditions that would restrict my participation in this event. I understand that there are risks of injury involved in participating in this activity and I assume those risks.

This form must be completed prior to participation in the above stated activity. It is understood that insurance is not provided by Kenmore-Town of Tonawanda School District. The participant, or their parent or guardian, is responsible to provide their own health coverage and by signing this release they are stating that such coverage is in effect for the entirety of this event or activity.

Dates of event or activity _____

_____ Date ____/____/____
Signature of Participant

_____ Date ____/____/____
Signature of Parent (if 18 or under)

Address

Phone Number

I certify that the individual above signed this release form in my presence.

_____ Date ____/____/____
Signature of Coordinator of Event

***This request must be completed in its entirety.**

KENMORE-TOWN OF TONAWANDA U.F.S.D.
APPLICATION FOR USE OF SCHOOL FACILITY
 1500 Colvin Boulevard
 Buffalo, NY 14223-1196

3280F.1
 1 of 2

ORIGINAL REQUEST

CHANGE IN REQUEST

DATE(S) REQUESTED: _____ ORGANIZATION _____

TIME REQUEST: From _____ am pm To _____ am pm NO. HRS: _____ APPROX. #PARTICIPANTS _____

must include set-up and final clean-up

ACTIVITY: _____ ADMISSION CHARGE? YES NO

APPLICANT: _____ PHONE: HOME _____ WORK _____

ADDRESS: _____

PURPOSE OF USE: _____

BLDG. REQUEST: **HS:** KW KE **MS:** FM HM KM **ELEM:** HE FE RSV LND ED JEF HAM HOL **OTHER:** _____

BLDGS: SHER GREEN ACRES ADDAMS AD BLDG **FIELDS:** _____ **OTHER:** _____

#Participants **Adults** **Children**

Residents _____ _____

Non-Residents _____ _____

Total _____ _____

STANDARD USE FEE: See Fee Schedule

Room Type	Rate	#Hrs.	Total	Other Costs (If Any)	Rate	#Hrs.	Total
1)				1)			
2)				2)			
3)				3)			

Staffing Type	Rate	#Hrs.	Total	TOTAL CHARGES			
1)				DEPOSIT			
2)				BALANCE OWED AT END OF EVENT (estimate)			
3)				Sign In: Time: _____	_____	Sign Out: Time: _____	_____

EQUIPMENT REQUESTED: Table Chairs Podium Lights Microphone Flag
 Spotlight Projector VCR Kitchen Equipment Other _____

SPECIFIC INSTRUCTIONS:

INSTRUCTIONS:

1. This form should be submitted to the Encore Manager (Inside Use) or Athletic Department (Outside Use), who will note request at least 30 days prior to the date of the activity. They will forward the request to Building Principal or responsible party.
2. The principal's office will affix his/her signature if the building is available at the requested date/time. They will then return this request to the Encore Department for fee calculation and approval.
3. The Encore Manager will complete fee calculation and affix their signature. Then the form will be sent to the applicant for acknowledgment of estimated fee.
4. If the Applicant approves the fee, they are to affix their signature to the form and send it to the Encore Manager who will send it to Superintendent or his/her designee for final approval.
5. After the Superintendent or his designee approves the application, copies will be sent to: Applicant, Encore Manager, Athletic Director, Principal, Custodian, Superintendent of Buildings and Grounds, Business Office, Food Service.

PLEASE READ THE FOLLOWING REGULATIONS:

A Custodian or District Designee may be required to be on duty. Any cost associated with the individual may be charged to the organization using the facility.

Use of cafeteria/kitchen facilities requires the presence of a Kenmore-Town of Tonawanda U.F.S.D. cafeteria employee. The cost of this employee must be paid for by the organization using the facility.

Use of Auditoriums for plays, etc. which require audio video equipment, lights, curtains, stage, etc. requires the presence of a School District employee. The cost of this employee must be paid for by the organization using the facility.

Reimbursement is required for any damage done by the organization.

All safety and fire prevention measures are to be observed.

Smoking and/or use of tobacco is prohibited on school grounds and is not permitted in any facility owned by the District. Such use is in violation of NYS Public Health Law and the Federal Pro-Children Act of 1994

The use of alcoholic beverages and/or illegal nonprescription controlled substances are prohibited on District premises.

The District will not be held liable.

Alterations or substantial rearrangement of facilities and equipment will not be permitted.

Children must be properly supervised and no group will be admitted which does not have at least one adult present for each given number of children, depending on the activity. Children in very large groups or engaged in very active pursuits should have plenty of adult supervision.

The district will not be held liable for any damages, direct or consequential, if for any reason, the facilities agreed upon are not made available.

The user group will not sub-let the space to another organization or group and merely act as an agent for what might otherwise be a non-permitted use.

Room occupancy should not exceed the posted capacity allowed by law.

INSURANCE REQUIREMENTS:

Your organization must provide the District with a Certificate of Insurance indicating you have the following coverage:

- Permanent Tenants – Liability Insurance \$1,000,000 plus Fire Legal Liability (minimum \$1,000,000) - \$2,000,000 aggregate (both).
- Casual Users – Athletic Accident Policy or a Special Accident Policy (minimum \$500,000). These policies are available from agents. The cost varies depending on the number of participants. A waiver/release form may be substituted for this requirement based on the judgment of the Encore Manager.

The District reserves the right to cancel any scheduled event.

Types of organizations and priority for scheduling use of District property and/or facilities:

Items 1-7 follow "Actual Cost Schedule" form:

- 1) Activity/Outgrowth of Daytime Educational/Instructional Program
- 2) Student Activity Programs: Intramurals, Co-curricular, Interscholastic, PTA, HSA, PTSA
- 3) Community Education – Staff Development
- 4) Town and Independent Youth Programs
- 5) Town and Independent Adult Programs
- 6) Employee Groups
- 7) Programs sponsored by Gov't agencies: HEAP, etc.

} Majority of participants must be District residents

Items 8-9 follow "Cost Matrix" form:

- 8) Non-profit organizations
- 9) Profit organizations

PRINCIPAL'S APPROVAL:

DATE: _____

Indicates building is available on date/time requested. Forward to Encore Department for fee calculation.



ENCORE APPROVAL:

DATE: _____

Forward to applicant for acceptance of fee.



APPLICANT'S APPROVAL:

DATE: _____

Indicates acceptance of fee and any additional charges, if applicable. Invoice will follow after use of building/facility. After signing, return to Encore Manager at 1500 Colvin Blvd., Buffalo, New York 14223.



SUPERINTENDENT'S OR DESIGNEE APPROVAL:

DATE: _____

Copies for: Applicant, Business Office, Principal, Custodian, Supt. of Bldgs. & Grnds, Encore Manager, Athletic Director, Food Service

AGREEMENT:

The applicant is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the District for the use and care of the facilities. He/she, on behalf of Name of Organization does hereby covenant and agree to defend, indemnify and hold harmless the District from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of District's property, facilities and/or services by Organization.

Signature of Organization's Representative

Cost Matrix

Rates: Auditoriums:	Hiry Rates (if applicable)										Football/Soccer		
	Capacity	Auditorium	Gym	Wellness	Kitchen	Pools	Rifle Range	Cafeteria	Classrooms	Community Rooms	Band Rms	Fields All types Daily	Fields All types Seasonal
KE	1450	\$100	\$50	\$20	\$40	\$40	\$50	\$25	\$20	\$30	\$25	\$80	\$120
KW	1450	\$100	\$60	\$20	\$40	\$40	N/A	\$25	\$20	\$30	\$25	\$60	\$120
KM	985	\$80	\$35	\$20	\$40	\$40	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Hoover	1330	\$80	\$35	\$20	\$40	\$40	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Franklin	1330	\$80	\$35	\$20	\$40	\$40	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Holmes		\$40	\$20	\$20	N/A	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Jefferson		\$40	\$20	\$20	N/A	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Edison		\$40	\$20	\$20	N/A	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Roosevelt		\$40	\$20	\$20	N/A	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Hamilton		\$40	\$20	\$20	N/A	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Lindbergh		\$40	\$20	\$20	N/A	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Green Acres		\$40	\$20	\$20	\$20	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Adams		\$40	\$20	\$20	\$20	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120
Sheridan	349	\$40	\$20	\$20	\$20	N/A	N/A	\$25	\$20	\$30	\$25	\$60	\$120

Personnel Additional Fees	Reg Time		1 1/2 Time		Double Time	
Cleaning	\$19		\$29		\$39	
Custodian	\$29		\$43		\$57	
Security	\$21		\$32		\$42	
AV Pers	\$26		\$39		\$52	
Cafeteria Cook	\$25		\$37		\$49	
Grounds Worker/Laborer	\$21		\$32		\$42	
Cafeteria Food Service Worker	\$16		\$24		\$32	
Other						

Additional Costs:

Lining of Fields	\$50
Special Mowing Requests	\$50
Audio Visual	Will be costed out based on request

Special events may require additional charges as may be determined by the authorizing district personnel. Payment for use of facility may require a deposit or full payment prior to usage at the discretion of the Encore Manager or Assistant Superintendent for Finance.

Cost Matrix

Rates:	Capacity	Per Use Charge						Rifle Range	Cafeteria	Classrooms	Community Rooms	Band Rms	Fields		Football/Soccer	
		Auditorium	Gym	Kitchen	Pools	Wellness	Daily						Seasonal	All types	Daily	Seasonal
KE	1450	\$25	\$25	\$20	\$23	\$50	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
KW	1450	\$25	\$25	\$20	\$23	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
KM	985	\$25	\$25	\$20	\$23	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Hoover	1330	\$25	\$25	\$20	\$23	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Franklin	1330	\$25	\$25	\$20	\$23	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Holmes		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Jefferson		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Edison		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Roosevelt		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Hamilton		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Lindbergh		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Green Acres		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Adams		\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		
Sheridan	349	\$20	\$20	\$20	N/A	N/A	\$20	\$15	\$20	\$20	\$20	\$25	\$50	\$100		

Community Relations

SUBJECT: VEHICULAR TRAFFIC ON SCHOOL DISTRICT PROPERTY

For the purpose of safety and control, the Kenmore-Town of Tonawanda Union Free School District establishes the following rules and regulations concerning vehicular traffic operated or located on School District property. Students and staff will be required to adhere to the rules and regulations and the administrative procedures outlined below.

- 1) Definitions:
 - a. School District Property shall include all property owned or leased by the School District, and shall include any premises operated by this District as a result of a contract with the State Education Department or the United States of America.
 - b. Vehicle shall include any device moved exclusively or in part by power other than human. Included in this definition, but not exclusively, are automobiles, trucks, vans, motorized bicycles, go-carts, snowmobiles, and any vehicle powered by wind, sun or the like.
 - c. Trailer shall include any vehicle which, lacking its own source of power, is moved onto School District property by a vehicle.
 - d. Vehicle and Traffic Law shall refer to the Vehicle and Traffic Law of the State of New York as amended from time to time.
 - e. Parking Area shall be those areas of the School District property which are paved and signified either by pavement striping or signs to be for the parking of vehicles.
- 2) Speed Limits: No vehicle shall be operated on School District property at a speed in excess of seven (7) miles per hour.
- 3) Areas for Operation of Vehicles on School District Property: All vehicles and trailers when on School District property shall be operated only on the driveways, roads, and parking areas of the School District.
- 4) Parking and Standing Restrictions:
 - a. Parking Areas: Parking areas for students and staff, as well as areas where parking is restricted, will be designated and so posted. Such areas will be determined by the administration and reviewed annually.

(Continued)

Community Relations

SUBJECT: VEHICULAR TRAFFIC ON SCHOOL DISTRICT PROPERTY (Cont'd.)

- b. No vehicle shall be left parked or standing on School District property between the hours of midnight and 7 a.m., unless the vehicle is under control of a School District employee whose duties require the employee to be present on the property during the time the vehicle is left parked or standing.
 - c. No vehicle shall be left standing or parked on School District property for more than one (1) hour unless the vehicle is under the control of a School District employee whose duties require the said employee to be present on the property during the time the vehicle is left parked or standing.
 - d. No vehicle or trailer shall be left standing or parked at any time on the following School District properties:
 - (1) Non-paved areas;
 - (2) Fire lanes;
 - (3) Any School District property during snow-storms, floods, fires or other public emergencies.
- 5) Traffic Direction: No vehicle shall be operated on a School District drive or road unless in the direction of travel indicated for such drive or road, and to signify this by posting indications of the proper direction of travel. The Superintendent shall further signify his/her decisions in this regard by notifying the Board of Education, in writing, of his/her decisions, and filing a copy of the writing with the District Clerk.
 - 6) Other Traffic Regulatory Devices: The Superintendent is hereby delegated the power to direct traffic and parking-area traffic by lining of the roads, driveways and parking areas, the construction of raised areas on drives or roads to slow traffic, erection of stop signs, and other regulatory devices.
 - 7) District Liability: It shall be the understanding of all persons who operate a motor vehicle on school property that the Kenmore-Town of Tonawanda Union Free School District accepts no liability for personal injury or personal property damage or loss. Each person drives and parks at his/her own risk on school property.
 - 8) Removal and Storage of Vehicles and Trailers:
 - a. The Superintendent or his/her designee is hereby authorized to remove any vehicle or trailer parked or standing in violation of these rules, and to store same. The charge for the removal shall be _____ dollars, and the storage fee shall be _____ for each day of storage or any part thereof.

(Continued)

Community Relations

SUBJECT: VEHICULAR TRAFFIC ON SCHOOL DISTRICT PROPERTY (Cont'd.)

- b. All vehicles and trailers so removed shall be stored on the parking area adjacent to the District's bus garage, and shall not be delivered to the owners until the removal fees and storage fees have been paid in full to the District Business Office.
- 9) A violation of these regulations shall be a violation of the Vehicle and Traffic Law of the State of New York, and shall be enforced by law enforcement officials of any town which has jurisdiction over any area of the School District, Erie County Sheriff's Department, or the State of New York Police, as well as any administrative employee of the School District as allowed by law.

Infractions of the following rules and regulations shall be subject to the penalties identified below:

- 1) All student vehicles must be registered and have the identification tag properly displayed from the rearview mirror.
- 2) All vehicles must park in the proper areas as posted by the District (i.e., student: student parking areas; staff: staff parking areas). These areas will be identified for the operator at the beginning of the school year or at the time of registration.
- 3) Students will only be allowed to park in the lots designated for student parking.
- 4) Students who drive to school must be on time. Continued tardiness of drivers will be considered a violation of driving privileges.
- 5) Students are not to take their vehicles off school grounds during school hours without prior permission by the administration.
- 6) Speeding, driving in a reckless manner or any other vehicle violation will be considered an infraction of driving regulations.
- 7) Students are not allowed in the parking lots or in cars during school hours (including lunch periods).
- 8) The suspension of driving privileges pertains to both the driver and the vehicle. The driver may not drive on school property, and the vehicle will not be allowed on school property, during the suspension period.
- 9) Owners of unauthorized/unregistered/or illegally parked vehicles will be warned at the first violation. The vehicle will be towed away at the owner's expense at the next violation.

(Continued)

SUBJECT: VEHICULAR TRAFFIC ON SCHOOL DISTRICT PROPERTY (Cont'd.)**Student Driving Privileges**

Driving an automobile and parking on school property is a privilege provided for the students. Each student requesting permission to drive a vehicle to school will be required to have his/her parent/guardian sign a statement authorizing the student to drive and to use a specific automobile. The permission slip will incorporate a statement as to the parent/guardian assuming responsibility for any/all riders who may at any time accompany the driver to/from school premises.

Failure to comply with the above-noted procedure, driving and/or parking regulations will be cause for disciplinary action as described in the Student Handbook.

The Board reserves the right to grant, by resolution of the Board, waivers from the effect of these regulations in the event that school activities or special events justify such waiver. Such right shall be in the Board's sole discretion and no waiver shall be presumed to have occurred unless by resolution of the Board of Education at a duly called meeting.

SUBJECT: PUBLIC ACCESS TO RECORDS**Purpose and Scope:**

- 1) The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.
- 2) These regulations provide information concerning the procedures by which records may be obtained from an agency as defined by subdivision three of Section eighty-six of the Public Officers Law. No District regulations shall be more restrictive than this Part.
- 3) The District Records Access Officer shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by other applicable law.
- 4) Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.
- 5) The District shall amend existing regulations or adopt new regulations to implement the Freedom of Information Law in conformity with any amendments to this law.

Designation of Records Access Officer:

- 1) The Board of Education shall be responsible for insuring compliance with the regulations herein, and shall designate one person as Records Access Officer by name or by specific job title and business address, who shall have the duty of District response to public requests for access to records.
- 2) The Records Access Officer is responsible to:
 - a. Maintain an up-to-date subject matter list;
 - b. Assist the requester in identifying requested records, if necessary;
 - c. Upon locating the records, take one of the following actions:
 - (1) Make records available for inspection; or
 - (2) Deny access to the records in whole or in part and explain in writing the reasons therefore;

(Continued)

SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)

- d. Upon payment of, or offer to pay, the established fee (if applicable):
 - (1) Provide copies of records;
 - (2) Upon request, certify that a record is a true copy;
- e. Upon failure to locate records, certify that:
 - (1) The District is not the custodian for such records, or
 - (2) The records cannot be found after diligent search.

Subject Matter List

The District will maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not available pursuant to the Freedom of Information Law.

Requests for Public Access to Records

The Board of Education designates the Central Office as the location where records shall be available for public inspection and copying.

The District shall accept requests for public access to records and produce records during all hours it is regularly open for business.

- 1) The District requires that a request be made in writing.
- 2) A request shall reasonably describe the record or records sought. Whenever possible a person requesting records should supply information regarding dates, file designations or other information that may help to describe the records sought.

Response to Requests for Access to Records:

- 1) The District will, in accordance with its published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that:
 - a. Are specifically exempted from disclosure by state or federal statute;

(Continued)

Community Relations

SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)

- b. If disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of the Public Officers Law;

An unwarranted invasion of personal privacy includes, but shall not be limited to:

- (1) Disclosure of employment, medical or credit histories or personal references of applicants for employment;
- (2) Disclosure of items involving the medical or personal records of a client or patient in a medical facility;
- (3) Sale or release of lists of names and addresses if such lists would be used for commercial or fund raising purposes;
- (4) Disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party, and such information is not relevant to the work of the agency requesting or maintaining it; or
- (5) Disclosure of information of a personal nature reported in confidence to the District and not relevant to the ordinary work of the District.

Unless otherwise provided by the Freedom of Information Law, disclosure shall not be construed to constitute an unwarranted invasion of personal privacy:

- (1) When identifying details are deleted;
 - (2) When the person to whom a record pertains consents in writing to disclosure;
 - (3) When upon presenting reasonable proof of identity, a person seeks access to records pertaining to himself/herself.
- c. If disclosed would impair present or imminent contract awards or collective bargaining negotiations;
- d. Are compiled for law enforcement purposes and which, if disclosed would:
- (1) Interfere with law enforcement investigation or judicial proceedings;
 - (2) Deprive a person of a right to a fair trial or impartial adjudication;

(Continued)

SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)

- (3) Identify a confidential source or disclose confidential information relating to a criminal investigation; or
- (4) Reveal criminal investigative techniques or procedures, except routine techniques and procedures.
- e. If disclosed would endanger the life or safety of any person;
- f. Are inter-agency or intra-agency materials which are not:
 - (1) Statistical or factual tabulations or data;
 - (2) Instructions to staff that affect the public;
 - (3) Final agency policy or determinations; or
 - (4) External audits, including but not limited to audits performed by the comptroller and the federal government.
- g. Are examination questions or answers which are requested prior to the final administration of such questions.
- h. Are computer access codes.
- 2) The District shall, within five (5) business days of receipt of a written request for records(s) reasonably described, make the record(s) available to the person requesting them, deny the request in writing or furnish a written acknowledgment of receipt of the request and a statement of the approximate date when such request will be granted or denied.
- 3) Denial of access shall state the reason for the denial and advise the person denied access of his or her right to appeal to the person or body established to hear appeals. That person or body shall be identified by name, title, business address and business telephone number. The Records Access Officer shall not be the appeals officer.

Appeals:

- 1) Any person denied access to records may appeal within thirty (30) days of a denial.

(Continued)

SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)

- 2) If the District fails to respond in any manner to a request within five (5) business days of receipt of a request, as required in subdivision three of Section 89 of the Public Officers Law, such failure shall be deemed a denial of access by the agency.
- 3) The Superintendent shall hear appeals or shall designate a person or body to hear appeals regarding denial of access to records under the Freedom of Information Law.
- 4) The time for deciding an appeal by the individual or body designated to hear appeals shall commence upon receipt of written appeal identifying:
 - a. The date and location of the request for records;
 - b. The records that were denied; and
 - c. The name and return address of the appellant.
- 5) The District shall transmit to the Committee on Open Government copies of all appeals upon receipt. Such copies shall be addressed to:

Committee on Open Government
Department of State
162 Washington Avenue
Albany, New York 12231
- 6) The person or body designated to hear appeals shall inform the appellant and the Committee on Open Government of its determination in writing within ten (10) business days of receipt of an appeal.
- 7) Further denial of access by the Superintendent/Appeals Officer to a requested record shall be subject to court review in accordance with Article 78 of the Civil Practice Law and Rules.

Fees

- 1) There shall be no fee charged for the following:
 - a. Inspection of records;
 - b. Search for records;

(Continued)

SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)

- c. Certification of documents;
 - d. Copies of documents which have been printed or reproduced for distribution to the public.
- 2) The District may charge a fee for copies of records provided that:
- a. The fee for copying records shall not exceed 25 cents per page for photocopies not exceeding 8 1/2 by 14 inches except when a different fee is otherwise prescribed by law.
 - b. The fee for copies of records not covered by paragraph (a) of this subdivision shall not exceed the actual reproduction cost.

Public Notice

The District shall publicize by posting in a conspicuous location in the Central Office:

- 1) The location where records shall be made available for inspection and copying.
- 2) The name, title, business address, and business telephone number of the designated Records Access Officer.
- 3) The right to appeal by any person denied access to a record and the name and business address of the person or body to whom an appeal is to be directed.

Community Relations

SUBJECT: PUBLIC ACCESS TO RECORDS

<u>Responsibility</u>	<u>Action</u>
Requester	1) a. Obtains request form (#3310F) to inspect or copy record(s) from Records Access Officer. b. Completes request form (#3310F) and submits to Records Access Officer.
Records Access Officer	2) Determines if record(s) specified on form is/are available for inspection and copying: <ul style="list-style-type: none"> a. If available, directs requester within 5 business days of receipt of request to place where record(s) may be inspected and copied. b. If not available, notes reason for unavailability on request form, returns copy to requester within 5 business days of receipt of request, and informs requester of right to appeal. c. If unable to grant or deny access to records within 5 business days of receipt of request, furnishes written acknowledgment of receipt of request and statement of approximate date when determination will be made.
Requester	3) If not satisfied with response submits written appeal to the Appeals Officer within 30 days.
Superintendent/Appeals Officer	4) Within ten (10) business days of the receipt of an appeal, shall: <ul style="list-style-type: none"> a. Further deny access to records sought, fully explaining in writing or; b. Provide access to the records sought. c. Submits to Committee on Open Government a copy of Appeal and final determination.
Requester	5) If denied further access by the Appeals Officer, may bring a proceeding for review of such denial pursuant to Article 78 of the Civil Practice Law and Rules.

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
APPLICATION FOR PUBLIC ACCESS TO RECORDS

TO: RECORDS ACCESS OFFICER

Name of Agency

Address

I hereby apply to inspect the following record(s)

For the following purpose(s)

Print Name Signature Date

Representing Mailing Address

For Agency Use Only

Approved Inspection Approved for Copies Pages at \$ per page

Total Received \$

Denied (for the reason(s) checked below)

- Confidential Disclosure Part of Investigatory Files
Unwarranted Invasion of Personal Privacy
Record of which this agency is legal custodian cannot be found
Record is not maintained by this agency
Exempted by statute other than the Freedom of Information Act
Other (Specify)

Signature, Records Access Officer Date

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

Name Business Address

I hereby appeal:

Signature Date

SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY

The Kenmore-Town of Tonawanda Union Free School District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The District shall further provide for the enforcement of such Code.

For purposes of this regulation and the implemented Code of Conduct, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus as defined in Vehicle and Traffic Law Section 142; and a school function shall mean a school-sponsored extracurricular event or activity.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel, and has been approved by the Board of Education.

The Code of Conduct shall include, at a minimum:

- 1) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property, including school functions; and conduct, dress and language deemed unacceptable and inappropriate on school property. Examples of potential items to be considered include:
 - a. Dress codes;
 - b. Bill of student rights and responsibilities. (Refer also to #19).
- 2) Provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students, and visitors on school property, including school functions. Examples of potential items to be considered include:
 - a. Adoption of a Civility Policy;
 - b. Prohibition of swearing and/or use of abusive language.
- 3) The appropriate range of disciplinary measures which may be imposed for violation of such Code of Conduct.
- 4) The roles of teachers, administrators, other school personnel, the Board of Education, and parents/persons in parental relation to the student.
- 5) Standards and procedures to assure security and safety of students and school personnel.

(Continued)

Community Relations

SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- 6) Provisions for the removal from the classroom, and from school property and school functions, of students and other persons who violate the Code of Conduct. Examples of potential items to be considered include:
- a. Grounds for teacher removal of "disruptive students" (as defined in accordance with Education Law and Commissioner's Regulations) from the classroom:

A "disruptive student" is defined as an elementary or secondary student under twenty-one (21) years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. (Refer also to #16.)
 - b. Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident by the teacher. However, no such "disruptive" student shall return to the classroom until the principal (or his/her designated School District administrator) makes a final determination, pursuant to Education Law Section 3214(3-a)(c) (see "c" below) or the period of removal expires, whichever is less.
 - c. The principal/designee shall not set aside the discipline imposed by the teacher unless the principal/designee finds that:
 - (1) The charges against the student are not supported by substantial evidence;
 - (2) The student's removal is otherwise in violation of law; or
 - (3) The conduct warrants suspension from school pursuant to Education Law and a suspension will be imposed.
 - d. Teachers are required to **immediately** report and refer "violent students" (as defined in accordance with Education Law) to the principal or Superintendent for a violation of the Code of Conduct and a minimum suspension period pursuant to Education Law Section 2801. (Refer also to #17.)
- 7) Disciplinary measures to be taken in incidents involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence.
- 8) Provisions for detention, suspension and removal of students from the classroom, consistent with the Education Law Section 3214 and other applicable federal, state, and local laws.

(Continued)

Community Relations

SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- 9) Procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs.
- 10) Procedures by which violations are reported and determined; and disciplinary measures imposed and carried out.
- 11) Provisions ensuring that the Code of Conduct, and its enforcement, are in compliance with state and federal laws relating to students with disabilities.
- 12) Procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime.
- 13) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations by their children.
- 14) Circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition as defined in Articles 3 and 7 of the Family Court Act will be filed.
- 15) Circumstances under and procedures by which referral to appropriate human service agencies shall be made.
- 16) Delineation of a **minimum** suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom. However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law.

The determination of students who "repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom" shall be in accordance with definitions enumerated in Commissioner's Regulations. For purposes of this requirement:

"Repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable.

(Continued)

Community Relations

SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- 17) Delineation of a **minimum** suspension period for acts that would qualify the student to be defined as a "violent student" pursuant to Education Law Section 3214(2-a)(a) and enumerated below. However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law.

Pursuant to Education Law, a "violent student" is defined as an elementary or secondary student under twenty-one (21) years of age who:

- a. Commits an act of violence upon the teacher, administrator or other school employee;
 - b. Commits, while on School District property, an act of violence upon another student or any other person lawfully upon such property;
 - c. Possesses, while on School District property, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
 - d. Displays, while on School District property, what appears to be a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing death or physical injury;
 - e. Threatens, while on School District property, to use any instrument that appears capable of causing physical injury or death;
 - f. Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or
 - g. Knowingly and intentionally damages or destroys School District property.
- 18) Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a firearm to school or possessed a firearm at school shall be suspended for a period of not less than one (1) calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.
- 19) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior, and which shall be publicized and explained to all students on an annual basis.
- 20) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline.

The Code of Conduct has been adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parent/persons in parental relation, students, and any other interested parties.

(Continued)

SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

Distribution of the Code of Conduct shall include, but not be limited to, the following methods of dissemination:

- 1) Copies of a summary of the Code of Conduct shall be provided to all students at a general assembly held at the beginning of each school year.
- 2) Copies of the Code of Conduct shall be made available to parents/persons in parental relation to students at the beginning of each school year.
- 3) A plain language summary of the Code of Conduct shall be mailed to all parents/persons in parental relation to students **before** the beginning of each school year, and such summary of the Code shall be made available thereafter upon request.
- 4) Each existing teacher shall be provided with a copy of the Code of Conduct and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code, and new teachers shall be provided with a copy of the current Code upon their employment.
- 5) Copies shall be made available for review by students, parents/persons in parental relation to students, non-teaching staff, and other community members
- 6) The District shall further take reasonable steps to ensure community awareness of the Code provisions.

The District's Code of Conduct shall be reviewed by the Board of Education on an annual basis and updated as necessary, taking into consideration the effectiveness of Code provisions and the fairness and consistency of its administration. The District is authorized to establish a committee to facilitate the review of the Code of Conduct and the District's response to Code of Conduct violations. Any such committee shall be comprised of similar individuals designated to develop the original Code of Conduct (see above).

The Board of Education shall reapprove any such updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions.

SUBJECT: EARLY WARNING SIGNS OF STUDENT VIOLENCE

While it is not always possible to predict behavior that will lead to violence, staff members can recognize certain early warning signs. It is the responsibility of all staff to help ensure a safe school environment, and to inform the building principal when such staff member is aware of and/or notices a student who may be potentially violent.

Early Warning Signs

The following early warning signs are offered as an aid in identify and referring students who may be potentially violent and are in need of help. It is important to note that these early warning signs are not equally significant and are not presented in order of seriousness. Furthermore, it is inappropriate, and potentially harmful, to use the following warning signs as a checklist against which to match individual students. Staff are to use the early warning signs for identification and referral purposes only; it is the responsibility of trained professionals to make diagnoses in consultation with the student's parents or guardians.

The early warning signs include, but are not limited to, the following:

- 1) Social withdrawal.
- 2) Excessive feelings of isolation and being alone.
- 3) Excessive feelings of rejection.
- 4) Being a victim of violence.
- 5) Feelings of being picked on and persecuted.
- 6) Low school interest and poor academic performance.
- 7) Expression of violence in writings and drawings.
- 8) Uncontrolled anger.
- 9) Patterns of impulsive and chronic hitting, intimidating, and bullying behaviors.
- 10) History of discipline problems.
- 11) Past history of violent and aggressive behavior.
- 12) Intolerance for differences and prejudicial attitudes.

(Continued)

SUBJECT: EARLY WARNING SIGNS OF STUDENT VIOLENCE (Cont'd.)

- 13) Drug use and alcohol use.
- 14) Affiliation with gangs.
- 15) Inappropriate access to, possession of, and use of firearms.
- 16) Threats of violence.

Student Referrals

Staff members who observe any of the above warning signs in a student, and who believe that such student is a threat to himself/herself and/or others, or may display aggressive rage or violent behavior, shall immediately notify the building principal. As deemed necessary and/or appropriate, the principal will contact the following individuals: the student's parents/guardians; the school psychologist and/or counselor; and the Assistant Superintendent for Pupil Services, if applicable, in order to discuss the student's behavior and implement a plan of appropriate intervention as may be necessary.

The Superintendent will be keep informed as to any actions taken by the building principal.

Community Relations

SUBJECT: MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY

<u>Responsibility</u>	<u>Action</u>
Administrator/Designee	1) a. Determines if person(s) is/are in violation of the Code of Conduct for the Maintenance of Order on School Property. b. Determines the cause of the conduct in question and makes a reasonable effort to persuade those engaged in the conduct to desist. He/she must try to resort to permissible methods for the resolution of any issues which may be presented. c. Tells the person(s) that their conduct is in violation of the Code of Conduct and warns the person(s) involved in the conduct of the consequences if they persist in the prohibited conduct. d. If a visitor or other third party on school premises refuses to discontinue such conduct, ejects the person(s) from the premises where the conduct is taking place. e. May apply to the public authorities for any aid he/she deems necessary in causing the ejection of any violator of the rules. f. May request school counsel to apply any legal course of action to the violators.
School Counsel	2) Assists in application to court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules, subject to provisions of applicable law.
Administrator/Designee	3) If violator is a student or an employee of the District, applies appropriate disciplinary procedures in accordance with law, the Code of Conduct, District policies, and, if applicable, collective bargaining agreement. 4) Informs and submits a written report to the Board.

Community Relations

SUBJECT: VANDALISM PROTECTION

<u>Responsibility</u>	<u>Action</u>
Employee	1) Reports damage or act of vandalism to the principal.
Principal/Designee	2) a. Investigates damage or act of vandalism. b. Reports findings of the investigation to the Superintendent.
Superintendent/Designee	3) a. Determines the extent (if any) of police involvement. b. Notifies parents/guardians and student (if known) and confers with them regarding damages done. c. Submits to the student/parents/guardians a description of damages and a bill for their repair.
Student/Parents/Guardians	4) a. Agrees to pay for damages. or b. Agrees to work for the District until the debt is paid. or c. Refuses to provide restitution.
Superintendent/Designee	5) Initiates legal action if option 4(c) is exercised by the students/parents/guardians.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
VANDALISM, BURGLARY, THEFT, OR ILLEGAL ENTRANCE REPORT**

(Report to Buildings and Grounds Superintendent immediately)

DATE _____

1) School Building _____

2) Principal _____

3) Name of employee who reported the incident _____

Title _____

4) Date Incident occurred: _____

5) Approximate time of Incident: _____

6) Remarks (Include a complete description of the event; damage to equipment, floors, windows, etc. State when event or damage was discovered and to whom it was reported).

(use back of the form for additional comments)

7) Estimated Cost _____

8) Final Disposition _____

Superintendent of Buildings and Grounds

Copies to: Superintendent
Business Manager
Principal

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
THREATS OF VIOLENCE IN THE SCHOOL:
NOTIFICATION TO PARENTS/GUARDIANS**

(Date)

Dear Parents/Guardians:

Due to recent events which have occurred in schools throughout the country, our School District has placed renewed efforts and priority on helping to ensure a safe and secure school environment for our students and staff, and to implement measures to prevent school violence.

We are asking your cooperation in helping us address the issue of violence in our schools. It is only through cooperation with the home that the schools can be successful in implementing appropriate standards of student behavior.

Attached to this letter is a copy of our School District Student Code of Conduct which provides a list of sample proscribed activities (which is not intended to be exhaustive), as well as the range of disciplinary actions which may be taken.

Effective immediately, if your child threatens violence against others, whether staff and/or students, or makes threats involving the school or school buildings, he/she will face immediate disciplinary action as well as possible referral to local law enforcement agencies.

Additionally, the School District retains the right to seek restitution for any costs or damages incurred as a result of a student's actions and/or threats, such as the evacuation of the school building.

We are requesting that you discuss with your child the importance of his/her cooperation in reporting threats of violence against others, suicide threats, or threats involving the school building by calling the school hotline or reporting the threat to faculty members or the building principal.

Please discuss the attached Student Code of Conduct with your child, and sign and return the bottom portion of this form to the classroom teacher within the next seven (7) days.

Sincerely,

(Principal)

.....
Please detach and have your child return to his/her classroom teacher.

My child, _____, and I have read, discussed and understand the Student Code of Conduct.

Signature of Parent(s)/Guardian(s) _____ Date _____

Community Relations

SUBJECT: FIREARMS OR OTHER DANGEROUS WEAPONS

Firearms or other dangerous weapons have absolutely no place on school grounds. It is the responsibility of all of us to protect the health and safety of all our staff and students. A person in possession of a rifle, shotgun, knife, firearm or other dangerous weapon while in or upon the grounds or buildings of a school, college or university without proper authorization will be reported to the police.

The term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

NOTE: Refer also to Regulation #7360R -- Regulations Regarding Gun-Free Schools.

SUBJECT: EMERGENCY CLOSINGS

The Superintendent is empowered to close the District Schools, delay the opening, or to dismiss students early in the event of hazardous conditions, including weather, which threaten the safety of students.

In making the decision to close schools, either the Superintendent or his/her designee shall consider many factors, including the following:

- 1) The availability of parent(s)/guardians(s) to receive the student at home in the event schools should be dismissed early.
- 2) The health and safety of students remaining in a school environment.
- 3) Weather conditions, both existing and predicted.
- 4) Driving and traffic conditions affecting public and private transportation facilities.
- 5) Continuance or discontinuance of the operations of business, commercial and professional people in the area.

Facts will be assembled from the appropriate agencies and organizations before any decisions are made. For example, the Highway Department, Police Department, Weather Bureau, transportation companies and other governmental agencies, as needed, will be called.

Following the decision, communications will begin for the total notification of the students and staff. Either the Superintendent or his/her designee shall notify the public media. Employees should listen to broadcasts beginning at 6 a.m. Any employee who is doubtful about reporting should contact his/her immediate supervisor.

Delayed School Plan

When it appears likely that weather and/or street conditions will improve later in the morning, a "delayed school opening" announcement may be made to the public. Employees shall make an effort to report to their assignment at the regular starting time.

"A" Schedule (One hour delay in all school starting times):

All schools will begin one hour later than normal starting times and dismiss at regular time.

"B" Schedule (Two hour delay in all school starting times):

All schools will begin two hours later than normal starting times and dismiss at regular time.

(Continued)

SUBJECT: EMERGENCY CLOSINGS (Cont'd.)**Early Dismissal School Plan**

When a sudden, unanticipated emergency condition, including weather alert, arises after school has commenced, and it is deemed appropriate to close schools and offices, the following actions will be followed:

- 1) The media will be called and the public will be informed of the decision.
- 2) Schools will be dismissed with dismissal time arranged to parallel the arrival of buses. No staff member may leave his/her assignment until all students have left the building (unless authorized to do so by the principal).
- 3) Elementary students can be released to the custody of their parent/guardian or another designated adult.

Staff Assignments

The Superintendent is responsible for the effective operation of the School District at all times. Under Education Law, Sections 1711 and 3012, the Superintendent is empowered to require certain groups of employees to work while other employees are not required to work because the absence of students reduces the productivity of these employees.

When schools are officially closed for students due to inclement weather or other emergency conditions:

- 1) In general, school-based personnel will not report with the exception of the building plant operators, custodians, maintenance, and janitorial staff, as per negotiated agreement.
- 2) The Superintendent of Buildings and Grounds, the transportation supervisor and the Superintendent will report to work, along with other designated employees.
- 3) Principals will remain responsible for security of their schools and for seeing that the building and grounds are made as ready as possible for school on the next scheduled day.

Parent/Guardian Notifications

Principals have the responsibility to urge parents/guardians to make plans for the emergency supervision of their children should an all-day closing, a delayed opening, or an early closing of school be necessary.

Radio announcements or telephone trees may be used to notify staff members.

Community Relations

SUBJECT: CLOSINGSResponsibilityAction**Before School**

Superintendent/Designee

- 1) Consults with highway officials or other agencies regarding road conditions and predicted weather patterns.
- 2) Makes decision as to closing.
- 3) If decision is to close, notifies:
 - a. Radio stations
 - b. Principals

During School

Transportation Supervisor

- 1) Consults with highway officials or other agencies regarding road conditions and predicted weather patterns.
- 2) Informs Superintendent of adverse conditions.

Superintendent

- 3) Makes decision as to closing.

Superintendent/Designee

- 4) If decision is to close, notifies:
 - a. Transportation Supervisor
 - b. Radio and television stations
 - c. Principals
 - d. Staff and Students

Transportation Supervisor

- 5) Notifies drivers and substitutes where necessary.
- 6) Reschedules school pickups as soon as decision is made.

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Non-Instructional/Business
Operations

(Section 5000)

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SUBJECT: PANDEMIC PREPAREDNESS IN THE WORKPLACE AND THE AMERICANS WITH DISABILITIES ACT

The District, in conjunction with its District-wide and building-level school safety plans and team, will identify a pandemic coordinator and/or team with defined roles and responsibilities for preparedness and response planning. This team should include staff with expertise in all equal employment opportunity laws. Employees with disabilities should be included in planning discussions and employer communications concerning pandemic preparedness should be accessible to employees with disabilities.

ADA-Compliant Employer Practices for Pandemic PreparednessBefore a Pandemic

- 1) Before an influenza pandemic occurs, the School District may make inquiries that are not disability-related. An inquiry is not disability-related if it is designed to identify potential non-medical reasons for absence during a pandemic (e.g., curtailed public transportation) on an equal footing with medical reasons (e.g., chronic illnesses that increase the risk of complications). The inquiry should be structured so that the employee gives one answer of "yes" or "no" to the whole question without specifying the factor(s) that apply to him or her. The answer need not be given anonymously.
- 2) The District has prepared an **ADA-Compliant Pre-Pandemic Employee Survey** (see attached Form 5000F) that can be given to employees to anticipate absenteeism.
- 3) The District may require all new entering employees to have a post-offer medical examination to determine their general health status if all entering employees in the same job category are required to undergo the medical examination and if the information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record.
- 4) The District may not rescind a job offer made to an applicant based on the results of a post-offer medical examination if it reveals that the applicant has a medical condition that puts him/her at increased risk of complications from influenza unless the applicant would pose a "direct threat" within the meaning of the ADA. A finding of "direct threat" must be based on reasonable medical judgment that relies on the most current medical knowledge and/or the best available evidence such as objective information from the Centers for Disease Control and Prevention (CDC) or state or local health authorities. The finding must be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job, after considering, among other things, the imminence of the risk; the severity of the harm; and the availability of reasonable accommodations to reduce the risk. Before concluding that an individual poses a direct threat, the District must determine whether a reasonable accommodation could reduce the risk below the direct threat level.

SUBJECT: PANDEMIC PREPAREDNESS IN THE WORKPLACE AND THE AMERICANS WITH DISABILITIES ACT (continued)During an Influenza Pandemic

- 1) If an influenza pandemic becomes more severe or serious, according to the assessment of local, state or federal public health officials, the District may have sufficient objective information from public health advisories to reasonably conclude that employees will face a direct threat if they contract pandemic influenza. Only in this circumstance may the District make disability-related inquiries or require medical examinations of asymptomatic employees to identify those at higher risk of influenza complications.
- 2) During an influenza pandemic, the District may ask employees who report feeling ill at work or who call in sick if they are experiencing influenza-like symptoms, such as fever or chills and a cough or sore throat. The District must maintain all information about employee illness as a confidential medical record in compliance with the ADA.
- 3) If pandemic influenza is like seasonal influenza or spring/summer 2009 H1N1, these inquiries are not disability-related. If pandemic influenza becomes severe, the inquiries, even if disability-related, are justified by a reasonable belief based on objective evidence that the severe form of pandemic influenza poses a direct threat.
- 4) If pandemic influenza is like seasonal influenza or the H1N1 virus in the spring/summer of 2009, making disability-related inquiries or requiring medical examinations of employees *without* influenza symptoms is prohibited by the ADA.

If an employee voluntarily discloses (without a disability-related inquiry) that he/she has a specific medical condition or disability that puts him/her at increased risk of influenza complications, the District must keep this information confidential. The District may ask him/her to describe the type of assistance he/she thinks will be needed (e.g., telecommute or leave for medical appointment).

If an influenza pandemic becomes more severe or serious, according to the assessment of local, state or federal public health officials, the District may have sufficient objective information from public health advisories to reasonably conclude that employees will face a direct threat if they contract pandemic influenza. Only in this circumstance may the District make disability-related inquiries or require medical examinations of asymptomatic employees to identify those at higher risk of influenza complications.

- 5) The District may also encourage employees to telecommute (i.e., whereby the daily commute to a central workplace is replaced by telecommunication links, allowing employees to work from other locations such as their homes, etc.) as an infection-control strategy during a pandemic. Similarly, telecommute may be requested as a reasonable accommodation by employees with disabilities to reduce their chances of infection during an influenza pandemic.

If an employee with a disability needs the same reasonable accommodation at a telecommute site that he/she had at the workplace, the District will provide that accommodation, absent undue hardship. In the event of undue hardship, the District and the employee will cooperate to identify an alternative reasonable accommodation.

SUBJECT: PANDEMIC PREPAREDNESS IN THE WORKPLACE AND THE AMERICANS WITH DISABILITIES ACT (continued)

After a Pandemic

The District may require employees who have been away from the workplace during a pandemic to provide a doctor's note certifying fitness to return to work.

Such inquiries are permitted under the ADA either because they would not be disability-related or, if the pandemic influenza were truly severe, they would be justified under the ADA standards for disability-related inquiries of employees.

As a practical matter, however, recognizing that doctors and other health care professionals may be too busy during and immediately after a pandemic outbreak to provide fitness-for-duty documentation, new approaches may be necessary, such as reliance on local clinics to provide a form, a stamp, or an e-mail to certify that an individual does not have the pandemic virus.

Adopted 3/13/12

SUBJECT: BUDGET PLANNING AND DEVELOPMENT

The budget reflects the educational aims of the School District. This means that items placed in the budget should be a direct reflection of the educational aims of the people of the District as determined by the Board of Education. As Chief Executive Officer of the Board of Education, the Superintendent has the basic responsibility for the preparation of the proposed annual budget. However, the budget-making process must involve other administrators and employees. The general procedure to be followed in preparing the proposed annual budget will be:

1) Assistant Superintendent for Business

- a. The Assistant Superintendent for Business shall be responsible for the preparation of the final copy of the proposed budget for presentation to the Board of Education by the Superintendent.
- b. Although he/she shall not be charged with the assignment of specific items in the budget, unless those items are within the scope of his/her direct responsibility, he/she shall scrutinize each item and offer his/her advice to the Superintendent regarding each item.
- c. The Assistant Superintendent for Business shall be responsible for the assignment of items in the proposed budget to the proper budget category.
- d. The Assistant Superintendent for Business will submit budgetary requests in the categories for which he/she is directly responsible to the Superintendent as outlined in the District's budget planning booklet.

2) Preparation of Budget

- a. All budgetary requests from all administrators, and from any other sources, shall be submitted to the Superintendent as outlined in the District's budget planning booklet.
- b. All budget requests will be carefully reviewed by the Superintendent with the assistance of the Assistant Superintendent for Business.
- c. A draft budget will be available for Board of Education review by April 1st.
- d. The Board will hold the necessary number of work sessions to discuss the budget proposal with a view to having a Board approved budget available for review by District residents in accordance with time frames as enumerated in law.

(Continued)

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

- e. A budget hearing must be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote will occur. The proposed budget must be completed at least seven (7) days prior to the budget hearing at which it is to be presented.
- f. Copies of the proposed annual operating budget for the succeeding year to be voted upon may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election.
- g. All School District budgets which are submitted for voter approval must be presented in three components (to be voted upon as one proposition: a program component, an administrative component, and a capital component; and each component must be separately delineated in accordance with law and/or regulation.
- h. Additionally, the District will prepare and append to copies of the proposed budget a School District Report Card and Property Tax Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. A detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation will also be appended to copies of the proposed Budget.
- i. All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents. The documents must be complete and accurate and contain sufficient detail to adequately inform the public regarding such information as mandated by law and/or regulation.

3) Early Placement of Orders

- a. Bids may be received and orders placed with suppliers prior to public approval of the budget provided the following clause, or its equivalent, is inserted in requests for bids and all purchase orders:

"Bids received and orders placed on the following year's budget prior to approval of such budget by the voters are subject to the approval of the budget at the annual meeting. In the event of non-approval of the budget by the public, any orders placed will not be binding upon the Kenmore-Town of Tonawanda Union Free School District."
- b. It is desirable to have purchase requisitions in such form that upon approval of the budget by the electorate, deliveries can be received and the majority of them completed no later than June 30th.

**BY-LAWS OF POLICIES OF THE KENMORE-TOWN OF TONAWANDA
UNION FREE SCHOOL DISTRICT FOR GIFTS AND DONATIONS**

The school district shall accept no gift or donation involving a commitment by the school district of an operational expense without approval of the Superintendent or designee as designated by the Board of Education.
Board of Education Policy #5230; Education Law Sections 1709(12), 1709(12a); General Municipal Law 805-a(1)

Before accepting a gift or donation to a school district building, please fill out the information requested below and route as noted on the lower portion of this form.

1. Name of school accepting gift: _____
2. Person accepting gift: _____
3. Donor's Name: _____
Donor's Address: _____

4. Purpose for the gift or donation: _____

5. Description of gift or donation: _____

6. Model number or serial number, if any: _____
7. Estimate of installation expense, if any (ie., transportation, service, etc.):

8. Estimate of annual operational cost, if discernible: _____
9. Location in building: _____

In accordance with section 170(f)(8) of the Internal Revenue Code the following statement is necessary for your tax filing purposes.
Since no goods or services were provided in return for your gift, the fair market value is deductible as provided by the Internal Revenue Code. It is your responsibility to estimate the value of this donation.

You estimate that value to be _____.

Approved:		SEND COMPLETE PACKET TO SUPERINTENDENT'S OFFICE	
Superintendent of Schools or designee		Date	
Upon acceptance, distribute:	<i>Original:</i>	Superintendent	
	<i>Copies to:</i>	District Clerk	
		Treasurer	
		Originating School/Office	
Rev: Jan. 2005			

SUBJECT: SALE AND DISPOSAL OF DISTRICT PROPERTY**Rationale**

Building administrators and support staff supervisors are responsible for identifying obsolete and surplus equipment and supplies within their area(s) of responsibility.

Periodically, a determination shall be made as to what equipment, supplies and/or materials are obsolete and cannot be salvaged or utilized effectively or economically by the School District. Such equipment, supplies or materials shall be sold through bid procedures, if possible, for the highest possible price.

Guidelines

The Assistant Superintendent for Business shall be authorized to dispose of obsolete or surplus equipment and supplies in the following manner:

- 1) Reassign the items, as needed, to other locations within the School District;
- 2) Centralize the storage of items of potential usefulness;
- 3) Discard or sell as surplus those items determined to be of no further use or worth.

Following approval by the Board of Education, items may be sold in the following manner:

- 1) Items sold at a public sale. In the event of a public sale, notice of availability of such equipment, supplies and materials and requests for bids shall be disseminated through announcements in local newspapers and such other appropriate means. The general public, as well as staff members, shall be eligible to bid on the equipment, supplies and/or materials.
- 2) Remaining items shall be sold as scrap for the highest obtainable amount or discarded in the safest, least expensive manner.

SUBJECT: PURCHASING: VENDOR BUSINESS GUIDELINES

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

Competitive Bidding Purchases

The Board of Education will only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel or sports equipment is not a "responsible bidder" shall be based upon either or both of the following considerations:

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

Non-Competitive Bidding Purchases

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

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

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

District Plan Regarding Alternative Formats for Instructional Materials

As required by federal law and New York State Regulations, the District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. Each school district has the option of participating in the National Instructional Materials Access Center (NIMAC). Whether a district does or does not participate in NIMAC, the district will be responsible to ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards (8 NYCRR Section 200.2(b)(10)). The NYS Education Department (NYSED) recommends that school districts choose to participate in NIMAC, because this national effort to centralize the distribution of instructional materials in alternate formats will help guarantee timely provision of such materials to students.

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

For school districts, Boards of Cooperative Educational Services (BOCES), State-operated schools, State-supported schools and approved private schools that choose to participate in NIMAC, **contracts with publishers executed on and after December 3, 2006** for textbooks and other printed core materials *must* include a provision that requires the publisher to produce NIMAS files and send them to the NIMAC (this will not add any cost to the contract).

For more information regarding NIMAC including model contract language, Steps for Coordinating with NIMAC and an IDEA Part B Assurances Application, see website: <http://www.vesid.nysed.gov/specialed/publications/persprep/NIMAS.pdf>

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

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

The Plan shall:

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

SUBJECT: PROCUREMENT GUIDELINES

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

Purpose

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

Purchase Orders

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

Purchase orders must be for a minimum of \$25.

Blanket purchase orders issued yearly to local dealers shall be used only for day-to-day custodial needs, materials and supplies, or minor repairs. They are to be used to expedite the purchase of minor parts necessary to complete a job. Any purchase over \$2500 should not be purchased off of a blanket purchase order; instead, it should be placed on a separate purchase order.

Confirming purchase orders shall only be used for emergencies. Generally, a confirming purchase order is not necessary when the Business Office is open. During office hours, the Business Office should be contacted when a purchase order approval needs to be expedited due to an emergency situation. If a confirming purchase order is necessary, the nature of the emergency necessitating the use of a confirming purchase order must be stated.

Purchase orders shall also indicate the address for delivery. All goods received must be accepted by an authorized Kenmore-Town of Tonawanda UFSD employee who shall certify that the goods were received in good condition, before payment can be approved.

SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)

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

Invoices in excess of the purchase order amount will be paid without further approvals provided that the amount in excess is below the lesser of 5% or \$100 of the approved purchase order amount.

A voucher may be used instead of a purchase order for the following purposes: athletic officials, conference expense reimbursement, mileage, professional membership reimbursement, and other purposes determined to be appropriate by the Business Office.

Procedures for Determining Whether Procurements are Subject to Bidding

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

- 1) The Board is required by law to award all purchase contracts for supplies, materials and equipment involving expenditures in excess of twenty thousand dollars (\$20,000) and all contracts for public works in excess of thirty-five thousand dollars (\$35,000) to the lowest responsible bidder after advertising for public sealed bids.
- 2) When a contract involves acquisition of both goods and services, a judgment must be made as to the primary purpose of the contract. If the services are minor, incidental or customarily provided by the vendor in connection with the goods purchased, the contract should be viewed as a purchase contract. If the service component is extensive or predominant or involves special skills, the contract should be treated as one for public works.
- 3) In determining the necessity for competitive bidding, the aggregate amount to be expended during the fiscal year on an item or those of a similar nature (a "reasonable commodity grouping") must be considered. For example, office supplies or art materials would constitute an appropriate grouping for bidding purposes.

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

Non-Instructional/Business
Operations

SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)

Guidelines for Purchasing Supplies and Equipment when Competitive Bidding is Not Required by Law

<u>Estimated Amount of Purchase</u>	<u>Procedure/Requirements</u>	<u>Responsibility</u>
Less than \$2,500	Current catalog price or quotations required.	Obtained by the originator.
\$2,500-\$5,000	Three (3) verbal or written quotations, name of vendor and date of quote.	Obtained by the originator. Originator shall indicate the Information on the vendor quotation form.
\$5,001-\$20,000	Three (3) formal written quotations.	Obtained by the originator or Purchasing Department.
In excess of \$20,000	Public advertised bids in accordance with General Municipal Law.	Obtained by the Purchasing Agent.

- NOTE: 1) When procurement can be accomplished through the following sources, competitive bidding or procedure requirements listed above are not required:
- a. Under State Contract;
 - b. Under a County contract;
 - c. From State Correctional Institutions (Corrections Law Sections 184 and 186);
 - d. From State agencies for the blind and severely disabled (State Finance Law, Section 162);
 - e. Emergencies (General Municipal Law, Section 103[4]);
 - f. Sole source, professional services, true leases and insurance;
 - g. Second-hand equipment from another government agency.

Non-Instructional/Business
Operations**SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)**

- 2) For products available under State contract, which are below the State contract price, no further quotes are required provided the product is the same brand and model number and below the \$20,000 bid threshold.

Guidelines for Public Works Projects when Competitive Bidding is Not Required by Law

<u>Estimated Amount of Purchase</u>	<u>Procedure/Requirement</u>	<u>Responsibility</u>
Less than \$5,000	No quotation required.	Originator must substantiate the need and choice of contractor.
\$5,000- \$35,000	Three (3) formal written quotations.	Obtained by originator or Purchasing Department.
In excess of \$35,000	Public, advertised bids.	Obtained by the Purchasing Agent.

Periodic Review

Comments concerning the policies and procedures shall be solicited from employees of the Kenmore-Town of Tonawanda UFSD involved in the procurement process from time to time.

The Board shall periodically review these policies and procedures. The Assistant Superintendent for Finance shall be responsible for conducting a periodic review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of General Municipal Law, Section 104-b, shall not be grounds to void action taken or give rise to a cause of action against the Kenmore-Town of Tonawanda UFSD or any officer or employee thereof.

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

The purchasing policy of the Kenmore-Town of Tonawanda UFSD is to secure supplies, materials, equipment and services in an efficient, economical and timely fashion to meet the District's needs.

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

Authority/Responsibility

In accordance with law, the District must identify the individual or individuals responsible for purchasing and their respective titles. Such information shall be updated annually.

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

Quality

The purchasing function shall consider circumstances and use as determining factors in quality selection. The Board of Education expects the purchasing agent to make every effort to receive the maximum educational value for every dollar expended provided that all applicable laws are followed.

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

Vendors and Contractors

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

No Board member, officer or employee of the Kenmore-Town of Tonawanda UFSD shall be interested financially in any contract entered into by the Board. This shall also preclude acceptance of any gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the District.

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

The purpose of obtaining bids or quotations is to encourage competition in the procurement of supplies, equipment and services which will be paid for from public funds. Competitive bids or quotations shall be solicited in connection with all purchases whenever feasible and in the best interest of the Kenmore-Town of Tonawanda UFSD.

Contracts will be awarded to the lowest responsible bidder; residence or place of business of the local bidders may be a consideration only in cases where identical bids have been submitted.

All purchase contracts for materials, equipment or supplies involving an annual expenditure of over ten thousand dollars (\$10,000) and all public works involving an expenditure of more than twenty thousand dollars (\$20,000) will be awarded on the basis of public advertising and competitive bidding.

All contracts requiring public advertising and competitive bidding will be awarded by resolution of the Board.

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

Request for Proposal Process for the Independent Auditor

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

Bid Opening

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

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

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

State Contracts

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

SUBJECT: CRITERIA FOR AWARDING CONTRACTS TO THE LOWEST RESPONSIBLE BIDDER

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

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

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

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

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

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

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

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

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

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

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

VERBAL QUOTE FOR ITEMS \$1,001 - \$4,000

ITEM DESCRIPTION _____

ITEM NUMBER/MODEL NUMBER _____ DATE _____

VENDOR #1

Company Name _____

Address _____

Telephone # _____

Contact Name _____

Quote Valid Until _____

QTY	Price Per Unit	Delivery Charge	Delivery Time ARO	Comments

VENDOR #2

Company Name _____

Address _____

Telephone # _____

Contact Name _____

Quote Valid Until _____

QTY	Price Per Unit	Delivery Charge	Delivery Time ARO	Comments

VENDOR #3

Company Name _____

Address _____

Telephone # _____

Contact Name _____

Quote Valid Until _____

QTY	Price Per Unit	Delivery Charge	Delivery Time ARO	Comments

NOTE: CATALOG PRICES ARE NOT CONSIDERED A QUOTE.

Non-Instructional/Business
Operations

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM
ACTIVITY FUNDS**

There are certain principles and procedures that should be followed in establishing an adequate accounting system for extraclassroom activity funds. The following basic devices are essential to the proper management of such funds:

Basic Principles

- 1) Two (2) separate and independent sets of records of receipts and expenditures shall be maintained, one by the central treasurer and one by the student activity treasurer.
- 2) The authority to expend moneys shall be distinct and separate from the custody of these moneys.
- 3) At least two (2) individuals shall take part in each act of disbursing money; at a minimum, the student activity treasurer and central treasurer.
- 4) The custodian of funds shall report to the Board of Education regularly at monthly intervals.
- 5) All accounts shall be audited at least annually.
- 6) Procedures shall be established which will ensure a prompt and careful examination and check of each receipt and each payment.
- 7) The accounting system shall be such that it will yield the largest possible educational return to students without sacrificing the safety of funds or exposing students to undue responsibility or unnecessary routine.
- 8) The District's Internal Claims Auditor will periodically perform spot checks of cash handling in the extraclassroom funds.

Functions and Duties of Officers

- 1) Chief Faculty Counselor: (appointed for each building by the Board of Education usually the building principal)

It shall be the duty of this officer to coordinate the financial planning of all projects of the various student organizations in his/her building; to consult with the Faculty Advisors; to appoint a Faculty Advisor for each activity in his/her building on a year-to-year basis; and to submit to the Board of Education for approval all new activity organizations initiated by the students. He/she shall investigate all problems and disputes concerning the student organizations under his/her jurisdiction and shall effect action that will enable these problems and disputes to be resolved. In addition, he/she shall be charged with implementation of any corrective action plan developed as part of the audit of the activities under his/her jurisdiction. The Chief Faculty Counselor will counter sign all checks.

Non-Instructional/Business
Operations

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM
ACTIVITY FUNDS (Cont'd.)**

2) Faculty Advisor: (appointed by the chief faculty counselor)

It shall be the duty of these officers to guide and advise the student officers in planning extraclassroom activities and the planning of financial budgets. The advisors shall assist the Activity Treasurer in the preparation of statements of profit and loss. He/she shall audit these statements and sign them as acknowledgment of verification of the income statement to be attached to deposit slips. A copy of the profit and loss statements should be forwarded to the central treasurer monthly for his/her review. The advisor shall guide the student treasurer in posting to the account ledger and from time to time shall check the balancing of the Activity Treasurer's accounts and the completeness of their supporting evidence. The Faculty Advisor shall supervise expenditures by insuring that funds are available before approving each proposed purchase and by signing all pay orders drawn on the Central Treasurer for disbursement of funds. The Faculty Advisor is responsible for determining which of the activities of the organization are subject to sales tax and for taking steps to see that all tax information is accurately recorded and sent to the Central Treasurer. The Faculty Advisor shall constantly work toward the goal of insuring the largest educational return from the activities participated in by the students.

3) Activity Treasurer: (elected by the students of each organization)

The Activity Treasurer shall receive all moneys raised by student activity and shall immediately deposit such funds with the Central Treasurer. Duplicate deposit slips shall be made out and signed by both the advisor and Activity Treasurer. One of these deposit slips is to be retained by the Central Treasurer, and one deposit slip, after being signed by the Central Treasurer, is to be returned to the Activity Treasurer together with a Central Treasurer's receipt.

The Activity Treasurer shall pay all bills by issuing pay orders signed by himself/herself, the Faculty Advisor and the chief faculty counselor. It is the responsibility of the Activity Treasurer to verify the balance in his/her account when submitting a payment order. This form is to be made in duplicate and is an order on the Central Treasurer to issue a check for payment of the invoice which shall be attached to the pay order. The Central Treasurer will keep one copy of the pay order and return the other copy together with the completed check. The Activity Treasurer will then send the check to the vendor involved after posting.

The Activity Treasurer shall keep a ledger showing all receipts and expenditures and indicating a daily running balance which shall be on a form prescribed by the Board of Education. He/she shall file all supporting data, chronologically, as evidence for the entries made in the ledger.

Non-Instructional/Business
Operations

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM
ACTIVITY FUNDS (Cont'd.)**

4) Central Treasurer (appointed by the Board of Education):

It shall be the duty of the Central Treasurer to have custody of all funds. All disbursements of funds shall be by means of pre-numbered check forms signed by the Central Treasurer upon receipt of a payment order signed by the Activity Treasurer, Faculty Advisor and Chief Faculty Counselor. The Central Treasurer shall have no part in the approval of payments but shall disburse funds only on the presentation of a properly signed pay order in duplicate providing, of course, that there are sufficient funds available in the account. The completed check will be returned to the student treasurer who will send it to the vendor after posting. The checkbook should be locked in a safe with limited employee access.

The Central Treasurer shall sign a receipt for all funds placed in his/her custody. A courier will pick up funds daily from each building together with a proper deposit ticket and deliver the funds to a bank approved by designated by the Board of Education. The courier will return the deposit ticket to the Central Treasurer at each building the day immediately following the deposit. The Central Treasurer shall compare the deposit ticket to the amount provided the Courier the previous day. Discrepancies must be reported immediately. The Central Treasurer will provide the Faculty Advisor a listing of deposits made for posting to the Student's ledgers.

The Central Treasurer shall keep an account listing the receipts and expenditures of each individual activity and post a register of all the receipts and disbursements of the combined student organizations on ledger forms prescribed by the Board of Education. The Central Treasurer should review the profit and loss statements prepared by the Activity Treasurer and reviewed by the Faculty Advisor.

The business office shall receive the bank statements unopened and an account clerk will review them prior to forwarding them to the Central Treasurer. Once each month, the Central Treasurer shall receive and verify the bank statements, prepare the bank reconciliations and prepare reports for presentation to the Faculty Auditor and the Board of Education. These reports to the Board should show beginning balances, receipts for the month and the ending balances for each organization as well as a copy of the bank reconciliation. A business office employee should review the bank reconciliation each month. The Central Treasurer will prepare and remit sales tax payments.

This is taken from the State Education Department's book "The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds."

Extracurricular Account Procedures

Each class/club organization has an extracurricular account as a depository for class/club organization funds. The Central Treasurer is annually appointed by the Board of Education and has responsibility for the extracurricular accounts of all school class/club organizations.

Non-Instructional/Business
Operations

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM
ACTIVITY FUNDS (Cont'd.)**

All funds, raised in any manner in the name of a respective class/club organization, are to be deposited in the respective extracurricular account. Both the Faculty Advisor and Student Treasurer will be responsible for making an appointment with the Central Treasurer to complete the necessary forms in the depositing of funds. The Central Treasurer should contact the Faculty Advisor if there is no deposit following an extracurricular event. Disbursements of cash are not allowed in order to ensure proper record keeping.

The expenditures and/or disbursement of all funds from any extracurricular class/club organizations must have prior approval from the Chief Faculty Counselor. The Student Treasurer will be responsible for working with the Central Treasurer to complete the necessary forms in the expending and disbursing of funds. Itemized disbursements are to be provided to the Chief Faculty Counselor prior to approval being granted. No disbursements will be made without an original invoice attached.

Prior to the close of the school year, it will be the responsibility of both the Faculty Advisor and Student Treasurer to make an appointment with the Central Treasurer to conduct account closing procedures. At this time the class advisor will receive remuneration for his/her duties. Advisor responsibilities for each year are not completed until account books have officially been closed.

Deposit Procedures

- 1) Upon receiving money, the Activity Treasurer will count the money received and complete a Recap of Receipts form in duplicate.
- 2) If the deposit cannot be taken to Central Treasurer at that time it should then be placed in the school vault until the next school day. **No activity money should be taken home by anyone.**
- 3) The Central Treasurer will sign the recap sheet and return together with a receipt for the money deposited. If the Central Treasurer is not available to count the money then the Activity Treasurer should see that someone from the school office counts the money and issues a receipt. If money is left, uncounted, at the Central Treasurer's office it will be understood that it is NOT the Central Treasurer's responsibility if there is a discrepancy in the amount of deposit. A courier will pick up the money daily and deliver it to the bank for deposit returning the deposit ticket to the Central Treasurer the following day.
- 4) The Activity Treasurer shall enter the amount of the deposit in the activity fund register indicating the source from which the funds were received (i.e., dance, magazine sales, etc.). The Central Treasurer records the deposit in his/her records.
- 5) File chronologically the supporting data consisting of the duplicate recap sheet, Central Treasurer's receipt and, if applicable, the statement of admissions. These forms provide the evidence for the entries made in the Activity Treasurer's books.

Non-Instructional/Business
Operations

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM
ACTIVITY FUNDS**

Withdrawal Procedures

- 1) Upon receiving an invoice for goods received or services rendered the Activity Treasurer and the Faculty advisor should determine that the bill is correct and all items have, in fact, been received as billed.
- 2) A payment order is prepared in duplicate and signed by the Activity Treasurer, Faculty Advisor and the Chief Faculty Counselor.
- 3) An invoice, receipt or statement to substantiate the expense **MUST** accompany all payment orders before the Central Treasurer can issue a check.
- 4) The balance in the activity's account must be verified and indicated on the payment order.
- 5) The payment order is sent to the Central Treasurer for payment. Checks are issued each Thursday for all payment orders received by Wednesday afternoon of that week.
- 6) The Central Treasurer will return a copy of the payment order with the date paid and check number indicated. The Central Treasurer will give the check back to the Activity Treasurer for mailing.
- 7) The Activity Treasurer makes the necessary entry in his/her books indicating to whom the check is made out and the reason. The pay order is filed to give supporting evidence for the entry. The Central Treasurer records the expenditure in his/her books.

Monthly Reconciliation

Bank statements will be received unopened by the business office and an account clerk will review prior to forwarding to the Central Treasurer. The Central Treasurer will prepare the bank reconciliations monthly and an employee of the business office will review the bank reconciliations.

The Activity Treasurers will reconcile their records with those of the Central Treasurer. Profit and loss statements will be prepared by the Activity Treasurer, reviewed by the Faculty Advisor and forwarded to the Central Treasurer for review. At the end of every month the Central Treasurer will send every activity an Activity Reconciliation Report which will be verified by the Faculty Advisor. This will list the transactions for the month including interest earned for the previous month.

Non-Instructional/Business
Operations

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM
ACTIVITY FUNDS**

At the bottom of the report is the following statement:

The information on this report is correct and complete to the best of my knowledge.

Faculty Advisor Signature: _____ Date: _____

(Please sign and return to the Central Treasurer)

SUBJECT: PETTY CASH FUNDS**Use of Funds**

Petty cash should be used for incidental items of expense up to \$25. The cost of money orders or cashier checks can be included. Petty cash funds should be locked in a safe with limited employee access.

Disbursement of Cash

- 1) Petty cash expenditures must be covered by a printed voucher form. This should be completed and signed by the person receiving reimbursement from the fund.
- 2) All purchases reimbursed by petty cash must be evidenced by a receipt, sales slip, canceled check or some proof of purchase.
- 3) Vouchers must be approved by the custodian of petty cash funds prior to the purchase, which is the Assistant Superintendent for Business, principal, food service manager or transportation supervisor. Until the final claim is submitted, use the vendor number assigned to the custodian of petty cash.
- 4) Do not mingle cash collected from books, fines, fees, etc., with petty cash funds.

Replenishing of Funds

- 1) Petty cash funds may be replenished periodically as soon as one half of the fund has been disbursed.
- 2) Petty cash expense can be charged to any regular budget code.
- 3) A claim form and petty cash journal record is required when submitting a claim. These reports together with the signed vouchers and receipts must be forwarded to the business office each time the fund is to be replenished.
- 4) Accounts Payable verifies the coding of each petty cash receipt. If changes are made by the business office, the custodian of petty cash is notified.
- 5) After verification has taken place checks are made out to the custodian of petty cash.
- 6) Checks are forwarded to the custodian of petty cash following the Board meeting.
- 7) The petty cash report form must be submitted to the business office before the next Board meeting.

2009

5530R
2 of 2

Non-Instructional/Business
Operations

SUBJECT: PETTY CASH FUNDS (Cont'd.)

Safeguarding Funds

- 1) Funds should be reconciled periodically by an employee independent of the custodian.
- 2) All petty cash must be returned to the working fund for the District before June 30. A reminder will be forwarded during June.

2006 5570R

**Non-Instructional/Business
Operations**

SUBJECT: USE OF DISTRICT OWNED CELL PHONE

The District has determined that each employee (as per policy #5570) who is interested in using the District owned cell phone will pay \$20.00 per month to cover personal usage. (Ten dollars from the first two paychecks each month will be withheld directly through the employee's paycheck) This program gives the employee free nights (9:00pm through 6:00am) Monday through Friday and free weekends (9:00pm Friday through 6:00am Monday). If it is determined that the number of minutes exceeds 350 for personal use beyond the free nights and weekends, then the employee will be charged 7 cents per minute in excess of this amount. Any long distance charges for personal use will be charges back to the employee if the cell phone company has charged the District.

The cell phone may not be used by any one other than the employee that was issued the phone.

Individuals who have a personal cell phone and are not taking advantage of this cell phone program as listed above, may be reimbursed for cell phone expenses for work-related phone calls with the approval of the Superintendent.

Use of cell phones while operating a motor vehicle must be done while using a hands-free device in accordance with this policy and state law.

It is expected that the employee will only call locations that are proper and do not violate ethical standards that an employee must meet and understand. Violations of this clause could result in disciplinary action against the employee.

Violations of cell phone procedures

Employees who are issued District cell phones and violate this policy may lose cell phone privileges and/or face disciplinary action as provided by collective bargaining agreements, civil service law and/or Education law.

Kenmore – Town of Tonawanda UFSD Food Service Department

Request for Food Service

OR INFORMATION FOR FOOD ORDERED INDEPENDENTLY

Date Ordered: _____

Date Needed: _____

Location: _____ Time: _____ Group: _____

Person in Charge: _____ Phone: _____ Count Planned: _____

Account Number: **(Required)** _____

Description of Service OR Explanation (If *not* using Ken-Ton Food Service Department)

Please complete each information for items below and obtain your supervisor's signature.

If a meal is ordered, the following information must be provided to your Principal or Director for signature:

What is the purpose of the meeting? _____

At what time will the meeting begin and end? _____

What is the reason the meal/refreshment has to be provided during meeting? _____

Who will attend the meeting/workshop? _____

Principal's or Director's Signature: **(Required)** _____

Central Office – Administrator Signature (when required by policy): _____

This is to certify that the food service requested is in accordance with District Policy #5580. If this request does not meet the criteria of this policy, I will be personally responsible for the payment to the District within thirty (30) days of the provided service.

Signature of Responsible Party _____ Date _____

SUBJECT: OPERATION AND MAINTENANCE OF FACILITIES**Statement:**

- 1) Job requests to be completed by District maintenance personnel will be expedited through the office of the superintendent of buildings and grounds. Upon receipt of an approved requisition, one signed by the building principal, a job card will be issued to the appropriate personnel.
- 2) Maintenance and/or repair jobs requiring outside contractors/vendors/firms on a bid/consignment/contract basis will be expedited through the business office. Upon receipt of an approved requisition, signed by the superintendent of buildings and grounds or the Assistant Superintendent for Business, a bid/purchase order will be issued to the appropriate contractor/vendor/firm.
- 3) Job assignments normally defined as duties of building custodians will be assigned as the need arises by the building principal and/or the superintendent of buildings and grounds.

Guidelines:

- 1) In order to obtain maintenance/repairs within the District, a requisition must be submitted and approved by the building principal/designee.
- 2) To issue a bid/consignment/contract to contractors/vendors/firms for maintenance or repairs requiring a purchase order, a requisition may be submitted and approved by:
 - a. The building principal; and/or
 - b. Superintendent of buildings and grounds; and must be approved by the
 - c. Superintendent of Schools or his/her designee.
- 3) Copies of the requisition, job confirmation, and job assignment sheets will be sent as follows:
 - a. One copy retained in the business office as a permanent record; and a second copy returned to the individual/building requesting maintenance/repairs.
 - b. Job Assignment Sheet - maintained on a weekly basis; reviews all requested job assignments.
 - c. Job Confirmation Form - A copy of the requisition form, explaining action taken regarding the request, will be forwarded to the person initiating the request. A copy of all these confirmations will be kept by the superintendent of buildings and grounds.

- d. Custodial Personnel Assignment Sheet - the superintendent of buildings and grounds will submit a monthly report to the Superintendent of Schools. This report may include and not be limited to the status of maintenance and custodial personnel within the District; allocation of job assignments; other facts pertinent to sound maintenance and care of buildings, grounds and sites.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
CUSTODIAL REPAIR WORK REQUEST**

Please complete so that custodians can schedule needed repairs as requested. Place in Main Office.

ROOM OR AREA _____

PERSON MAKING REPORT _____

ITEM IN NEED OF REPAIR: (check below)

- | | | | |
|-----------------|-----|------------------|-----|
| blackboard | () | light switch | () |
| blinds | () | lights | () |
| bulletin boards | () | lock | () |
| cabinet | () | maps | () |
| ceiling | () | movie screens | () |
| chair | () | outlets | () |
| clock | () | pencil sharpener | () |
| closet | () | phone | () |
| desks | () | shelf | () |
| door | () | sink | () |
| expansion joint | () | speaker | () |
| faucet | () | thermostat | () |
| flag | () | vent | () |
| floor | () | window | () |

Other ()

Please state: _____

DATE OF REQUEST _____

SIGNATURE _____

Date Completed _____

If Work Order Required _____

Issued _____

Number _____

Date _____

Work Completed by _____

Chief Custodian _____
(Please initial)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
FACILITY DAMAGE/LOSS REPORT**

[] Damage Report

[] Loss Report

Date of Incident _____

Date Discovered _____

Building _____ Date Reported to Buildings and Grounds _____

Authorized Signature _____

List Damage or Loss _____ Cost to Repair: _____

Describe Incident _____

Form Completed by _____ Date _____

Complete the report immediately. If this request resulted due to damage, have Buildings and Grounds supply labor costs. Forward copies to:

Superintendent's Office; Buildings and Grounds Department; Insurance Company; Business Office; Your Copy

(For Business Office Use)

Total Cost of Labor to Repair _____

Fringe Benefits _____

TOTAL COST OF DAMAGE OR LOSS _____

Sent to Insurance Company _____ Money Received _____

P.O. Copies Sent _____

SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM

In fulfilling its responsibilities under the National School Lunch and Breakfast Programs, the Kenmore-Town of Tonawanda Union Free School District agrees to:

- 1) Serve meals free to any student who is a member of a family which has an annual income below the applicable family size income level adopted by the School District, as prescribed by the New York State Education Department.
- 2) Prohibit the physical segregation of, or any other discrimination against, any student because of his/her inability to pay the full price of meals.
- 3) Follow the hearing procedure outlined in District regulations for the appeal of decisions regarding eligibility.

The School District assures the New York State Education Department Bureau of School Food Management that the School District will uniformly implement the following regulation with respect to determining the eligibility of students for free meals in all National School Lunch and Breakfast Program participating schools under its jurisdiction.

Designated Official

The title of the official(s) who has been designated to determine which students are eligible for free meals under the regulations is the School Lunch Director.

Criteria for Determining Eligibility

The School District will use the New York State Family Income Scale for determining eligibility for free meals. The only specific criteria to be used will be gross family income and the number of individuals in the family, and will be uniformly applied by all National School Lunch and Breakfast Program participating schools under the jurisdiction of the School District. The scale based on the above criteria may be changed from year to year by the New York State Education Department in accordance with the annual United States Secretary of Agriculture's guidelines. Any change in the scales will be submitted to each School District by the New York State Education Department for their adoption.

SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM (Cont'd.)**Public Announcement:**Letter to Parents/Guardians

The School District will announce this policy on or about the beginning of each school year, and during the school year if there is a change in the policy, by transmitting an income scale, letter, and application to all parents/guardians. Any parent/guardian enrolling a student in a school for the first time at any time during the school year shall be supplied with such documents.

Public Release

A public release containing the same information supplied to parents/guardians will be made available to the informational media on or about the beginning of each school year, and during the school year if there is a change in the policy. Copies of this policy may be obtained by any interested party at the District Office.

Application Procedure:

- 1) At the beginning of each school year the School District will send a letter to the parents/guardians of each student, together with a Family Income Scale and a form on which to make application for consideration of eligibility of their children for free/reduced price meals.
- 2) Parents/guardians will be required to complete the application and return forms for review. Such applications and a record of action taken will be maintained by the School District.

SUBJECT: NON-DISCRIMINATION AND HEARING PROCEDURE ASSURANCES

- 1) The School District and its designated officials will take action necessary to ensure that the names of students eligible to receive free/reduced price meals shall not be published, posted, or announced in any manner and that there shall be no overt identification of any such students by use of special tokens or tickets, or by any other means. Further assurance is given that students eligible for free/reduced price meals shall not be required to:
 - a. Work for their meals.
 - b. Use a separate room.
 - c. Go through a separate serving line.
 - d. Enter the room through a separate entrance.
 - e. Eat meals at a different time.
 - f. Eat a different meal from the meal sold to students paying the full price of such a meal.
- 2) The School District will use the hearing procedure in cases of appeal by parents/guardians of the school's decision on applications. If a challenge to correctness of information contained in an application or to the continued eligibility of any student for a free/reduced price meal is made on the part of the School District, the students shall be provided a free/reduced price meal until a final determination is made.

Collection Procedure

In making collections from students who pay for their meals, and in accounting for the number of free/reduced price meals served, the methods used will be such that no other student in the school will be made aware, by the procedure, of the identity of the students receiving free or reduced price meals.

Provisions for Transfer

If a student transfers from one school building to another within the School District, his/her eligibility for a free/reduced price meal will be transferred to and honored by the receiving school.

Records

- 1) The school will keep on file all records, including any record of appeals and hearing transcripts.
- 2) Free/reduced price meal applications must be available for audit.

2003

5660P

Non-Instructional/Business
Operations

SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM

<u>Responsibility</u>	<u>Action</u>
Board of Education	1) a. Authorizes participation in National School Lunch and Breakfast Programs. b. Designates Program Officer.
Program Officer	2) a. Prepares and distributes to all parents/guardians in the District a communication, family scale and application. b. Makes a public release containing the same information supplied to parents/guardians.
Parent/Guardian	3) Completes an application and returns to the building principal or his/her designee for review.
Program Officer	4) a. Determines eligibility and notifies parents/guardians within ten school days. b. Files a copy of application in the office of the building principal/designee.
Parent/Guardian	5) If not satisfied with the determination made in regards to eligibility, asks for a hearing.
Hearing Official	6) a. Holds a hearing and reviews the material submitted at that time. b. Makes a determination and advises the Program Officer and a parent/guardian of the findings.

SUBJECT: RECORDS MANAGEMENT**Initial Designation of Records Management Officer**

- 1) The School District shall, in writing, designate one local officer to be Records Management Officer.
- 2) The Board of Education shall notify the Commissioner of Education, in writing, of the name, title or position in the School District, mailing address and telephone number of the designated Records Management Officer within one month of such designation.

Vacancy in the Position of Records Management Officer

- 1) Whenever a vacancy shall occur in the position of Records Management Officer, a replacement shall be designated within sixty (60) days.
- 2) Within one month of such designation, the Superintendent shall notify the Commissioner of Education, in writing, of the records management officer's name, title or position in the School District, mailing address and telephone number.

Responsibilities of the Records Management Officer

The Records Management Officer's job is varied and often complex. Regulations implementing the law state that "the records management officer shall initiate, coordinate and promote the systematic management of the School District's records in consultation with records custodians." Duties of the Records Management Officer according to regulations include:

- 1) Recommending and guiding the development of records management practices for local government employees;
- 2) Coordinating the continuous disposition of obsolete records in accordance with legal requirements through the adoption and use of records retention and disposition schedules;
- 3) Recommending to the Commissioner of Education suitable retention periods for any records not covered by records retention and disposition schedules;
- 4) Coordinating the storage and management of inactive records (those no longer needed for the conduct of day to day business of the School District);
- 5) Reviewing and making recommendation on requests for storage equipment;

SUBJECT: RECORDS MANAGEMENT (Cont'd.)

- 6) Participating in the development of, reviewing proposals for, or coordinating any micrographics or automated data processing systems;
- 7) Organizing or coordinating a program for the identification, administration and use of records of enduring value.

Other Activities May Include:

- 1) Surveying and analyzing existing records. Surveying records means checking storage areas and containers to determine what records exist regardless of physical format (paper, microfilm, computer tape, or disk), where they are located, what condition they are in, how old they are, and what information they contain. An analysis of these record holdings will indicate which ones are obsolete and may be disposed of; which are needed for current use; and, which have enduring legal, fiscal, administrative, or historical value and should be retained permanently.
- 2) Conferring regularly with colleagues and department heads to determine their records management needs. How long does the department or agency need a particular records series to conduct routine business? How often do staff refer to the files for information? Has the office retained files longer than applicable State Archives' Records Retention and Disposition Schedules or the local government's needs require? How do officials dispose of out-dated information? The Records Management Officer and the department heads should work together to answer these questions.
- 3) Conducting meetings when problems arise, or when the Records Management Officer has an agenda item to be reviewed by the Board. Situations may occur where the Records Management Officer will need the advice of the Board, or its assistance in gaining support for the program.
- 4) Keeping colleagues informed about records management techniques and the records management program. Workshops, manuals and other publications can provide this valuable information. The Records Management Officer may develop educational programs to present to staff and colleagues.
- 5) Consulting with New York State Archives and Records Administration (SARA) as often as necessary about any records concerns. SARA is the agency legally charged to provide advisory services to all School Districts in New York State, except New York City. Professional organizations such as the Society of American Archivists (SAA), the Association of Records Managers and Administrators (ARMA), and the National Association of Government Archivists and Records Administrators (NAGARA) may also be contacted.

SUBJECT: RECORDS MANAGEMENT (Cont'd.)

- 6) Reporting the economic advantages and the tax dollar savings which the records program provides to other government officials and the public whenever possible. Various public information tools, such as news releases, annual reports, newsletters and the news media may be used to publicize the records program.

Non-Instructional/Business Operations

SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION

In accordance with Section 203-d of the New York State Labor Law, the District shall restrict the use and access to employee personal identifying information. As enumerated in law, "personal identifying information" shall include social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District shall not unless otherwise required by law:

- 1) Publicly post or display an employee's social security number;
- 2) Visibly print a social security number on any identification badge or card, including any time card;
- 3) Place a social security number in files with unrestricted access; or
- 4) Communicate an employee's personal identifying information to the general public.

A social security number shall not be used as an identification number for purposes of any occupational licensing.

Assessing District Procedures for Safeguarding Employee "Personal Identifying Information"

District procedures that are to be followed to help safeguard the use of and access to personal identifying information as required by law include, but are not limited to, the following:

- 1) Access to personal identifying information will be restricted to those District employees whose job responsibilities require access to such data; unless otherwise authorized in accordance with law.
- 2) Any document containing personal identifying information should not be left unattended while visible on a computer monitor or a desk.
- 3) Personal identifying information and other confidential or potentially confidential information will not be shared over the telephone unless the caller's identity can be positively confirmed.
- 4) Firewalls will be used on all computers; antivirus software will be used on all servers, desktops and laptops; access to programs or databases containing personal identifying information will be password protected granting access only on a "need-to-know" basis.

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Non-Instructional/Business Operations

SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION (Cont'd.)

District procedures for safeguarding employee "personal identifying information" shall be periodically evaluated by the Superintendent/designee, Human Resources Official, School Business Official, Internal Auditor, and others as deemed necessary.

Notice to Employees

District staff shall be informed of and have access to Board Policy and Administrative Regulations addressing "**Employee Personal Identifying Information,**" notifying them of their rights and responsibilities in accordance with Labor Law Section 203-d.

Employees who have access to "personal identifying information" as part of their job responsibilities shall be advised as to the restrictions on release of such information in accordance with law.

Adopted: April 21, 2009

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT
SCHOOL DISTRICT FACILITIES AND EMPLOYEES**

The seven agencies listed below are primarily concerned with environmental and occupational health and safety regulations.

- 1) The New York State Department of Environmental Conservation (DEC).
- 2) New York State Department of Labor (DOL).
- 3) New York State Department of Health (DOH).
- 4) New York State Emergency Management Office (SEMO).
- 5) New York State Education Department (SED).
- 6) Federal Occupational Safety and Health Administration (OSHA).
- 7) Federal Environmental Protection Agency (EPA).

If an inspector from any of these regulatory agencies comes to inspect a District building, the Safety Coordinator will be contacted to assist in making the inspection flow more smoothly.

Requirements for Compliance**New York State Right-to-Know Law/OSHA Hazard Communication Standard**

- 1) Inventory of all materials used in the workplace.
- 2) Collect MSDS's and keep on file for all materials on inventory.
- 3) Conduct initial and annual RTK/Hazard Communication training for all employees.
- 4) Keep attendance records on file, with social security number.
- 5) Post signs which conspicuously state that employees have a right to training, and who their District contact person is when requesting information.
- 6) Develop written Hazard Communication Program that states procedures and who is responsible in the District for carrying out procedures (labeling, inventory, etc.).
- 7) Maintain records of all employees exposed to 29 C.F.R. 1910 Subpart Z chemicals.

(Continued)

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT
SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**Asbestos Hazard Emergency Response Act (AHERA) and Code Rule 56

- 1) Initial Inspection and Management Plan development for each building.
- 2) Annual notification of availability of plan.
- 3) Every six (6) months conduct surveillance of confirmed and assumed ACM. Document and update Management Plan.
- 4) Conduct Initial Two (2) Hour Asbestos Awareness Training for custodial and maintenance staff. Train new employees. Keep attendance records on file.
- 5) Conduct Triennial Asbestos Inspections. Send reports to SED.
- 6) Train: LEA Designees
Asbestos Inspectors
Management Planners
Handlers
(initial and refresher)
- 7) Keep documents of removal projects and waste manifests.

OSHA's Laboratory Safety Standard

- 1) Develop a written Chemical Hygiene Plan.
- 2) Provide training for Science Teachers. Keep attendance records on file.

OSHA's Occupational Exposure to Blood Borne Pathogens Standard

- 1) Develop a written Exposure Control Program.
- 2) Identify employees at substantial risk of exposure to blood or other body fluids which may contain blood.
- 3) Provide Initial and Annual Training for all employees who are categorized as having occupational exposure to bloodborne pathogens. Keep attendance records.

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT
SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**

- 4) Offer the Hepatitis B Vaccine to all employees who are categorized as having occupational exposure to bloodborne pathogens. Keep copies of accept/decline records.
- 5) Have Sharps Containers and Biohazard Red Bags available in Health Office.

Commissioner of Education - Regulation 155.17 Emergency Planning

- 1) Develop a written District-wide/building-level school safety plan, as applicable.
- 2) Communicate the availability of Plan to staff, students, and parents/guardians annually.
- 3) Conduct Annual Shelter or Evacuation Drill. Keep record of drill.
- 4) Each plan shall be reviewed on at least an annual basis and updated as needed by July 1 of each succeeding year.

OSHA's Lock Out/Tag Out Standard for the Control of Hazardous Energy Sources

- 1) Develop a written Energy Control Lock Out/Tag Out Program/Procedures.
- 2) Train all employees who will work on equipment or machinery. Train all other affected employees. Keep attendance records.
- 3) Purchase locks and tags.

New York State Clean Indoor Air Act

- 1) Adopt written rules regarding smoking.
- 2) Post "No Smoking" signs.

Underground and Above Ground Petroleum Bulk Storage Tanks

- 1) Register affected tanks with New York State DEC.
- 2) Test tanks for leaks according to State and Federal Guidelines.
- 3) Provide Insurance Coverage for tanks.

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT
SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**Pesticide/Herbicide Applicators (DEC Laws)

- 1) Anyone applying pesticides or herbicides to public property (other than their own home) must be a Certified Commercial Applicator (or work under the certification of another Commercial Applicator).
- 2) Train employees doing applications.
- 3) Keep records of all applications on DEC Forms.
- 4) Fill out and submit Annual Report to DEC.
- 5) Register District as a business/agency with DEC.
- 6) Provide pollution coverage liability insurance.

Hazardous Waste and Medical Waste Removal

- 1) Conduct inventory.
- 2) Submit annual SARA Title III report to county energy planning coordinator and local fire department.
- 3) Contract with DEC Licensed Waste Haulers.
- 4) Keep manifests on file. Send copies to state.

Lead Contamination Control Act (not mandated unless you are a public water supplier) - SED and DOH recommend

- 1) Conduct Plumbing Profile.
- 2) Sample water for lead content.
- 3) Remove water coolers on the EPA list.
- 4) Institute remediation for areas where samples show higher than maximum contaminant levels for lead.

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT
SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**

- 5) Required to make Public Notice of Lead Sampling and availability of results. Keep record of notice.

Safety Committees (not mandated by law) - Insurance Companies Request

Conduct Safety Committee Meetings. Keep minutes on file.

Radon Testing (not mandated by law) - EPA recommends - SED has guidelines

Must:

- 1) Follow SED guidelines.
- 2) Notify employees of results if testing is performed.

DOSH 900 Accident, Injury, Illness Log (12 NYCRR Part 801)

- 1) Complete form for each building.
- 2) Post conspicuously in each building by February 1 for entire month.
- 3) Keep log for five (5) years.

Swimming Pool Safety - Regulated by DOH

- 1) Develop written Safety Plan.
- 2) Lifeguards certified in First Aid/CPR - Water Safety Instruction.
- 3) Balance pool PH and chlorine level according to DOH guidelines. Keep record of tests.
- 4) Store chemicals according to DOH regulations.
- 5) Maintain Clarity - depth markings - ladders.
- 6) GFI tests.

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT
SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**

Fire Inspections

- 1) Perform annual school fire safety inspection.
- 2) Use a certified Codes Enforcement Official.
- 3) Complete report and submit to SED.
- 4) Notify fire department of inspection.
- 5) Inform the Board of Education of all non-conformities.
- 6) Keep a copy of the report.

Structural Inspections

- 1) Perform annual school structural safety inspection.
- 2) Use a certified Codes Enforcement Official.
- 3) Notify SED only if structural deficiencies are recorded.

Other Miscellaneous Issues DOL is Citing Districts For

- 1) Lack of continuous flow eye wash station in Biology and Chemistry Departments. (They must be able to flush each eye continuously for at least fifteen (15) minutes).
- 2) Not monitoring art teachers' exposure to air borne lead from kiln operation using lead glazes.
 - a. Not giving art teachers and custodians who clean art rooms copies of the air borne lead exposure appendix.
 - b. Not keeping surfaces clean of accumulation of lead dust.
- 3) Not monitoring employees in Biology Department for exposure to formaldehyde.

SUBJECT: BUILDING SECURITY

In order to provide uniform procedures for administering and maintaining a security system on a District-wide basis, and in order to help avoid incidents of breaking and entering, theft and vandalism, the following regulations shall govern all buildings and facilities.

Guidelines:

- 1) No change shall be made on or to any locks/locking devices in any building without the expressed authorization of the Superintendent of Buildings and Grounds.
- 2) No faculty/staff member shall possess at any time an exterior entrance master key, with the exception of (1) the District administrator(s), (2) the building custodian(s), and (3) such other persons who possess express written authority from the Superintendent of Schools.
- 3) No faculty/staff member shall possess at any time an area key to facilities which are not within the scope of his/her primary assignment.
- 4) No student or non-District employed person shall possess or be given a key for temporary use.
- 5) All classroom keys provided for faculty/staff members' use shall be issued annually in September, and returned the following June as part of the final year-end audit.
- 6) All unoccupied areas, including classrooms, laboratories, custodial closets, storage rooms etc. shall be locked at all times.
- 7) Although the building administrator is held responsible for the operation of his/her facility, after school hours the Superintendent of Buildings and Grounds shall have primary responsibility for District security and building security during the absence of the building administrator.
- 8) Staff members are to direct all visitors to the main office where visitors are identify themselves and their purpose in visiting the school. Visitors will be required to sign the visitor's book upon entering the school and each visitor will be issued an identification badge. Visitors are to notify the main office of their departure and sign out upon leaving the building, returning their identification badges to an office staff member.
- 9) If a staff member notices that a visitor does not report to the main office upon entering the building, he/she should report that occurrence to the building principal/designee.
- 10) Staff members are to report any malfunctioning outside doors to the main office.

(Continued)

SUBJECT: BUILDING SECURITY (Cont'd.)

- 11) Teachers are to lock their classroom doors whenever they take students out of the building.
- 12) Signs will be posted throughout the school building directing visitors to report to the main office.

After the start of the school day, all outside doors, with the exception of the main entrance will be locked.

SUBJECT: HAZARD COMMUNICATION PROGRAM

The Hazard Communication Program is written to inform employees that the hazards of all chemicals and/or chemical products present, entering and used in the Kenmore-Town of Tonawanda Union Free School District have been evaluated and that information concerning the hazards has been transmitted to employees who may be exposed to such chemicals.

This program is written to fulfill the requirements of the Occupational Safety and Health Administration, 29 CFR 1910.1200 and to fulfill the requirements of the New York State Official Compilations of Codes, Part 820 of Title 12.

All work units of the School District are included within this program. The written program will be available in the Office of the Risk Management Coordinator for review by any interested employee.

Container Labeling

The Risk Management Coordinator will verify that all containers received for use will:

- 1) Be clearly labeled as to the contents;
- 2) Note the appropriate hazard warning;
- 3) List the name and address of the manufacturer.

All secondary containers will be labeled with either an extra copy of the original manufacturer's label or with the generic labels which have a block for identity and blocks for the hazard warning. If written alternatives to labeling of temporary containers are used, a description of the system used will be added. The Risk Management Coordinator will periodically review the District labeling system and update as required.

Material Safety Data Sheets (MSDS)

The Risk Management Coordinator will be responsible for obtaining and maintaining the data sheet system for the School District. Such person will review incoming data sheets for new and significant health/safety information. He/she will see that any new information is passed on to the affected employees. (If alternatives to actual data sheets are used, a description of the system will be provided.) Copies of MSDS's for all hazardous chemicals to which employees of this District may be exposed will be kept in the Office of the Risk Management Coordinator. MSDS's will be available to all employees in their work area for review during each work shift. If MSDS's are not available or new chemicals in use do not have MSDS's, the Risk Management Coordinator should be immediately contacted.

SUBJECT: HAZARD COMMUNICATION PROGRAM (Cont'd.)**Employee Training and Information**

The Risk Management Coordinator is responsible for the employee training program. He/she will ensure that all elements specified below are carried out. Prior to starting work, each new employee will attend a health and safety orientation and will receive information and training.

After such training, each employee will sign a form to verify that he/she attended the training, received our written materials, and understood the District's regulations on Hazard Communication. Prior to a new chemical hazard being introduced into any section of the District, each employee of that section will be given the necessary information.

List of Hazardous Chemicals

The hazards associated with chemicals used by Kenmore-Town of Tonawanda Union Free School District will be identified from the Material Safety Data Sheets obtained from the chemical supplier. Information on each noted chemical can be obtained by reviewing the Material Safety Data Sheets located in the Office of the Risk Management Coordinator.

Hazardous Non-Routine Tasks

Periodically, employees are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each effected employee will be given information by their immediate supervisor about hazardous chemicals to which he/she may be exposed during such activity.

Informing Contractors

It is the responsibility of the Risk Management Coordinator to provide contractors performing work in the District the following information:

- 1) Hazardous chemicals to which they may be exposed while on the job site;
- 2) Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.

The Risk Management Coordinator will be responsible for contacting each contractor before work is started in the District to gather and disseminate any information concerning chemical hazards that the contractor is bringing into the District.

SUBJECT: HAZARDOUS MATERIALS**Purchase of Hazardous Materials**

All materials (plants, animals, chemicals, solvents, solutions, and cleansers) should be presumed hazardous until they are declared not hazardous.

A material declared not hazardous will be approved for purchase without restriction.

A material declared hazardous will be approved for purchase with appropriate restrictions or will be prohibited.

A qualified science teacher, a qualified art teacher, and a qualified person from buildings and grounds will be appointed to screen materials. They will either prohibit the purchase of specified materials or approve such purchase stating the restrictions which apply.

The list of prohibited and approved materials will be available to all appropriate employees. Appropriate employee is the person who would be presumed to be the head of that department, organization, or activity.

Those employees will certify on all purchase orders that the materials ordered are approved for the conditions under which they are ordered. If the materials to be ordered are not on the list, the department head shall submit the materials to one of the persons designated for approval. The individual initiating the purchase must request the Materials Safety Data Sheet, (OSHA-20 form). The information on this form must be disseminated to all who use the material and the form must be kept on file within the department.

The list of materials will state whether each material is prohibited or approved. If approved, it will state who may use the material (cleaners, teachers, students) and the maximum quantity permitted for purchase.

Storage of Hazardous Materials

Chemicals or hazardous materials should be kept in a central location as per individual department or organization. This will ensure that the proper facilities and requirements for their storage (i.e., ventilation or flammability) will be available in a secure facility.

These materials should be grouped according to chemical compatibility and stored on proper shelving or in approved cabinets.

Quantities of a hazardous material or of any chemical should be limited to an as-needed basis or to be used up within one year. This will prevent excess accumulation and ensure that fresh material is available.

SUBJECT: HAZARDOUS MATERIALS (Cont'd.)**Use of Hazardous Materials**

Each department or organization must establish specific guidelines for dispensing, use and disposal of hazardous materials. These guidelines must be posted or otherwise available to people using the materials.

All employees using hazardous materials must be made aware of the hazards of the material, the proper use of these materials, and first aid measures to be taken in the event of accidents and emergencies. This information should be provided by the employee's supervisor as obtained from the "Material Data Safety Sheet."

All hazardous materials which are used will be approved for use subject to the conditions specified concerning:

- 1) The people who handle the materials.
- 2) The location and conditions where these materials are used.
- 3) The quantity to be used.
- 4) The quantity available from the dispenser.
- 5) The maximum allowed concentration of solutions.
- 6) The method of disposal to be used.
- 7) Other restrictions such as aprons, glasses, masks, ventilation, etc.

Disposal of Hazardous Materials

In order to be responsible in the use of hazardous substances, we must also be concerned with the safe disposal of dangerous, unwanted, or unlabeled materials.

While some materials may be disposed of easily through ordinary means, others require foresight, planning, and a safe method. Each department or organization will maintain a list of proper disposal methods for any hazardous materials it uses.

The disposal of any material denoted as hazardous must be planned before its use and/or purchase. The Superintendent of Buildings and Grounds is to be contacted for removal of these substances for which there is no ordinary means of disposal.

SUBJECT: GUIDELINES FOR SCHOOL SAFETY PLANS

The Kenmore-Town of Tonawanda Union Free School District has developed, and will update by July 1 of each succeeding year, a District-wide school safety plan and building-level school safety plans, as enumerated in Education Law and Commissioner's Regulations, regarding prevention and intervention strategies, emergency response and management.

District-Wide School Safety Plan (Comprehensive, Multi-Hazard School Safety Plan)

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the Kenmore-Town of Tonawanda Union Free School District, that addresses prevention and intervention strategies, emergency response and management at the District level and has the contents as prescribed in law and regulation. The comprehensive, multi-hazard school safety plan shall be developed by the District-wide school safety team appointed by the Board of Education. The District-wide team shall include, but not be limited to, representatives of the School Board, student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

The District-wide school safety plan shall include, but not be limited to:

- 1) The identification of sites of potential emergency;
- 2) A description of plans for taking the following actions in response to an emergency where appropriate:
 - a. School cancellation;
 - b. Early dismissal;
 - c. Evacuation;
 - d. Sheltering;
- 3) Procedures for responding to implied or direct threats of violence by students, teachers, other school personnel and visitors to the school;
- 4) Procedures for responding to acts of violence by students, teachers, other school personnel and visitors to school, including consideration of zero-tolerance policies for school violence;
- 5) Appropriate prevention and intervention strategies, such as:
 - a. Collaborative arrangements with state and local law-enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;

(Continued)

SUBJECT: GUIDELINES FOR SCHOOL SAFETY PLANS (Cont'd.)

- b. Non-violent conflict resolution training program;
 - c. Peer mediation programs and youth courts; and
 - d. Extended day and other school safety programs;
- 6) Procedures for contacting appropriate law enforcement officials in the event of a violent incident;
 - 7) A description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;
 - 8) The procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of Article 2-B of the Executive Law (Disaster Preparedness);
 - 9) The identification of District resources which may be available for use during an emergency;
 - 10) A description of procedures to coordinate the use of School District resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;
 - 11) Procedures for contacting parents, guardians or persons in parental relation to the students of the District in the event of a violent incident or early dismissal;
 - 12) Procedures relating to school building security, including, where appropriate, the use of school safety officers and/or security devices or procedures;
 - 13) Procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including but not limited to the identification of family, community and environmental factors, to teachers, administrators, school personnel, parents and other persons in parental relation to students of the School District or Board, students and other persons deemed appropriate to receive such information;
 - 14) Procedures for annual multi-hazard school safety training for staff and students;
 - 15) Procedures for review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness officials;
 - 16) The identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;

(Continued)

SUBJECT: GUIDELINES FOR SCHOOL SAFETY PLANS (Cont'd.)

- 17) Strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence;
- 18) A description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;
- 19) A system for informing all educational agencies within the Kenmore-Town of Tonawanda Union Free School District of a disaster;
- 20) Certain information about each educational agency located in the School District, including information on school population, number of staff, transportation needs and the business and home telephone numbers of key officials of each such agency.

Building-Level School Safety Plans (Building-Specific School Emergency Response Plans)

The building-level school safety plan means a building-specific school emergency response plan that addresses prevention and intervention strategies, emergency response and management at the building level and has the contents as prescribed in law and regulation. The building-level plan shall be developed by the building-level school safety team (i.e., a building-specific team) appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board of Education. The building-level team shall include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel, other school personnel, community members, local law enforcement officials, local ambulance or other emergency response agencies, and any other representatives the School Board deems appropriate.

The building-level school safety plan (i.e., school emergency response plan) shall include the following elements:

- 1) Procedures for the safe evacuation of students, teachers, other school personnel and visitors to the school in the event of a serious violent incident or other emergency which may occur before, during or after school hours, which shall include evacuation routes and shelters sites and procedures for addressing medical needs, transportation and emergency notification to persons in parental relation to a student. A "*serious violent incident*" means

(Continued)

SUBJECT: GUIDELINES FOR SCHOOL SAFETY PLANS (Cont'd.)

an incident of violent criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students and/or staff because of an imminent threat to their safety or health, including, but not limited to: riot, hostage-taking, kidnapping and/or the use or threatened use of a firearm, explosive, bomb, incendiary device, chemical or biological weapon, knife or other dangerous instrument capable of causing death or serious injury;

- 2) Designation of an emergency response team, other appropriate incident response teams, and a post-incident response team:
 - a. An *"emergency response team"* means a building-specific team designated by the building-level school safety team that includes appropriate school personnel, local law enforcement officials, and representatives from local, regional and/or state emergency response agencies and assists the school community in responding to a serious violent incident or emergency.
 - b. A *"post-incident response team"* means a building-specific team designated by the building-level school safety team that includes appropriate school personnel, medical personnel, mental health counselors and others who can assist the school community in coping with the aftermath of a serious violent incident or emergency;
- 3) Procedures for assuring that crisis response, fire and law enforcement officials have access to floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area;
- 4) Establishment of internal and external communications systems in emergencies;
- 5) Definition of the chain of command in a manner consistent with the national interagency incident management system (NIMS)/incident command system (ICS);
- 6) Coordination of the school safety plan with the state-wide plan for disaster mental health services to assure that the school has access to federal, state and local mental health resources in the event of a violent incident;
- 7) Procedures for an annual review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness officials; and
- 8) Procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

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SUBJECT: GUIDELINES FOR SCHOOL SAFETY PLANS (Cont'd.)**Review of School Safety Plans**

The District-wide and building-level school safety plans have been adopted by the School Board only after at least one (1) public hearing that provided for the participation of school personnel, parents, students, and any other interested parties. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, updated as needed by July 1 and recommended to the Board of Education for approval.

Filing/Disclosure Requirements

The District shall file a copy of its comprehensive District-wide school safety plan and any amendments thereto with the Commissioner of Education no later than thirty (30) days after their adoption. A copy of each building-level school safety plan and any amendments thereto shall be filed with the appropriate local law enforcement agency and with the state police within thirty (30) days of its adoption. Building-level emergency response plans shall be confidential and shall *not* be subject to disclosure under the Freedom of Information Law.

Reporting Requirements

The Superintendent shall notify the Commissioner of Education as soon as possible whenever the District-wide school safety plan or building-level school safety plan is activated and results in the closing of a school building in the District, and shall provide such information as the Commissioner may require. School districts within a supervisory district shall provide this notification through the district superintendent, who shall be responsible for notifying the Commissioner. Such information need not be provided for routine snow emergency days.

For additional information, please refer to the applicable school safety plan(s).

SUBJECT: CRISIS MANAGEMENT PLAN

The Crisis Management Plan will maintain a strong, ongoing communications program developed and implemented by a crisis response team. This team shall consist of the guidance counselor, selected teachers, administrators, etc. who can respond to a student in crisis, who are relatively calm under fire, and who can establish the guidelines for the crisis plan. The team shall be appointed by the Superintendent or his/her designee.

Goals to be Accomplished:

- 1) Emergency (but not disaster) situations:
 - a. To assure relatives and friends that the District is well able to cope with the situation and that measures have been taken to restore order.
 - b. To provide principals and staff members with an organized plan to follow.
- 2) Sudden, genuine catastrophes:
 - a. To assure the orderly handling of communications with families, friends and the media.
 - b. To get facts to families, friends, the general public and the authorities as soon as they are known: possible cause, immediate results, extent of loss, what measures are presently being taken.
 - c. To identify appropriate resources (literature, community agencies, etc.) for each target group (student, parent/guardian, staff) and compile a comprehensive listing of these resources, indicating where each is located.

Guidelines for Crisis Plan:

- 1) Notify appropriate agencies such as police, fire, ambulance service, hospital or health authorities.
- 2) Initiate responsible measures to ensure the safety of students and staff including keeping them well-informed.
- 3) Notify the Superintendent and the media spokesperson. A press release should be prepared to serve as a basis for talking with the media.

SUBJECT: CRISIS MANAGEMENT PLAN (Cont'd.)

- 4) Refer all news and media representatives to the media spokesperson. All students and staff should be instructed to refer any phone or personal contact to this person whose phone number should be readily available and who should receive instructions on what information to release from the crisis response team.
- 5) Enact measures, outlined in the plan, in case of major catastrophe involving death and/or injury.
- 6) Notify the school attorney and insurance agents.
- 7) Organize a staff/telephone network. Such network should ensure that each school staff member is called as soon as possible after crisis to briefly explain the situation.
- 8) Identify community response people such as counselors, clergy and/or psychologists whose names shall be clearly posted after the crisis.
- 9) Develop suggestions for classroom discussions, to reduce rumors and assure students that help is available if they need it.
- 10) Formulate regulations and procedures on wakes, funerals, etc.
- 11) Plan a crisis meeting of all school personnel to be handled by the school principal and a member of the crisis response team as soon as possible following the crisis.
- 12) Evaluate the crisis plan, within a few weeks after the occurrence, to ascertain what modifications might be appropriate.

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING**

Building administrators and/or designated staff shall periodically assess and review their protocols for handling mail. Further, all staff, in particular those responsible for handling District mail, should receive instructions/training on how to recognize a suspicious package or envelope and the appropriate steps to take to protect themselves and others.

General Guidelines

- 1) Examine unopened envelopes for foreign bodies or powder.
- 2) Do not open letters with your hands; use a letter opener.
- 3) Open letters and packages with a minimum of movement to avoid spilling any contents.
- 4) The administration should assess whether it is a possible target for criminal acts. Based on this assessment, additional precautions will be taken as necessary such as making available protective gloves and restricting the opening of mail to a limited number of trained individuals.

Identifying Suspicious Packages and Envelopes

Some characteristics of suspicious packages and envelopes include the following:

- 1) Inappropriate or unusual labeling:
 - a. Excessive postage, no postage or non-cancelled postage;
 - b. No return address;
 - c. Improper spelling of common names, places or titles;
 - d. Unexpected envelopes from foreign countries;
 - e. Any letter or package that has suspicious or threatening messages written on it;
 - f. Postmarked from a city or state that does not match the return address.

(Continued)

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING (Cont'd.)**

- 2) Appearance:
 - a. Powdery substance felt through or appearing on the package or envelope;
 - b. Oily stains, discoloration or odor;
 - c. Envelopes that are lopsided, rigid or bulky;
 - d. Excessive packaging material such as masking tape, string, etc.

Handling of Suspicious Packages or Envelopes

If a package or envelope appears suspicious, DO NOT OPEN IT.

- 1) Do not shake or empty the contents of any suspicious package or envelope.
- 2) Do not carry the package or envelope, show it to others or allow others to examine it other than qualified emergency personnel as enumerated below.
- 3) Put the package or envelope down on a stable surface; do not sniff, touch, taste, or look closely at it or at any contents which may have spilled.
- 4) LEAVE THE AREA, close any doors and windows, and TAKE ACTIONS TO PREVENT OTHERS FROM ENTERING THE AREA.
- 5) NOTIFY your immediate supervisor and/or building principal/designee. He/she shall dial 911 or the local law enforcement authorities, if appropriate; and shall notify the Superintendent/designee of the situation.
- 6) WASH hands with soap and water to prevent spreading potentially infectious material to face or skin. Seek additional instructions for exposed or potentially exposed persons.
- 7) If possible and deemed necessary, the building's heating/air conditioning/ventilation system should be shut off.

(Continued)

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING (Cont'd.)**

- 8) The building administrator/designee shall make a list of all persons who were in the room or area when this suspicious letter or package was recognized and a list of persons who also may have handled this package or letter. These individuals shall remain available until such time as a threat assessment has been completed. The building administrator/designee shall provide this list(s) to both the local public health authorities and law enforcement officials.

For Packages or Envelopes that are Opened and which Contain Suspicious MaterialDo Not Panic

Anthrax organisms can cause skin infection, gastrointestinal infection or pulmonary infection. To do so, the organism must be rubbed into abraded skin, swallowed or inhaled as a fine, aerosolized mist. It does not leap into one's body. All forms of disease are generally treatable with antibiotics.

Anthrax cannot be easily aerosolized out of an envelope or package containing powder. *The same facts and conditions are generally true for other bacteria likely to be considered as biological weapons.*

Contain The Exposure

- 1) Close the package or envelope to limit additional exposure. Do not clean powder up; KEEP OTHERS AWAY.
- 2) CLOSE OFF THE ROOM (doors and windows), do not allow anyone other than qualified emergency personnel to enter.
- 3) Do not touch your eyes, nose, mouth, or any other part of your body.
- 4) If possible, wash your hands thoroughly with soap and water.
- 5) If clothing is heavily contaminated, do not brush vigorously.
- 6) If possible, the building's heating/air conditioning/ventilation system should be shut off.
- 7) The building administrator/designee shall make a list of all persons who have been identified as having actual contact with the powder or other suspicious element, such as anthrax, for investigating authorities.

(Continued)

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING (Cont'd.)**

*Notify Appropriate Authorities

The building administrator/designee shall immediately contact:

- 1) The Superintendent/designee;
- 2) 911 and/or local law enforcement agencies;
- 3) The local FBI field office; and
- 4) The local Health Department.

*The District shall also refer to the procedures outlined in its School Safety Plan(s).

**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN
PUBLIC SCHOOL FACILITIES**

The School District is required to provide and maintain on-site in each instructional school facility, at school-sponsored or school-approved curricular or extracurricular events or activities, and at school-sponsored athletic contests and competitive athletic events, at least one functional cardiac automated external defibrillator (AED) for use during emergencies. Public school facilities and staff who will operate the AED equipment pursuant to Education Law Section 917 are deemed "a public access defibrillation (PAD) provider" as defined in Public Health Law Section 3000-b and subject to its provisions.

Definitions

- 1) "Automated external defibrillator" means a device as defined in Public Health Law Section 3000-b(1)(a).
- 2) "Instructional school facilities" means a building or other facility maintained by the School District where instruction is provided to students pursuant to its curriculum.
- 3) "School-sponsored or school-approved curricular or extracurricular events or activities" means events or activities of the School District that are, respectively, associated with its instructional curriculum or otherwise offered to its students.
- 4) "School-sponsored athletic contest" means an extraclass intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner's Regulations Section 135.4.
- 5) "School-sponsored competitive athletic event" means an extraclass interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner's Regulations Section 135.4.

On-Site Cardiac Automated External Defibrillators

The School District shall provide and maintain on-site in each instructional school facility sufficient functional cardiac automated external defibrillator equipment to ensure ready and appropriate access for use during emergencies. In determining the quantity and placement of automated external defibrillators, consideration shall be given to:

- 1) The number of students, staff and other individuals that are customarily or reasonably anticipated to be within such facility; and

(Continued)

**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN
PUBLIC SCHOOL FACILITIES (Cont'd.)**

- 2) The physical layout of the facility, including but not limited to:
 - a. Locations of stairways and elevators;
 - b. Number of floors in the facility;
 - c. Location of classrooms and other areas of the facility where large congregations of individuals may occur; and
 - d. Any other unique design features of the facility.
- 3) Whenever an *instructional School District facility* is used for a school-sponsored or school-approved curricular or extracurricular event or activity and whenever a *school-sponsored athletic contest* is held at any location, the public school officials and administrators responsible for such school facility or athletic contest shall ensure that AED equipment is provided on-site and that there is present during such event, activity or contest at least one staff person who is trained in accordance with Public Health Law in the operation and use of an AED.
- 4) Where a *school-sponsored competitive athletic event* is held at a site other than a School District facility, School District officials shall assure that AED equipment is provided on-site by the sponsoring or host district and that at least one staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during such athletic event.

Each AED device shall be approved by the Food and Drug Administration for adult use and/or for pediatric use, as appropriate for the population reasonably anticipated to be served by such device, and shall be used according to the manufacturer's instructions with due attention provided to operating procedures, maintenance and expiration date.

Limitation on Liability

The School District (as a public access defibrillation provider), or any employee or other agent of the District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill or injured, shall not be liable for damages for injury or death unless caused by gross negligence.

(Continued)

**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN
PUBLIC SCHOOL FACILITIES (Cont'd.)**

Key Elements of a School-Based PAD Program*

*excerpted from *Public Access Defibrillation (PAD) in Schools (2000)*, NYS Education Department

The following elements have been identified as essential in the planning and support of the District's public access defibrillation (PAD) program:

- 1) A core emergency response team of trained personnel, including the school nurse, and a method to activate this team.
- 2) A well-defined emergency plan that clearly states all policies and procedures relative to the use of an AED.
- 3) Strategic placement and availability of the AED unit(s).
- 4) A rapid and effective communication system, especially with regard to events held at remote locations.
- 5) Initial training, periodic refresher sessions, and systematic retraining of appropriate staff in CPR, including the use of AEDs.
- 6) Regular maintenance of the AED unit(s) according to the manufacturer's specifications.
- 7) Periodic testing and repair/replacement of non-functioning AED units.
- 8) Reporting the use of an AED to the collaborating emergency health care provider, who in turn is required to report to the Regional Emergency Medical Services Council.
- 9) Physician oversight.

SUBJECT: EXPOSURE CONTROL PROGRAM: RESPONSIBILITIES OF THE SCHOOL ADMINISTRATOR**Administrative Guidelines**

It is the responsibility of the Superintendent to:

- 1) Have a written Exposure Control Program based on New York State Department of Health (DOH), New York State Education Department (SED), and Occupational Safety and Health Administration (OSHA) or (PEOSH) guidelines;
- 2) Determine which employees regularly perform tasks with the potential for occupational exposure as a requirement of employment. (See Federal Guidelines);
- 3) Have written Standard Operating Procedures (SOP's) for all employee job descriptions, giving specific attention to those tasks that require protective equipment to be worn (see Exposure Categories);
- 4) Provide all materials and protective equipment necessary to implement job descriptions, giving specific attention to those tasks that require protective equipment to be worn (see Exposure Categories);
- 5) Designate a qualified person to coordinate, implement and provide education and training for all employees. In many situations that person would be the School Nurse/School Nurse Teacher;
- 6) Support on-going continuing education for the designated individual that is responsible for employee education/training;
- 7) Provide education/training for all school staff and for new employees before potential exposure to blood/body fluids:
 - a. Training must include all necessary elements as described in the Federal Register.
 - b. Each employee must receive annual training updates.
- 8) Have a written procedure of accountability for compliance to the Exposure Control Program;
- 9) Review the program, training, implementation, etc. on an annual basis;

SUBJECT: EXPOSURE CONTROL PROGRAM: RESPONSIBILITIES OF THE SCHOOL ADMINISTRATOR (Cont'd.)

- 10) Maintain employee education/training records that include date of training, summary of content, names and social security number of all persons in attendance. Maintain for three (3) years;
- 11) Provide copies of SOP's to all employees; specifically to employees with the potential for occupational exposure;
- 12) Post SOP's pertinent to each department in visible area;
- 13) Store, package, label and transport regulated medical waste according to regulations;
- 14) Provide medical counseling information to anyone involved in a blood/body fluid exposure incident;
- 15) Document each incident of mucous membrane or parenteral (other than through the digestive tract) exposure to blood/body fluids with follow-up measures taken. Maintain for duration of employment plus 30 years.
- 16) If an exposure takes place, and if the source consents to blood screening, results may only be disclosed if consent has been given on official State Health Department Authorization forms.
- 17) Make available free, voluntary HBV vaccination to those employees whose job descriptions require them to perform tasks with the potential for occupational exposure.

SUBJECT: STAFF EDUCATION/TRAINING

All School Districts are required to provide training for all staff who are categorized as having occupational exposure to bloodborne pathogens. Annual updates for these staff members are also required. Such training programs should strive to help individuals recognize the importance of routine use of appropriate exposure control practices and protective equipment/materials in protecting the health of all. No staff member should engage in any task requiring occupational exposure before receiving training in standard operating procedures, work practices and protective equipment required for the task. Furthermore, it is recommended that all staff receive training in exposure control to assure their continued good health.

The training must include:

- 1) An explanation of the exposure control plan covering general and universal precautions to prevent transmission of all infectious diseases.
- 2) An overview of potentially infectious diseases.
- 3) An explanation of bloodborne diseases, specifically HBV/HIV, their modes of transmission and signs/symptoms.
- 4) A hands-on explanation of protective measures, equipment and materials, and how to use them. Staff should also know where equipment and materials will be stored and how to clean or dispose of contaminated materials.
- 5) A review of standard operating procedures that will ensure that all staff are prepared to take corrective action when the potential for exposure to bloodborne pathogens or other infectious agents exist.
- 6) Information about the Hepatitis B vaccine to ensure that staff are aware of its efficiency and safety as well as its benefits when applicable.
- 7) Information about exposure incidents, the appropriate reporting procedures and the medical monitoring recommended in cases of suspected parenteral exposure.
- 8) Available resources and services.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
UNIVERSAL PRECAUTIONS INSERVICE ATTENDANCE RECORD**

TITLE OF PROGRAM _____ DATE _____

DISTRICT _____ LENGTH _____

PRESENTER _____

PLEASE PRINT

EMPLOYEE'S NAME

BUILDING

S.S.#

POSITION

NOTE: This record is to be kept for 5 years from the attendance date.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
BLOOD AND BODY FLUIDS INCIDENT FORM**

Name _____ S. S. # _____

Home Address _____ Home Phone _____

School _____ School Code _____

Position _____ Supervisor/School Nurse _____

DESCRIPTION OF INCIDENT

1) Briefly describe what happened _____
Date of Incident _____ (use back if necessary)

2) Complete the following section:

a. Wounds

1. Did the incident involve a wound yes no
2. Did the wound result in visible bleeding yes no
3. Was the wound caused by: needle human bite other sharp instrument
(specify) _____ other (specify)
4. Was the object causing the wound covered with blood/body fluids? yes no

b. Blood/Body fluid exposure to mucous membranes

1. Did the individual's blood/body fluids come in contact with your body? yes no
2. What was the substance to which you were exposed?
 N/A; I was not exposed blood feces emesis (vomit) sputum sexual fluids
3. If the substance was anything other than blood, was there any blood visible in the fluid?
 N/A yes no unknown
4. What part of your body was exposed to the substance? (check all that apply)
 mouth eyes nose ears skin (specify location) none
 other (specify)

3) How long was your body part in contact with substance?

- a. If the exposure was to your skin, was your skin bruised in any way? yes no
- b. What was the nature of your skin abrasion? acne dermatitis cracks due to dry skin
 unhealed cuts or scratches no skin abrasion other (specify) _____

4) Which of the following procedures were being used at the time of the incident? (check all that apply)

- cuts/open wounds covered with bandages mask (vinyl/latex) gloves
 pocket entillator/ambu bag goggles/glasses other (specify)

5) First line intervention - after exposure, what did you do? washed hands/exposed area
 changed clothes flushed eyes/rinsed mouth showered other (specify) _____

6) The supervisor/school nurse was notified as follows: Date _____ Time _____

7) Medical Intervention - in the event of contact with blood and/or body fluid it is suggested that you discuss with school nurse:

- a. HBV antibody or previous vaccination status for HBV.
- b. The need for HBV/HIV antibody testing.
- c. Notifying your physician or health care provider of the exposure to blood and body fluids immediately.

- 8) Return this completed form to supervisor/school nurse.
- 9) In case of incident or injury to the school nurse/health professional:
 - a. Report incident to supervisor.
 - b. Complete form.

SUBJECT: COMMUNICABLE DISEASES**Definitions:**

- 1) Communicable Disease - A disease caused by an infectious agent (bacterial, viral, parasitic, other) which can be spread from one individual to others.
- 2) Agent - Pathogenic bacteria, viruses, parasites or toxins which cause disease.
- 3) Host - Individual either infected with pathogenic agent or susceptible to infection.
- 4) Environment - All factors external to the agent and host which must be present to facilitate spread of agent.
- 5) School Health Service Personnel - School Physician, School Nurse Practitioner, School Nurse and other professional persons employed to render health care and services.

Delegation of Authority:

The Superintendent of Schools is authorized to implement this regulation in accordance with the New York State Education Law, Public Health Law, and Sanitary Code.

Primary responsibility for implementation of this regulation lies with the Building Principal and School Nurse, with advice from the School Nurse Practitioner and/or School Physician as necessary. All School Health Service Personnel are charged with the responsibility to inform and advise Administration about current scientific knowledge concerning communicable disease control.

Basic Assumptions:

The spread of communicable disease is halted by any one of the following:

- 1) Decreasing the pathogenicity of the agent;
- 2) Decreasing the susceptibility of the host;
- 3) Changing the environment which makes the spread of disease possible.

The focus of communicable disease control is prevention through:

- 1) Immunization;
- 2) Cleanliness and Sanitation;
- 3) Health Education;
- 4) Case finding by School Personnel;

SUBJECT: COMMUNICABLE DISEASES (Cont'd.)

- 5) Isolation, as appropriate, of person with communicable disease from others in the school setting;
- 6) Encouragement of appropriate medical management.

Isolation of Person With Communicable DiseaseStudents

Any student who shows symptoms of any contagious or infectious disease which is reportable under the Public Health Law and the State Sanitary Code shall be immediately excluded from school until one of the following requirements for readmittance is fulfilled:

- 1) Submission of a certificate from the student's physician attesting to recovery;
- 2) Submission of a permit for readmittance to school, issued by the local health officer;
- 3) Submission of authorization for readmission issued by the School District medical examiner.

If it is determined by the School Health Service Personnel that a student's physical condition endangers the health or safety of the individual or others, that individual may be suspended from school under the authority of, and in accordance with procedures established by Education Law Section 3214. This determination will be in accordance with informed medical opinion as to the infectiousness of the agent, the mode of transmission, the seriousness of the disease, and the treatment regimen. The goal is to prevent the spread of communicable disease and to facilitate the ill individual's return to health.

If a student with a communicable disease is not required to be excluded from school, an individual care plan will be developed by the School Health Service Personnel, in conjunction with other appropriate building personnel, to include methods to prevent the spread of infection to others and to reduce the risk of exacerbation of the student's disease.

Decisions regarding the type of educational program and care setting for a student with a communicable disease shall be based on:

- 1) The age, behavior, neurological development, and physical condition of the child;
- 2) The expected interaction of the child with others in the school setting;
- 3) The risks and benefits to both the ill student and to others in that setting; and
- 4) Other relevant criteria.

SUBJECT: COMMUNICABLE DISEASES (Cont'd.)

If the student is excluded from school as a result of the communicable disease, the school administration shall provide said student with an adequate alternative education.

If a student with a communicable disease is suspected to be a child with a disability, such as to require special education by reason of his or her health impairment, the student shall be referred to the School District Committee on Special Education ("CSE"). The CSE shall conduct an evaluation and determine if the student is a child with a disability.

Employees

When the Superintendent has reasonable cause to believe that an employee has a communicable disease, the Superintendent shall:

- 1) Report the full name and address of the employee to the local health officer;
- 2) Request the Board of Education to require the employee to submit to an examination by the School Physician; and
- 3) Require the employee to grant written authorization for the release of medical reports, and for his or her personal physician to discuss the matter with the School Physician.

If it is determined that the employee has a disease which is designated as communicable by the State Sanitary Code, the Superintendent of Schools shall refer the matter to the School Physician who shall isolate the employee pending official action by the local health officer.

If the disease is highly communicable, but not designated as such by the State Sanitary Code, or if the School Physician determines that the individual is endangering himself or herself by continuing to work, the employee is encouraged and may be required to remain at home and seek appropriate medical management.

An employee with a communicable disease shall be granted paid sick leave in accordance with the applicable collective bargaining agreement.

If an employee with a communicable disease is able to be in school and there is little risk to others (as determined by the School Physician), the administration will attempt to accommodate the work environment to assist the individual. A plan will be developed as necessary to protect the ill individual and to prevent the spread of infection to others in the school setting. Said plan may include reassignment of the employee to a position where he or she works in isolation or limited contact with others.

SUBJECT: COMMUNICABLE DISEASES (Cont'd.)

If the School Physician determines that 1) the employee has a currently contagious disease or infection and 2) the presence of the employee on the job is and will continue to constitute a direct threat to the health, safety or welfare of that employee or other individuals by reason of his or her currently communicable disease or that the employee is unable to perform the duties of the job by reason of his or her currently communicable disease, such employee shall be removed from the regular workplace and his or her employment may be terminated or suspended in accordance with applicable statutes and regulations. Any employee, contagious or not, who is unable to perform his/her customary duties or those of any alternative assignment, shall be terminated or placed on disability retirement. The Superintendent of Schools shall see that procedural protections are complied with in any decision to terminate or retire an employee.

Encouragement of Appropriate Medication Management

In addition to the above procedures, any individual with a suspected communicable disease will be referred to his or her family. As appropriate, School Health Personnel will:

- 1) Advise the seeking of professional care or advice from the physician, pharmacist, clinic or other;
- 2) Aid the individual in complying with the treatment regimen in cooperation with the primary health care provided;
- 3) Encourage follow-up; and
- 4) Act as a resource to the family to facilitate the individual's return to optimum health. School attendance will be either encouraged or discouraged in the best interest of the ill individual.

Employee Obligation

No susceptible employee shall be required to work with or to have personal contact with an individual with a communicable disease unless safeguards have been made to avoid the spread of the disease within the school setting.

In the event that alternate instruction is planned which requires personal contact with an infected student, a school employee may decline such assignment without penalty.

Confidentiality

The individual's privacy shall be protected by school personnel. Except as otherwise required by law, the identity of any individual with a communicable disease shall not be revealed. All records shall be confidential.

(Continued)

SUBJECT: COMMUNICABLE DISEASES (Cont'd.)

Except if otherwise authorized by the infected employee, student or person in parental relation, the only persons who will be informed of an infected individual's condition are those who:

- 1) Require such knowledge to assure proper care of the ill individual; or
- 2) Should be informed to detect situations where the potential for transmission may increase; or
- 3) Are individuals who, in the judgment of the family and School Health Care Personnel, should have such knowledge.

Cleanliness and Sanitation

Pursuant to the Public Health Law, Regulations of the Commissioner of Education, and Recommendation of the CDC (Center for Disease Control), the School Administration shall establish, and all school personnel shall comply with, routine procedures for handling body fluids and wastes and storing, handling, and disposing of hypodermic syringes and needles. Procedures will be developed by the Superintendent of Schools.

Handwashing is fundamental in the prevention of the spread of infection. All personnel and students are required to thoroughly wash their hands with soap and water before handling food, after toileting, and after handling body fluids and discharges.

Under the authority of the Food Service Director, all Food Service Personnel are required to comply with the New York State Sanitary Code to best avoid the spread of food borne infection.

Under the authority of the Superintendent, all school buildings will be cleaned and maintained so as to best prevent the spread of infection.

Health Education

School Health Service Personnel shall keep informed of current scientific information to enable them to better prevent the spread of communicable disease and will share this knowledge with other school personnel as appropriate.

School Health Service Personnel shall give information to parents/guardians as appropriate to aid in the prevention, treatment, or interruption of the spread of communicable disease.

Students from Kindergarten through Grade 12 will receive instruction about the causes, prevention, and treatment of communicable diseases to enable them to remain as free from illness as possible.

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:
EMPLOYEES****Confidentiality**Definitions (Public Health Law, Section 2780)

- 1) **"Confidential HIV related information"** means any information, obtained from individuals who provide health or social services or through a written authorization for disclosure of such information, concerning whether an individual has been the subject of an HIV related test, or has HIV infection, HIV related illness or AIDS, or information which identifies or **reasonably could identify** an individual as having one (1) or more of such conditions.
- 2) **"Capacity to consent"** means an individual's ability, determined without regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service treatment or procedure, and to make an informed decision concerning such service, treatment or procedure. It is the responsibility of the HIV counselor to determine an individual's capacity to consent to medical care.
- 3) **"Release of confidential HIV related information"** means a written authorization for disclosure of confidential HIV related information which is signed by an individual who is the subject of an HIV related test or who has been diagnosed as having HIV infection, AIDS or an HIV related illness or a person authorized by law to consent to health care for that individual. Disclosure must be on a form approved by the New York State Department of Health.

Release of Information

Pursuant to New York State law, school officials and employees are required to keep HIV-related information confidential. The information cannot be disclosed to any person except under the following circumstances:

- 1) The protected individual or a person with the capacity to consent has completed and signed a Health Department Authorization for Release form;
- 2) A court order has been issued; or
- 3) The person to whom the information has been furnished is authorized under the state law to receive the information without a release form (e.g., physicians providing care to the individual, agencies monitoring care, insurance companies for reimbursement purposes).

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:
EMPLOYEES (Cont'd.)**

Employment

No disciplinary action or other adverse personnel action shall be taken against an employee solely because he/she has AIDS or HIV infection. Action may be taken against an employee only if he/she is disabled and the disability interferes with his/her ability to perform in a reasonable manner the activities involved in the job or occupation.

The District shall make such reasonable accommodations to enable the employee to perform employment duties as may be required by federal or state law.

Testing

No HIV-related testing of any employee shall be conducted without the receipt of a written "informed consent" document signed by the subject of the test (if he/she has the capacity to consent) or a person authorized pursuant to law to consent to health care for the individual, unless otherwise authorized or required by a state or federal law.

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:
STUDENTS****Admission and Enrollment**

Every effort shall be made not to exclude HIV infected students, or place such students in a restricted environment. On occasion, where the unique circumstances of the student's condition, apart from the mere existence of HIV infection or AIDS virus, warrant programmatic modifications for the benefit of the student, a referral will be made to the Committee on Special Education (CSE) for evaluation and recommendation. The CSE will then determine whether the student should be classified pursuant to the Commissioner's Regulations on students with disabilities and, if determined to be "educationally disabled," will recommend an appropriate educational placement.

If the parent/guardian disagrees with the CSE recommendation, he/she is entitled to due process under appeal procedures set forth in state and federal law. If a hearing is requested by the parent/guardian, the student will remain in his/her current placement pending all proceedings unless a court order is obtained.

ConfidentialityDefinitions (Public Health Law, Section 2780)

- 1) **"Confidential HIV related information"** means any information, obtained from individuals who provide health or social services or through a written authorization for disclosure of such information, concerning whether an individual has been the subject of an HIV related test, or has HIV infection, HIV related illness or AIDS, or information which identifies or **reasonably could identify** an individual as having one (1) or more of such conditions.
- 2) **"Capacity to consent"** means an individual's ability, determined without regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service treatment or procedure, and to make an informed decision concerning such service, treatment or procedure. It is the responsibility of the HIV counselor to determine an individual's capacity for consent to medical care.
- 3) **"Release of confidential HIV related information"** means a written authorization for disclosure of confidential HIV related information which is signed by a student who has been determined as having the capacity to consent who is the subject of an HIV related test or who has been diagnosed as having HIV infection, AIDS or an HIV related illness or a person authorized by law to consent to health care for that individual. Disclosure must be on a form approved by the New York State Department of Health.

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:
STUDENTS (Cont'd.)****Release of Information**

School officials and employees are required by law to maintain strict confidentiality of HIV related information concerning a student in the District and such information may not be disclosed to anyone unless the protected student, or the parent or guardian if student lacks capacity to consent, completes and signs a written authorization form. The form must be dated and specify to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective.

Redisclosure or the use of general authorizations to release confidential HIV related information is prohibited by law. Therefore, separate releases must be executed by the protected student (or the parent or guardian where appropriate) specifically granting permission for any further release of such information. Release of information to individual CSE members or the Superintendent and members of the Board of Education is to be executed on Form #5692F.1 authorized by the State Education Department. Form #5692F, authorized by the Public Health Department, must be used for any other purposes.

Testing

No HIV related testing will be performed without first receiving the written informed consent of the student who has the capacity to consent or of a person authorized pursuant to law to consent to health care for such student.

Penalties

Any school official or employee who discloses confidential HIV related information to unauthorized persons may be subject to a civil penalty up to \$5000 and a criminal misdemeanor charge.

NEW YORK STATE DEPARTMENT OF HEALTH
AIDS Institute

AUTHORIZATION FOR RELEASE OF CONFIDENTIAL HIV* RELATED INFORMATION

Confidential HIV Related Information is any information indicating that a person had an HIV related test, or has HIV infection, HIV related illness or AIDS, or any information which could indicate that a person has been potentially exposed to HIV.

Under New York State Law, except for certain people, confidential HIV related information can only be given to persons you allow to have it by signing a release. You can ask for a list of people who can be given confidential HIV related information without a release form.

If you sign this form, HIV related information can be given to the people listed on the form, and for the reason(s) listed on the form. You do not have to sign the form, and you can change your mind at any time.

If you experience discrimination because of release of HIV related information, you may contact the New York State Division of Human Rights at (212) 961-8624 or the New York City Commission of Human Rights at (212) 306-7500. These agencies are responsible for protecting your rights.

Name and Address of facility/provider obtaining release:
Name of person whose HIV related information will be released:
Name and address of person signing this form (if other than above):
Relationship to person whose HIV information will be released:
Name and address of person who will be given HIV related information:
Reason for release of HIV related information:
Time during which release is authorized: <div style="text-align: center; margin-top: 10px;">From: To:</div>

My questions about this form have been answered. I know that I do not have to allow release of HIV related information, and that I can change my mind at any time.

Date

Signature

The University of the State
Of New York Education Department

**Authorization for Release of Confidential HIV*
Related Information to the Superintendent of
Schools and the Board of Education**

Approved by:
New York State Department of Health
OC - 1 (6/89)

Confidential HIV Related Information means any information indicating that a person had an HIV related test, or has HIV infection, HIV related illness or AIDS, or any information which could indicate that a person has been potentially exposed to HIV.

Under New York State Law, except for certain people, confidential HIV related information can only be given to persons you allow to have it by signing this form. You may ask for a list of people who can be given confidential HIV related information even without this form.

If you sign this form, HIV related information can be given to the people listed on the form, and for the reason(s) listed on the form. You do not have to sign the form, and you can change your mind at any time.

If you experience discrimination because of the release of HIV related information, you may contact the New York State Division of Human Rights at (212) 870-9624 or the New York City Commission of Human Rights at (212) 566-5493. These agencies are responsible for protecting your rights.

NAME OF PERSON WHOSE HIV RELATED INFORMATION WILL BE RELEASED			
NAME AND ADDRESS OF PERSON SIGNING THIS FORM (IF OTHER THAN ABOVE)			
STREET	CITY	STATE	ZIP CODE
RELATIONSHIP TO PERSON WHOSE HIV INFORMATION WILL BE RELEASED			

NAME OF SCHOOL DISTRICT

Names and addresses of the superintendent of schools and individual members of the Board of Education (Board of Trustees) of the above named School District who will be given HIV related information:

SUPERINTENDENTS NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE

*Human Immunodeficiency Virus that causes AIDS.

NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE

Reason for release of HIV related information:

To approve the recommendation of the _____ CSE as required by law.
(Name of District)

Other (explain in full, use additional sheet(s) if necessary) _____

Time during which release is authorized:

FROM: ____/____/____
Month Day Year

TO: ____/____/____
Month Day Year

My questions about this form have been answered. I know that I do not have to allow release of HIV related information, and that I can change my mind at any time.

Signature

Date

Non-Instruction/Business Operations

SUBJECT: TRANSPORTATION PROGRAM

ELIGIBILITY FOR TRANSPORTATION

Only District residents will be eligible for transportation services and students will be allowed only one legal residence.

- a) Elementary Students – All resident students in grades K-5 will be provided transportation if they live .5 miles or greater from the school they legally attend.
- b) Middle School Students – All resident students in grades 6-8 will be provided transportation if they live 1.5 miles or greater from the school they legally attend.
- c) High School Students – All resident students in grades 9-12 will be provided transportation if they live 1.8 miles or greater from the school they legally attend.

The District suggests that a parent or guardian meet a kindergarten student at the assigned drop off location.

STUDENTS BEING RELEASED ONCE THEY HAVE BOARDED THE BUS

Once a student has boarded, the driver will not release him/her to any person without the approval of the school administrator or designee.

A parent must meet a kindergarten student at the bus stop at the end of the day. If an adult other than the parent or an older student will be meeting the child the parent must indicate in writing, who will be meeting the child. If the kindergarten student is allowed to walk home alone from the bus stop, the parent must also indicate that in writing. If no one is at the stop to receive the kindergarten student and the parent has not provided other instructions in writing, the student will be returned to their school.

MEASURING DISTANCE TO DETERMINE ELIGIBILITY FOR TRANSPORTATION

The District will determine fixed points at each of the schools (private and public) located within the district, from which to measure. The measurement will be from the driveway of the legal residence of the student to the fixed point (see page 3) of the school they legally attend. The measurement will be conducted with a specific district vehicle which will be calibrated annually, to insure the most accurate measurement.

Non-Instruction/Business Operations

TRANSPORTATION WHEN THE PUBLIC SCHOOL IS NOT IN SESSION

The District will not transport non-public students when the Kenmore-Town of Tonawanda UFSD is not in session due to emergency conditions or closure as a result of a legal holiday or Staff Development Day.

The District will not transport non-public school students into or through a public school district that is not in session due to weather conditions.

WEAPONS POLICY

The District prohibits all persons from possession and/or bringing onto school buses and all other school vehicles, firearms*, knives, ammunition*, any form of explosive device (including such items as firecrackers and cherry bombs), or any other weapon or item which may be used as a weapon (e.g. a section of a pipe and razor-type box opener).

*Except for approved transportation of the Rifle Team

SIBLINGS OF ADMINISTRATIVELY PLACED STUDENTS

The District will transport a resident child who is administratively placed outside of the catchment area of his/her residence. If siblings of that child are approved for open enrollment at the same school, the District will transport them as long as there is room on that bus. The sibling must be a student in good standing at the open enrolled school.

STOPS AND PICK-UP POINTS

The District will establish corner bus stops (with some mid block stops). Students will be expected to walk a reasonable distance to their bus stops. Elementary students will not be expected to walk a distance greater than two and one-half tenths of a mile to their bus stop. Secondary students will not be expected to walk a distance greater than one-half (1/2) the walking distance for their grade level.

CHILD CARE TRANSPORTATION

Students may be transported to and from a location in the Kenmore-Tonawanda School District other than their legal place of residence when the following conditions are met:

- The student's legal place of residence or the designated location for drop off and/or pick up if said location were the student's legal place of residence, would make that student eligible for transportation to and from school according to adopted District policy.
- The designated drop off and/or pick up point is located within the attendance area of the student's officially assigned school, **at a scheduled stop along regularly scheduled routes**, unless the drop off and/or pick up point is a legitimate day care organization licensed pursuant to Section

Non-Instruction/Business Operations

390 of the Social Service Law and located in appropriate facilities in the Kenmore-Tonawanda School District.

- Parents must request child care transportation in writing **annually**, no later than April 1 preceding the next school year, except where the family moves into the District later than April 1.
- The alternate request may not be used to circumvent the District's adopted transportation policy. The alternate stop must be on a set weekly schedule, and there must be room on the bus.
- Request for an alternate childcare location will be granted for only one alternate location.
- Alternate transportation will begin upon notification of a start date from the Transportation Office.



5710F

KENMORE-TOWN OF TONAWANDA
UNION FREE SCHOOL DISTRICT

Request for Alternate Transportation

Transportation Department
1680 Military Rd. • Kenmore, NY 14217
(716) 874-8611 phone • (716) 874-8618 fax

School Year: 20__ - 20__

Students may be transported to and from a location in the Kenmore-Tonawanda School District other than their legal place of residence when the following conditions are met:

- The student’s legal place of residence or the designated location for drop off and/or pick up if said location were the student’s legal place of residence, would make that student eligible for transportation to and from school according to adopted District policy.
- The designated drop off and/or pick up point is located within the attendance area of the student’s officially assigned school, **at a scheduled stop along regularly scheduled routes**, unless the drop off and/or pick up point is a legitimate day care organization licensed pursuant to Section 390 of the Social Service Law and located in appropriate facilities in the Kenmore-Tonawanda School District.
- Parents must request child care transportation in writing **annually**, no later than April 1 preceding the next school year, except where the family moves into the District later than April 1.
- The alternate request may not be used to circumvent the District’s adopted transportation policy. The alternate stop must be on a set weekly schedule, and there must be room on the bus.
- Request for an alternate childcare location will be granted for only one alternate location.
- Alternate transportation will begin upon notification of a start date from the Transportation Office.

Name of Student _____ School _____ Grade _____
 Legal Residence _____ Phone _____
 Daycare or Babysitter’s Name _____
 Alternate Location Address _____ Phone _____
 Reason for Request _____

Please indicate by checking the appropriate boxes the days and times you want your child to be transported to or from the alternate location.

	MON	TUES	WED	THURS	FRI	Bus #	Bus Stop
A.M.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
EARLY DISMISSAL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
P.M.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Requested Date of Bus Change _____							FOR OFFICE USE ONLY _____

I certify that as the above named student’s parent or legal guardian, I assume complete and full responsibility for the safety and welfare of the student prior to pick up at the alternate stop or after the drop off at the alternate stop.

Signature of Parent/Legal Guardian _____ Date _____

Non-Instructional/Business Operations

SUBJECT: TRANSPORTATION OF STUDENTS

APPLICATION FOR TRANSPORTATION FOR 2__ - 2__ SCHOOL YEAR

In accordance with NYS Education Law, Section 3635, parents or legal guardians of students residing within our school district desiring to have their child receive transportation to a non public school located outside the district, must complete one application for each student and submit the application to this department prior to April 1st of the preceding school year. Late filing could result in denial of transportation.

PLEASE PRINT

NAME OF STUDENT: _____

ADDRESS OF STUDENT: _____

DATE OF BIRTH: _____ GRADE IN SEPT. _____

HOME PHONE NO: _____ EMERGENCY PHONE NO: _____

SCHOOL _____

SCHOOL ADDRESS: _____

SCHOOL HOURS Starting time ____ AM Ending time: ____ PM

DATE RESIDENCY ESTABLISHED IN THIS SCHOOL DISTRICT: _____

TRANSPORTATION REQUESTED FOR (please check) ____ AM ____ PM

PARENT/GUARDIAN: _____ DATE: _____
Signature

PLEASE NOTE: Most elementary students attending a non public school outside this school district will be required to transfer buses in the AM. Most high school students will receive a pass for NFTA Metro.

FOR OFFICE USE:

Approved _____ Denied _____ Notification Mailed _____

Personnel

2009

5770R

Non-Instructional/Business Operations

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The Board of Education recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. This administrative regulation also applies to contractor owned and operated school buses under contract with the District.

The District shall ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

Further, administration seeks to establish a practice requiring prompt loading and unloading of individual school buses rather than waiting for all buses to arrive.

Exceptions

Unless otherwise required by State or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

- 1) For mechanical work; or
- 2) To maintain an appropriate temperature for passenger comfort; or
- 3) In emergency evacuations where necessary to operate wheelchair lifts.

Requirements of School Bus Drivers

- 1) Instruct students on the necessity to board the school bus promptly in the afternoon in order to reduce loading time;
- 2) Whenever possible, park the school bus diagonally in school loading areas to minimize the exhaust from adjacent buses that may enter the school bus and school buildings; and
- 3) Turn off the bus engine during sporting or other events.

Non-Instructional/Business Operations

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS (Cont'd.)

Additional School District ResponsibilitiesNotice

The District shall annually provide their school personnel, no later than five (5) school days after the start of school, with notice of the provisions of Education Law Section 3637 and Commissioner's Regulations Section 156.3(h). The format and materials for the notice will be supplied by the Commissioner of Education.

Monitoring and Reports

- 1) The District shall periodically, but at least semi-annually, monitor compliance of school bus drivers and drivers of vehicles owned, leased or contracted for by the District with the requirements of Commissioner's Regulations.
- 2) The District shall prepare a written report describing the actions taken to review compliance and the degree of adherence found.
- 3) Copies of the report shall be retained in the School District's files for a period of six (6) years and made available to the State Education Department (SED) upon request.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the School District and a private vendor that are entered into on or after August 21, 2008, shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

New York State Education Department (SED) Compliance/Training Material

To assist school districts with compliance, SED has prepared materials for the annual notice to school personnel and for training school bus drivers. These materials have been posted on SED's Web site at:

www.emsc.nysed.gov/schoolbus/anti-idling/home.html

The District may meet the notice requirement by providing employees with a copy of Education Law Section 3637 and Commissioner's Regulations Section 156.3(h). As an alternative, the District may notify employees that the materials have been posted on all employee bulletin boards and the District Web site.

2009

5770R

Non-Instructional/Business Operations

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS (Cont'd.)

To assist with training school bus drivers, SED has updated a PowerPoint presentation that was part of their 2004 Professional Development Seminar and school bus driver refresher training. Other materials such as driver handouts, pledge cards and a reducing idling campaign logo are part of the 2004 School Bus Driver Refresher materials.

Adopted: 1/13/09

2012 6000
Personnel

Kenmore-Town of Tonawanda Union Free School District

NUMBER

PERSONNEL

(Section 6000)

STAFF-STUDENT RELATIONS (FRATERNIZATION)

Regulation..... 6111R

EQUAL EMPLOYMENT OPPORTUNITY

Form: Personnel Requisition Form.....6120F
Form: Applicant Report For Team Interview.....6120F.1
Form: Support Staff Confidential Interview Rating Guide6120F.2
Form: Recommended Board Action.....6120F.3

SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Regulation.....6121R
Form: Sexual Harassment Complaint Form6121F

EVALUATION OF CERTIFICATED PERSONNEL

Regulation.....6130R

ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES

Regulation.....6150R

DRUG-FREE WORKPLACE

Regulation.....6151R
Form: Notice to Employees and Volunteers Engaged in Work on Federal Grants.....6151F
Form: Certification Regarding Drug-Free Workplace Requirements6151F.1

PROFESSIONAL GROWTH/STAFF DEVELOPMENT PROGRAMS

Regulation: Professional Development and Conference Attendance/Expense
Reimbursement6160R
Form: Professional Development Conference/Workshop Request6160F.1
Form: Voucher.....6160F.2

FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES

Regulation: Fingerprinting of Prospective School Employees.....	6180R
Regulation: Safe Mentoring Act.....	6181R

DETERMINATION OF EMPLOYEE STATUS

Regulation.....	6190R
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RECRUITMENT (CERTIFICATED PERSONNEL)

Regulation: Personnel Guidelines for Recruiting of Teaching Staff: General Procedures	6211R
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TEMPORARY PERSONNEL

Regulation: Substitute Teachers	6220R
Regulation: Student Teachers	6220R.1
Form: Summary Report of Substitute Teacher Service.....	6220F
Form: Student Teacher Report.....	6220F.1
Regulation: Professional Service Providers	6230R

CIVIL SERVICE EMPLOYEES

Regulation: Recruitment: Civil Service Personnel	6310R
Form: Probationary Report	6310

EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION

Regulation: Personnel Records and Files	6420R
Procedure: Personnel Records	6420P

STAFF USE OF COMPUTERIZED INFORMATION RESOURCES

Regulation.....	6470R
Form: Agreement for School District Staff Use of Computerized Information Resources	6470F
Regulation	6480R

LEAVES OF ABSENCE

Form: Leave of Absence Report.....	6550F
Form: Application for Leave Without Pay	6550F.1

FAMILY AND MEDICAL LEAVE ACT

Regulation: Family and Medical Leave Act.....	6551R
Regulation: Your Rights Under the Family and Medical Leave Act	6551R.1

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)

The School District is committed to providing a safe, productive and positive learning environment within its schools. All District employees are to maintain a professional, ethical relationship with District students that is conducive to creating and maintaining an effective learning environment; and shall serve as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

In order to help prevent the occurrence and/or appearance of inappropriate relationships between staff and students, staff must adhere to the following guidelines as a means to foster the safety and well being of students and to protect staff from unfounded accusations.

Prohibited Conduct by Staff Members Toward Students /Examples of Inappropriate Behavior

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy and regulations, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee conduct directed toward students includes, but is not limited to, the following behavior:

- 1) Flirting.
- 2) Making suggestive comments.
- 3) Dating and/or asking students for dates.
- 4) Requests for sexual activity.
- 5) Physical displays of affection including kissing, caressing of face or body, and massages.
- 6) Giving inappropriate personal gifts.

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

- 7) Personal communication with a student unrelated to course work, official school matters or concerns regarding a student's safety and welfare. (Personal communication with a student unrelated to course work, official school matters or concerns regarding a student's safety and welfare means any form in which that personal communication may occur including, but not limited to, voice or text-based communication via phone, e-mail, blogging, instant messaging, text messaging or through social networking Web sites.)
- 8) Providing alcohol or drugs to students; or permitting students, in the absence of parental/guardian supervision, to drink alcohol or take drugs in the presence of the employee.
- 9) Inviting a student to go somewhere alone with the employee.
- 10) Inappropriate touching.
- 11) Promoting, providing access to and/or sharing pornographic material including, but not limited to, viewing pornographic movies, videos, pictures, magazines, and web sites.
- 12) Engaging in sexual contact and/or sexual relations.

Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and regulations, and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Inappropriate Behavior Initiated by Students

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her Building Principal or supervisor. If appropriate, the Principal/Supervisor will intervene and speak to the student and the student's parents about the inappropriate behavior.

Supervision of Students

Staff members shall maintain a reasonable standard of care for the supervision and protection of students commensurate with their assigned duties and responsibilities.

Reporting of Complaints/General Guidelines

- 1) Any student who believes that he/she has been subjected to inappropriate staff behavior as outlined in this regulation, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

report the incident to any staff member or either the employee's supervisor, the student's Principal or the District's designated Complaint Officer.

- 2) In all events such reports shall be forwarded to the District's designated Complaint Officer for further investigation.
- 3) Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District.
- 4) Investigations of allegations of improper staff-student relations shall follow the procedures utilized for complaints of harassment/sexual harassment within the School District, including the filing of "informal" and/or "formal" complaints and levels of appeal.
- 5) All allegations of inappropriate staff-student relations, whether written or verbal, formal or informal, will be investigated thoroughly, promptly and impartially in accordance with law and/or regulations, the applicable collective bargaining agreement, District policy and administrative regulations.
- 6) To the extent possible, within legal constraints, all allegations of inappropriate staff-student conduct will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials, Child Protective Services, and/or the State Education Department as warranted; and any disclosure will be provided on a "need to know" basis.
- 7) Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.
- 8) Administration shall also refer to and use, as appropriate, existing policies and administrative regulations (such as those addressing harassment/sexual harassment in the school setting and child abuse/child abuse in an educational setting) when investigating allegations of improper staff-student fraternization.
- 9) The Superintendent/designee is to be informed as soon as possible regarding all allegations and/or reports regarding inappropriate staff-student relations and the status of any investigations.

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

- 10) All investigations of allegations of improper fraternization between staff and students, as well as any action taken, shall be appropriately documented in order to create a written record that demonstrates the District's efforts to prevent such conduct and to facilitate the evaluation of the District's efforts.
- 11) Parents of students subjected to possible improper behavior on the part of a staff member and/or students filing a complaint of such inappropriate behavior will be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. Applicable due process procedures will be followed depending upon the nature of the investigation and possible disciplinary sanctions.

Prohibition of Retaliation

The District prohibits any retaliatory behavior directed against complainants, victims, witnesses and/or any other individuals who participated in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

District Responsibility/Training

Principals in each school building and/or program supervisors will be responsible for informing students, staff and volunteers on a yearly basis of District policy and regulations regarding the prohibition of inappropriate staff-student relations. At this time, the Principal/Supervisor shall also review the procedures established for reporting, investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student fraternization. Students shall be provided such training in an age appropriate manner.

Disciplinary Sanctions

Any staff member who engages in inappropriate conduct with a student, as prohibited by the terms of District policy and regulations, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulations, and the applicable collective bargaining agreement. A violation of District policy and regulations may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

Dissemination/Publication of District's Prohibition Against Inappropriate Staff-Student Relations

The District's policy and regulations (or a summary thereof) prohibiting inappropriate staff-student relations will be published in appropriate school publications such as teacher/employee handbooks, student handbooks and/or school calendars. A copy of the District policy and regulations prohibiting such inappropriate behavior will also be available upon request. Further, this topic shall be addressed in the District Code of Conduct.

PERSONNEL REQUISITION FORM

JOB TITLE: _____

LOCATION:(SCHOOL/BLDG/DEPT) _____

REASON FOR REQUEST:

- New Position
- Replacement Person Replaced _____
- Increase/Decrease Person Affected _____

Justification: _____

TYPE OF ASSIGNMENT:

- Full-time Permanent 12 Month Core
- Part-time Temp/Sub 10 Month Seasonal

Effective Date: _____ **Termination Date:** _____

HOURS OF EMPLOYMENT		TOTAL HOURS	DAYS PER WEEK						
Start: _____	am/pm	_____ per day	M	T	W	Th	F	Sa	S
Finish: _____	am/pm	_____ per week	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Duties of Assignment: _____

Special Qualifications: _____

Administrator/Supervisor _____
Title _____

Date: _____

<p><i>To be completed by Personnel Dept.</i></p> <p>Reason: _____ _____ _____</p> <p style="text-align: center;">Director of Personnel</p>	<p>Approved <input type="checkbox"/> Disapproved <input type="checkbox"/></p> <p style="text-align: right;">_____</p> <p style="text-align: right;">Date</p>
--	--

DIRECTIONS: WHEN POSSIBLE, REQUESTS FOR PERMANENT ASSIGNMENTS MUST BE SUBMITTED 60 DAYS IN ADVANCE OF ANTICIPATED VACANCY TO THE DIRECTOR OF PERSONNEL; ALL OTHERS 30 DAYS. UPON APPROVAL/DISAPPROVAL, ONE COPY WILL BE RETURNED TO THE ORIGINATOR.

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT

• APPLICANT REPORT •
FOR TEAM INTERVIEW
(CONFIDENTIAL)

NAME: (Last) (First) (MI)

POSITION INTERVIEWED FOR:

PREVIOUS DISTRICT EXPERIENCE:

OUT OF DISTRICT EXPERIENCE:

Please express your rating with one of the following in the space provided:
(4-Excellent) (3-Good) (2-Fair) (1-Not Acceptable)

- A. PERSONAL APPEARANCE
B. COMMUNICATION SKILLS
1. Voice and Speech
2. Command of English
C. PERSONALITY FACTORS (Evidence of)
1. Initiative - Drive
2. Public Relations Skills
3. Adaptability (Team Member)
4. Empathy for Children
D. PROFESSIONAL CONSIDERATIONS (Evidence of)
1. Creativity - Imagination - Enthusiasm
2. Understanding Child Behavior
3. Knowledge of Current Concepts in Field or Subject
4. Interest in and Capacity for Growth
(Instructional Interviews)
5. Teaching Performance
6. Classroom Management
7. Prior Teaching Experience
8. Evidence of Past Positive Teaching Experiences
9. Understanding of a Variety of Learners

Vertical box for ratings with lines and a TOTAL label at the bottom.

Hiring Recommendation:
Yes [] No []

Reasons:

• TEAM SIGNATURES •

Signature lines for team members.

DO YOU WANT THIS PERSON AS A MEMBER OF YOUR STAFF? Yes [] No []

PRINCIPAL/DEPT. HEAD

DATE

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT

Support Staff
Confidential Interview Rating Guide

Name of applicant _____

Position interviewed for _____ Building _____

Does candidate currently hold this title? Yes No

District experience _____

Other experience _____

Rate the candidate in the space provided according to the following guide:

5 - Excellent 4 - Very Good 3 - Good 2 - Fair 1 - Poor

A. Personal appearance:

- 1. Neatness _____
- 2. Body language and eye contact _____

B. Communication skills:

- 1. Letter of interest/application/resume _____
- 2. Voice and speech _____
- 3. Self confidence _____

C. Teamwork:

- 1. Participates in developing team goals, puts good of group above self. _____
- 2. Shares responsibility and recognition. _____
- 3. Shows trust and respect for others. _____
- 4. Offers help and shows initiative. _____

D. Organization:

- 1. Balances time and resources, illustrates quality and timeliness of work. _____
- 2. Accepts responsibility. _____
- 3. Effectively handles requirements of current job. _____

E. Professional development and training:

- 1. Coursework relating to job _____
- 2. Technology skills relating to job _____

F. Knowledge of field:

- 1. Skill level _____
- 2. Capability: Combines existing methods and practices with new techniques. _____
- 3. Continually seeks improvement/staff development/training. _____

G. Other:

- 1. Attendance _____
- 2. Work record/references _____

H. Seniority/District experience:

- 1-2 years 1 point
- 3-4 years 2 points
- 5-6 years 3 points
- 7-8 years 4 points
- 9 and above 5 points

Total points

Hiring recommendation: Yes No

Interview team signatures:

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Signature Date

Principal/supervisor recommendation: Yes No

Principal/supervisor _____ Date _____

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT

RECOMMENDED BOARD ACTION

Candidate's Name _____

Position Title _____

Person Replacing (if applicable) _____

Location _____

Effective Date _____

Administrator/Supervisor

Title

Date

Directions: Please submit this form to the Personnel Department, along with the interview report forms, no later than 7 days before the next scheduled Board meeting.

ORIGINATOR TO RETAIN YELLOW COPY.

2004

6121R

Personnel

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Refer to Section #3190R, Anti-Harassment in the School District, for regulation and forms relating to Harassment.

2004

6121R

Personnel

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

Refer to Section #3190R, Anti-Harassment in the School District, for regulation and forms relating to Harassment.

**SUBJECT: DISCLOSURE OF ANNUAL PROFESSIONAL PERFORMANCE REVIEW
(APPR) DATA**

Consistent with Chapter 68 of the Laws of 2012, which amends Education Law Section 3012-c, New York State Education Department (NYSED) is required to release professional performance review data for teachers and Principals in aggregate form. NYSED is required to ensure that public release of Annual Professional Performance Review (APPR) data does not include any personally identifiable information for any teacher or Principal.

Upon request, parents/legal guardians have the right to review and receive the final quality ratings and composite effectiveness scores of individual teachers and Principals of their children. The District will provide conspicuous notice to parents/legal guardians of their right to obtain the final quality rating and composite effectiveness score for each of the teachers and the Principal for the child's assigned school building and the methods by which such data can be obtained. Such notice may be provided on the District's website and/or with other annual notifications.

Disclosure of Data to Parents/Guardians

Upon request, the District shall release to parents/legal guardians the final quality ratings and composite effectiveness scores for teachers and Principals to which their child is currently assigned. Parents/legal guardians may contact the principal of the school where their child is currently enrolled to set up an appointment to receive, in person the final quality ratings and composite effectiveness scores for their child's designated teacher(s) and Principal.

Requests for teacher or principal APPR scores must be made in person at the building where the student is currently enrolled. The data to be provided is limited to the student's current teacher(s) and principal.

Individuals requesting this data must submit the form on page 5 of the regulations.

The requestor must be the parent or legal guardian of the student to receive this data. This information should be confirmed in Infinite Campus.

The requestor's identity needs to be confirmed by school personnel. This can be done by checking a NYS driver's license or any other acceptable form of identification.

It is the responsibility of the building principal to establish procedures to insure that the requestor has a bona fide right to this data.

Once the requester's identify and bona fide right to the data has been established, school personnel will contact the Assistant Superintendent for Human Resources by email with the specific request by scanning the request form as an attachment.

If the Assistant Superintendent for Human Resources is not available to email the report at the time of the requestor's visit, the report will be emailed to the requestor's verified address as noted on the form.

The explanation for the APPR scores which follows should be shared with all requestors who should be offered opportunities to understand such scores in the context of teacher evaluation and student performance.

The District may also refer parents to the APPR plan, located on the District's website.

Annual performance reviews of individual teachers and Principals shall not be subject to disclosure under the Freedom of Information Law (FOIL).

Personnel

SUBJECT: ANNUAL PROFESSIONAL PERFORMANCE REVIEW (APPR) SCORING

Standards for Rating Categories (Only score that can be released)	Growth or Comparable Measures	Locally-selected Measures of growth or achievement	Other Measures of Effectiveness (Teacher and Leader standards)
Highly Effective (91-100)	Results are well-above state average for similar students (or District goals if no state test).	Results are well-above District or BOCES - adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results exceed standards.
Effective (75-90)	Results meet state average for similar students (or District goals if no state test).	Results meet District or BOCES-adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results meet standards.
Developing (65-74)	Results are below state average for similar students (or District goals if no state test).	Results are below District or BOCES-adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results need improvement in order to meet standards.
Ineffective (0-64)	Results are well-below state average for similar students (or District goals if no state test).	Results are well-below District or BOCES-adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results do not meet standards.

<http://engageny.org/sites/default/files/resource/attachments/nys-evaluation-plans-guidance-memo.pdf>

Note: Scoring chart is for the 2013-2014 school year. It is expected that the Commissioner will review scoring ranges annually before the start of each school year and recommend any changes to the Board of Regents for consideration.

New York State Department of Education Statement on the Annual Professional Performance Review (APPR)

The New York State Board of Regents has committed to the transformation of the preparation, support, and evaluation of all teachers and school leaders in New York State. Chapter 21 of the Laws of 2012 amended Education Law §3012-c to fundamentally change the way teachers and principals are evaluated. The purpose of the evaluation system is to ensure that there is an effective teacher in every classroom and an effective leader in every school. The evaluation system will also foster a culture of continuous professional growth for educators to grow and improve their instructional practices.

Under the new law, New York State will differentiate teacher and principal effectiveness using four rating categories – Highly Effective, Effective, Developing, and Ineffective. Education Law §3012-c(2)(a) requires annual professional performance reviews (APPRs) to result in a single composite teacher or principal effectiveness score that incorporates multiple measures of effectiveness. The results of the evaluations shall be a significant factor in employment decisions, including but not limited to promotion, retention, tenure determination, termination, and supplemental compensation, as well as teacher and principal professional development (including coaching, induction support, and differentiated professional development).

The law specifies that student achievement will comprise 40% of teacher and principal evaluations, as follows:

- For the 2011-2012 school year and thereafter, for teachers and principals in subjects and grades where there is no “value-added” model approved by the Board of Regents for such subject and grade: 20% on student growth on State assessments or comparable measures, and 20% on other locally-selected measures that are rigorous and comparable across classrooms in accordance with standards prescribed by the Commissioner.
- For the 2014-2015 school year and thereafter, for teachers and principals in subjects and grades where there is an approved “value-added” model by the Board of Regents for such subject and grade: 25% on student growth on State assessments or comparable measures, and 15% on other locally-selected measures that are rigorous and comparable across classrooms, in accordance with standards prescribed by the Commissioner.

The remaining 60% of teacher and principal evaluations shall be based on multiple measures of teacher/principal effectiveness consistent with standards prescribed by the Commissioner in regulation. This will include the extent to which the educator demonstrates proficiency in meeting New York State’s teaching or leadership standards.

If a teacher or principal is rated “Developing” or “Ineffective,” the school district or BOCES is required to develop and implement a teacher or principal improvement plan (TIP or PIP). Tenured teachers and principals with a pattern of ineffective teaching or performance – defined by law as two consecutive annual “Ineffective” ratings – may be charged with incompetence and considered for termination through an expedited hearing process.

The law provides further that all evaluators must be appropriately trained consistent with standards prescribed by the Commissioner and that appeals procedures must be locally-developed in each school district and BOCES.



Kenmore-Town of Tonawanda UFSD Teacher / Principal Composite Effectiveness Score Request

Parent or Legal Guardian Request for
Annual Professional Performance Review (APPR)
Composite Effectiveness Score and Final Quality Rating for Teacher or Principal

Under New York State law, parents and legal guardians of a student may request the Composite Effectiveness Score (CES) teachers and principals to which the student is assigned for the current school year. Please complete this request form in its entirety and bring it to the school where your child currently resides for processing.

Mailed, faxed or emailed requests will not be accepted. It is the obligation of the school district to verify all information provided in this request.

Student name: _____ Student Date of Birth: ____/____/____

School and grade where student currently attends: _____

Name of parent or legal guardian making request: _____

Address: _____

Phone number: _____

Teacher / Principal name(s) for whom final quality rating and composite effectiveness is requested:

I affirm that I am the parent or legal guardian of the above-mentioned student and that I understand that the information is intended for my own use, only.

Signature of Parent or Legal Guardian

Date

FOR DISTRICT USE ONLY

Date Received: _____ by _____ Appeal Pending: Y / N

Date Request Verified: _____ by _____ Date Parent/Guardian Informed: _____

Date Response Mailed: _____ by _____

Personnel

SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

- 1) While the District can and must assume a leadership role in alcohol, tobacco, and other substance use/abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents/guardians, students, staff, and the community as a whole.
- 2) Alcohol, tobacco, and other substance use/abuse is preventable and treatable.
- 3) Alcohol and other substance use/abuse inhibits the District from carrying out its central mission of educating students.
- 4) The behavior of the Board of Education, the administration, and all school staff should model the behavior asked of students.

The Board of Education recognizes that the problems of alcohol and other substance use/abuse are not limited to the student society. As such, the Board has established an Employee Assistance Program that provides appropriate, confidential prevention, intervention, assessment, referral, support, and follow-up services for District staff who seek assistance with alcohol and other substance use/abuse related problems, emotional problems, mental illness, and other human problems. District staff will be informed about the services they can receive through the Employee Assistance Program.

The District recognizes that it has no right to intervene unless employees' personal problems adversely affect their job performance. When unsatisfactory performance does occur, the District's supervisory personnel will encourage employees to manage and move toward a resolution of their problems on their own or with the help of the Employee Assistance Program.

Staff members who are disciplined for any of these infractions will be referred to the Employee Assistance Program.

The Board recognizes that if the administrative, instructional, and non-instructional staff are to be responsible for implementing and modeling Board policy and administrative regulations, 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:
 - a. Awareness of personal risk factors for alcohol, tobacco, drugs, and other substance use/abuse so that they may identify personal use/abuse problems and seek assistance,

(Continued)

Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)
(Cont'd.)**

- b. Their role in implementing Board policy and administrative regulations which includes how to identify students who exhibit high risk behaviors or who are using/abusing alcohol, tobacco, drugs, and other substances, and
 - c. Referral of students to the appropriate services established by the District.
- 2) Additionally for teachers:
- The knowledge and skills necessary to implement the District's K through 12 alcohol, tobacco, drugs, 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.

SUBJECT: DRUG-FREE WORKPLACE

The Board of Education maintains that it will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- 2) Establishing a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The District's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- 3) Making it a requirement that each employee engaged in the performance of a federal grant program be given a copy of the statement required by paragraph (1).
- 4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will:
 - a. Abide by the terms of the statement, and
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- 5) Notifying the federal granting agency within ten days after receiving notice under subparagraph (4)(b) from an employee or otherwise receiving actual notice of such conviction.
- 6) Taking one of the following actions, within 30 days of receiving notice under subparagraph (4)(b), with respect to any employee who is so convicted:
 - a. Taking appropriate personnel action against such an employee, up to and including termination; or

- b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of the above paragraphs.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
NOTICE TO EMPLOYEES AND VOLUNTEERS ENGAGED IN WORK ON
FEDERAL GRANTS**

YOU ARE HEREBY NOTIFIED that it is a violation of Board of Education policy and administrative regulations of the Kenmore-Town of Tonawanda Union Free School District for any employee or volunteer engaged in work under a federal grant to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

YOU ARE FURTHER NOTIFIED that the Board of Education policy with respect to the use of drugs in the workplace by employees or volunteers engaged in work under federal grants is set forth in Policy #6151 and administrative regulation #6151R.

YOU ARE FURTHER NOTIFIED that it is a condition of continued employment or volunteer status that each employee or volunteer engaged in work on any federal grant comply with the above policy and regulation and that any employee or volunteer engaged in such work who is convicted of violating a criminal drug statute for a violation occurring in the workplace shall notify his or her supervisor of the conviction, no later than five (5) calendar days after such conviction.

YOU ARE FURTHER NOTIFIED that any employee or volunteer who violates the terms of the School District's Drug-Free Workplace Policy or administrative regulation may have his or her employment suspended or terminated, or his or her volunteer status terminated, as the case may be.

KENMORE-TOWN OF TONAWANDA UNION
FREE SCHOOL DISTRICT

By: _____
Superintendent of Schools

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

This certification is required by the Drug-Free Workplace Act and is implemented through additions to the Debarment and Suspension regulations, published in the Federal Register.

An organizational applicant certifies that it will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 2) Establishing a drug-free awareness program to inform employee about:
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
- 4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will:
 - a. Abide by the terms of the statement; and
 - b. Notifying the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction;
- 5) Notifying the agency within ten days after receiving notice under sub-paragraph (4)(b) from an employee or otherwise receiving actual notice of such conviction;
- 6) Taking one of the following actions, within 30 days of receiving notice under subparagraph (4)(b), with respect to any employee who is so convicted:
 - a. Taking appropriate personnel action against such an employee, up to and including termination; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6).

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS (Cont'd.)**

Place of Performance: The applicant shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: (street address, city, county, state, zip code)

An applicant who is an individual certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant.

This assurance is given in connection with any and all financial assistance from the Department of Energy after the date this form is signed. This includes payments after such date for financial assistance approved before such date. The applicant recognizes and agrees that any such assistance will be extended in reliance on the representations and agreements made in this assurance, and the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and on the authorized official (or individual applicant, as appropriate) whose signature appears below.

Organization Name

Name and Title of Authorized Representative

Signature Date

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE
ATTENDANCE/EXPENSE REIMBURSEMENT**

Attendance at Professional Development Programs/Conferences/Workshops

All District personnel are encouraged to attend professional development programs, conferences, conventions and the like, at District expense and subject to prior administrative approval, for the purpose of professional self-improvement or enhancement of educational services, within budgetary limitations as allocated by the Board of Education. Every effort should be made to submit a request for conference approval at least ten (10) days in advance. Staff should utilize the appropriate Request Form for this purpose.

Staff members may be allowed to attend professional conferences in certain instances at their own expense if they have prior approval of the Superintendent. Such a request, if approved, must result in no expense to the District, other than the cost of the substitute, and will be at no loss of personal leave time or salary to employees.

After approval of staff attendance at the conference or professional development program, a purchase requisition will be completed by the Business Office in sufficient time prior to the conference so that the expenditure(s) may be encumbered against the proper code.

A brief written report of the conference should be presented to the building principal/immediate supervisor and/or the Superintendent of Schools after the conference, whenever requested.

Within budget limitations, the Superintendent or his/her designee may authorize requests for staff reimbursement of expenses for conference attendance and attendance at other professional development programs, as well as reimbursement of other authorized expenses, in accordance with the terms of this Regulation and upon completion of the applicable Expense Reimbursement Request Forms, with receipts attached, upon the staff member's return. (See subheading "Expense Reimbursement.")

Travel or conference attendance without prior authorization will be at the participant's own expense.

General guidelines for expenses to be reimbursed by the District are outlined below and should be adhered to closely. Requests for further interpretation should be addressed to the immediate supervisor and/or Business Office.

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE
ATTENDANCE/EXPENSE REIMBURSEMENT (Cont'd.)**

Expense Reimbursement

General

Staff members who incur expenses as a result of attending professional development programs, conferences, conventions and the like shall be reimbursed upon submission of a properly completed and approved voucher and such supporting receipts as required by the Superintendent of Schools or his/her designee. All reimbursable expenses must be verified in accordance with standard auditing procedures and original receipts must be provided for all expenses including, but not limited to, taxes, car rentals, hotels, tolls, airline tickets, and registration fees, as appropriate. Receipts for reimbursement of the cost of meals must be submitted for payment to the District unless such costs are in accordance with established per diem meal allowances for travel on official District business.

Travel Expenses

When official travel by personally owned vehicle is made in fulfilling the staff member's professional responsibilities with the District, the mileage payment shall be made at the rate currently approved by the Board of Education at its Annual Reorganizational Meeting and/or in accordance with applicable contractual provisions.

When a public conveyance is utilized, the cost is to be computed at a "coach fare rate" and such cost is to be enumerated in the total conference request and, if approved, an invoice must accompany any request for reimbursement.

Toll fees and parking fees are allowable reimbursements upon presentation of the proper receipts.

Travel shall be by the most direct route possible. Any person traveling by an indirect route shall assume any extra expenses incurred.

Advances

Employees shall provide themselves with sufficient funds for all current expenses. Requests by employees for travel advances must be made directly to the Superintendent. In an effort to limit travel advances, the business office will make every effort to reimburse an employee's actual expenses promptly.

Personnel

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE
ATTENDANCE/EXPENSE REIMBURSEMENT (Cont'd.)**

In accordance with Section 77-b of the New York State General Municipal Law, an advance payment may be requested by those staff members duly authorized to attend the professional program, conference, convention and the like for estimated expenditures, for registration fees, travel, meals, lodging and tuition fees provided itemized vouchers showing actual expenditures are submitted after such attendance. (See subheading "Expense Form/Voucher") To the fullest extent possible, meals, public transportation, lodging expenses, and registration fees will be paid directly by the School District by Purchase Order.

Tax Exempt Status

The School District is exempt from sales and/or use taxes within New York State. Tax exempt forms should be obtained in advance for such items as hotel rooms, meals within the hotel, car rentals, etc. The School District is not exempt from sales or use taxes outside of New York State, so no deduction would be made in such instances.

Personal Expenses

Personal expenses must be borne by the individual and will be nonreimbursable.

Lodging

Costs for hotel and motel accommodations shall be reimbursable, excluding tax. Tax exemption forms are available in the business office and must be presented to the vendor. An invoice must accompany the request for reimbursement.

Registration Fees

Registration fees are reimbursable. A receipt must accompany the request for reimbursement.

Expense Form/Voucher

Upon return from the conference, workshop, or meeting the employee shall, within ten (10) days, file a completed Expense Reimbursement Request Form (#6160F.2). Said voucher shall list all reasonable and necessary reimbursable expenses for attendance at the conference, workshop or meeting from which shall be deducted any advanced payment, thereby indicating the net amount due to the individual or the balance to be returned to the School District. Any balance due shall be reimbursed to the School District in the form of a personal check payable to the School District.

SUBJECT: REIMBURSEMENT OF BOARD MEMBER EXPENSES

Board members who incur expenses in carrying out their authorized duties shall be reimbursed upon submission of a properly completed and approved voucher and such supporting receipts as required by the President of the Board of Education and/or the Superintendent of Schools. All reimbursable expenses must be verified in accordance with standard auditing procedures and original receipts must be provided for all expenses including, but not limited to, taxis, car rentals, hotels, tolls, airline tickets, and registration fees, as appropriate. Receipts for reimbursement of the cost of meals must be submitted for payment by the District unless such costs are in accordance with established per diem meal allowances for travel on official District business.

Travel Expenses and Personal Expenses

When official travel by personally owned vehicles is made in fulfilling the Board member's responsibilities, the mileage payment shall be made at the rate currently approved by the Board at its Annual Organizational Meeting. Personal expenses incurred are the responsibility of the individual.

Advances

In accordance with Section 77-b of the New York State General Municipal Law, an advance payment may be requested by those Board members duly authorized to attend a conference for estimated expenditures, for registration fees, travel, meals, lodging and tuition fees provided itemized vouchers showing actual expenditures are submitted after such attendance. (See subheading "Expense Form/Voucher") To the fullest extent possible, meals, public transportation, lodging expenses, and registration fees will be paid directly by the School District by Purchase Order or District Credit Card, as appropriate.

Tax Exempt Status

The School District is exempt from sales tax within New York State. Tax exempt forms should be obtained in advance for such items as hotel rooms, meals within the hotel, car rentals, etc.

Expense Form/Voucher

Upon return from the conference, workshop, or meeting, the Board member shall, within ten (10) days, file a completed Expense Reimbursement Request (Form #6160F.2). Said voucher shall list all reasonable and necessary reimbursable expenses for attendance at the conference, workshop, or meeting from which shall be deducted any advanced payment, thereby indicating the net amount due to the individual or the balance to be returned to the School District. Any balance due shall be reimbursed to the School District in the form of a personal check payable to the School District.

2006

6160.2R

REGULATION

Personnel

SUBJECT: EMPLOYEE TRAVEL

Rules Relating to All Employee Travel

- 1.) Meal expenses for overnight travel will only be reimbursed based on a per diem rate as outlined below. Expenses other than for meals will be reimbursed when accompanied by original receipts for lodging and other reimbursable expenses. (see item #7 for exceptions)
 - a. The United States General Services Administration publishes on the following website the per diem meals rates for all major cities in the United States. www.gsa.gov (see below to access website)

The following table lists the current per diem rate for some of the major New York regions along with an explanation of the breakdown of these per diem rates. The Incidental Expenses rate of \$3, reimburses people for minor expenses such as coffee.

These rates will be reviewed on an annual basis, and any appropriate changes will be made.

Reimbursement for meal expenses for all Incidental Employment Agreements (IEA) will also adhere to the per diem meal reimbursement procedures.

When completing Professional Development Conference Reimbursement Form, contact the Assistant Superintendent for Finance's Office with any questions.

<u>CITY</u>	<u>EXPENSES – Meals and Incidental</u>
Albany	\$49
Ithaca	\$44
New York City- <i>Manhattan, NYC</i>	\$64
<i>Bronx, Brooklyn, Staten Island, Queens, Nassau & Suffolk Counties</i>	
Westchester County	\$59
Rochester	\$44
Syracuse	\$44

IF NOT NEW YORK STATE, PLEASE ATTACHED PRINTOUT OF STATE'S PAGES TO VOUCHER.

TO ACCESS WEBSITE:

www.gsa.gov

Under "Travel Resources", click on Per Diem Rates

Look for "Rate for Fiscal Year" (go to current year), then scroll down to map and click on desired state.

Find city; go to M&IE Rate column; use the rate for reimbursement. (Use per diem rate chart below for breakdown)

b. Examples of breakdown of per diem rates.

<u>MEAL AND INCIDENTAL EXPENSES</u>	\$39	\$44	\$49	\$54	\$59	\$64
Breakfast	7	8	9	10	11	12
Lunch	11	12	13	15	16	18
Dinner	18	21	24	26	29	31
Incidentals	3	3	3	3	3	3

- 2.) All Conference travel must have a completed and approved Professional Development Conference Request Form, submitted 3 weeks prior to travel, on file.
- 3.) All reimbursements must be submitted using the Professional Development Conference Reimbursement Form with a copy of the Professional Development Conference Request Form attached. *NOTE:* No cash advances prior to 30 days of event. Final reimbursements must be filed no later than 60 days after event, unless approved by the Superintendent.
- 4.) When traveling by air, employees shall use the lowest commercial carrier rates available.
- 5.) New York State sales tax for lodging and meals cannot be reimbursed. To guarantee no New York State sales tax is charged for lodging, a requisition must be completed and submitted to the hotel. A Sales Tax Exempt Form can be obtained from the Business Office prior to travel for hotel accommodations.
- 6.) Meals that are included as part of the registration fee (hotels included) or conference expense will not be reimbursed through the per diem rate. Kenmore-Tonawanda Union Free School District has already paid for the meal through the registration or conference fees. A copy of the registration form must be attached to voucher.
- 7.) The amount of reimbursement for meals during the first and last day of travel will depend on the duration of the trip. Breakfast is not eligible for reimbursement on the first day of the trip unless travel begins before 6:00 a.m. Dinner is not eligible for reimbursement on the last day of travel unless travel ends after 6:00 p.m. The documentation for this type of meal expense must include a receipt with time and date. Travel itinerary must be attached to voucher.
- 8.) Travel over 300 miles per round trip must be by public carrier unless it can be demonstrated that automobile travel will be more economical with respect to the following: time involved, the cost of lodging and meals, the existing mileage allowance and accessibility of the destination by public carrier.

Guidelines for Use of Professional Development Conference Request Form and Professional Development Conference Reimbursement Form

The Professional Development Conference Request Form is only to be used by Kenmore-Tonawanda Union Free School District employees. The Professional Development Conference Request Form should be filled out whenever an employee is traveling and/or attending a conference which would be considered outside their normal work duties. The Superintendent or designee approves those Professional Development Conference Request Forms which have reimbursable employee expenses greater than one hundred dollars (\$100).

The Superintendent or designee may impose restriction to the Professional Development Conference Request Form, such as "time only", meaning the employee has personally incurred all costs of the conference.

Adopted: 07/05/2006

all costs of the conference.

Adopted: 07/05/2006

Development

Conference Request Form must be

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expense will hool District copy of the

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and

y Kenmore-Conference attending a intendent or which have

development ally incurred

Personnel

SUBJECT: PROCEDURE TO REQUEST GRANT FUNDS TO ATTEND CONFERENCE OR WORKSHOP

- 1) Employee discusses request with principal.
- 2) If principal agrees to value of conference or workshop, principal contacts Assistant Superintendent regarding request.
- 3) Assistant Superintendent verifies funding and substitute availability, and notifies principal whether employee should apply.
- 4) Principal notifies employee of decision.
- 5) If approved, Assistant Superintendent forwards application to employee.
- 6) Employee completes application and submits to principal for approval of leave.
- 7) Principal forwards original request form to Assistant Superintendent.
- 8) Assistant Superintendent forwards copy of signed approval to principal, secretary and employee. Employee also receives a voucher form for reimbursement of approved expenses.
- 9) Requests for reimbursement are forwarded to Assistant Superintendent along with receipts for expenses. Conference reimbursements also require a written report.
- 10) After reimbursement requests are signed by Assistant Superintendent, the original request and receipts are forwarded to the Grant Director for approval of payment.
- 11) Grant Director forwards the paperwork to secretary for accounting.
- 12) Amy forwards the requests and receipts to Chief Accountant for processing.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
GUIDELINES FOR INSERVICE/EDUCATION CONFERENCE ATTENDANCE**

The following information is provided to assist individuals in properly applying for and reporting expenses.

To Request Conference Attendance:

Complete a Conference Authorization Request form available from the principal. Upon approval by the principal, the form will be forwarded to the Assistant Superintendent. The form will be returned after it is reviewed.

NOTE: In order to receive reimbursement, a written report must be submitted. This report should be at least 1 page in length. It should specifically describe what was learned which supports improvement/instruction and/or acquiring information, skills related to your responsibilities and/or District, building, and/or department goals.

To Claim Reimbursement of Expenses:

Transportation to and from an airport is a reimbursable expense. Mileage will be paid if traveling by car provided two or more persons are included. If only one person uses the car, transportation cost will be determined by plane fare or rail fare.

Registration for conferences is the responsibility of the participant unless it is a BOCES workshop in which case the Assistant Superintendent's Office will handle registration, completing the proper BOCES forms. Registration fees (other than BOCES) are reimbursable up to the amount charged to a member of the organization.

Travel insurance cannot be claimed. Be sure to obtain a receipt from the hotel and attach it to the expense report and copy of the Conference Authorization Request. Personal calls and other personal expenses are not reimbursable. Keep a record of all monies spent - hotel, meals, cabs, gratuities, and registrations fees. Submit all receipts with your expense report. The second copy of the Conference Authorization Request form is used for reimbursement along with the expense report. This must be signed by the principal and forwarded to the Assistant Superintendent.

After audit, reimbursement will be sent to claimant as soon as possible, usually within two (2) weeks.

Dues are not a reimbursable expense. They may be deducted on your income tax. Secure a tax exemption form from the District Clerk's office for hotel, motel, and other New York State Exempt items. Ask if in doubt.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
POST-INSERVICE/CONFERENCE REPORT FORM**

Please print or type in **BLACK** ink:

Employee ID# _____	Date of Conference _____
Name _____	Grade _____
Building _____	Position _____
Title of Conference/Meeting: _____	

Please describe what was learned which supports improvement/instruction and/or acquiring information, skills related to your responsibilities and/or District, building, and/or department goals.

Director/Principal/Supervisor _____ Date _____

Return with completed expense report (receipts attached) for reimbursement.

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT

TO: KTA Members
FROM: Union President
Priscilla J. Schad

Date:

RE: **Career Improvement Option II--(School Year)**

Teachers may earn **up to 5** days additional pay at \$200 per day for completing an approved Career Improvement Option 2 Program or participation in a curriculum writing project. To qualify, participants must also complete 20 hours of approved Career Credits during _____ .

To submit an individual or group proposal, an application form must be completed. Applications are available in the Office for Curriculum. If you wish to receive an application, contact my secretary by e-mail or phone. Completed applications must be submitted to Assistant Superintendent for Curriculum by _____ .

Eligible Activities:

- 1) Curriculum development projects - requires specific proposal from group of teachers:
 - District wide
 - building wide
 - departmental
 - grade level
 - interdisciplinary
 - leadership group for ongoing instructional improvement program
- 2) Service on joint Union/District Boards
- 3) Extended professional development projects
 - requires specific proposal regarding potential benefit to District's instructional program
 - appropriate course-work may be included e.g., graduate course-work to update skills to meet District or curricular need

Project Approval Process:

- 1) District and KTA Committee reviews proposals and awards appropriate number of compensation days to projects.
- 2) Applicants dissatisfied with Committee decisions may appeal to the Superintendent.

All projects are to begin after the end of this school year. They are to be completed and forwarded to Priscilla J. Schad prior to _____ .

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
Career Option II
School Year _____
Application (Due by _____)

Subject Area _____ Title of Project _____

Specific Statement of Purpose (Description of how this project will improve student achievement.)

Method of Evaluation

Roster of Participants

_____ Name	_____ School	_____ Name	_____ School
_____ Name	_____ School	_____ Name	_____ School
_____ Name	_____ School	_____ Name	_____ School
_____ Name	_____ School	_____ Name	_____ School

Total Days Requested for Project: _____

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
Career Improvement Option II
Application
Page 3

How will this project be shared with other educators?

Who should we contact if clarification is required?

Name _____ School _____

Completed applications must be submitted to Priscilla J. Schad by: _____.

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
Career Option II
School Year _____
COMPENSATION REPORT

Project Number _____

Project Title _____

Names of Participants	Employee Number	District Location	Dates/Hours Worked	Total Days (7 Hours excluding lunch)

Please return this form with your completed project prior to _____.

Complete form and send ALL copies to:

Kenmore Staff Development Center
 Sheridan Building, Room 205
 3200 Elmwood Avenue
 Buffalo, NY 14217-1174



Application for Career Credit

KAA • KTA • KTSEA and
 Non-represented Employees

PRIOR APPROVAL IS REQUIRED

(KTA only)

I wish this course to apply for Career Credit under 9.3.5 of the KTA Agreement. I understand that by selecting this option, I may not, at a future date, use this graduate study to apply for salary credit under 9.3.1 of the Agreement.

Signature _____ Date _____

Note: Courses will be approved only if taken on employee's time (e.g., vacation, attach copy of Absence Form). Course must relate to employee's role.

KSDC may require a narrative of your responses to the program, OR a copy of a major product from the program, OR turn-key training of other Kenmore staff for the KSDC.

Name _____ Social Security No. _____
 Location _____ Current Position _____
 Course/Workshop Title _____ Course No. _____
 Dates course/workshop scheduled (mo/da/yr) From: _____ To: _____ Time: _____
 Institution _____ No. of Undergraduate/Graduate Hours _____
 Total Credits (Instructional Time) _____ Fee _____

Check one: Ken-Ton Continuing/Community Education class
 Other (fill in name of educational institution and enclose a copy of the course/workshop description):

Please provide a brief statement explaining the relevance of this course/workshop to your professional duties:

Approved _____ (Chairperson, Staff Development Center Policy Board) _____ (Date)

Denied _____

Professional Day Record

KENMORE-TOWN OF TONAWANDA UFSD

Name _____

Employee ID # _____

Social Security # _____

School _____

Description of Activity	Dates Worked	No. of Hours Completed	Site
Total Hours			

Please Check:
 I wish to apply for a Professional Day this school year on:

_____ or _____
(MONTH / DAY / YEAR) (MONTH / DAY / YEAR)

 A substitute is required.

 I do not wish to apply for a professional day, but wish to have this day accumulated to my sick leave.

TEACHER'S SIGNATURE_____
DATE

I agree that the indicated number of hours have been completed by the above-named teacher.

ADMINISTRATOR'S SIGNATURE_____
DATE**Approved:**
 Professional Day on _____

 Sick Leave Accumulation

PERSONNEL DIRECTOR'S SIGNATURE_____
DATE

Professional Development Workshop Request Form
(must be submitted minimum of **Three (3) weeks** in advance)

Employee _____ Date(s) Requested for Leave _____

Building _____ Substitute Needed? _____ Yes _____ No

Times (if not full day) _____
Substitutes are requested by Curriculum Office after approval of conference.

Title _____ Location _____

Please explain rationale for attending. _____

<u>Estimated Expenses:</u>	
Air	_____
Auto (Mileage/Tolls)	_____
Shuttle, taxi, car rental	_____
Meals	_____
Lodging (NO NYS tax reimbursable - obtain tax exempt forms)	_____
Registration	_____
Other (explain)	_____
Total Estimated Expenses	_____

Employee's Signature _____ Date _____

Approved: _____ Disapproved: _____ (Reason) _____

Charge to Account No. _____

Principal/Supervisor Date _____

Approved: _____ Disapproved: _____ (Reason) _____

Assistant Superintendent for Curriculum Date _____

**VOUCHER
For Workshop Expense
Reimbursement**

**Kenmore-Town of Tonawanda UFSD
1500 Colvin Boulevard
Buffalo, NY 14223-1196**

(Do not write in this space)

Voucher Date _____

Warrant No. _____

Voucher No. _____

Vendor's No. _____

Charge to Account No. _____

Name _____

Building _____

LOCATION OF WORKSHOP:

(RECEIPTS MUST BE ATTACHED TO THIS FORM)

Dates of Expenses:					Totals
Registration					
Breakfast					
Lunch					
Dinner					
Hotel					
Business Telephone					
Travel					
Parking					
Taxi					
Miscellaneous (Explain)					
Total					

I certify that these expenses are correct and were incurred in the performance of my duties.

Employee

Date

Principal

Date

Assistant Superintendent of Curriculum

Date

The school district does not pay a Federal or New York State tax, therefore such taxes should not be included in this voucher. The undersigned certifies that the above invoice is duly audited and ready for payment.

I HEREBY CERTIFY, that the merchandise, materials or articles enumerated in the above account have been received and the services specified performed; that they were necessary for and have been, or will be applied to the use of the department specified by the account number.

Audit Clerk _____

Accounting Dept. _____

Professional Development Conference Request Form

(must be submitted minimum of **Six (6) weeks** in advance)

Employee _____ Date(s) Requested for Leave _____

Building _____ Substitute Needed? _____ Yes _____ No

Times (if not full day) _____

Substitutes are requested by Curriculum Office after approval of conference.

Title _____ Location _____

Please explain rationale for attending. _____

<u>Estimated Expenses:</u>	
Air	_____
Auto (Mileage/Tolls)	_____
Shuttle, taxi, car rental	_____
Meals	_____
Lodging (NO NYS tax reimbursable - obtain tax exempt forms)	_____
Registration	_____
Other (explain)	_____
Total Estimated Expenses	_____
A written report must be submitted to the Assistant Superintendent For Curriculum after attendance at conference.	

Employee's Signature _____ Date _____

Approved: _____ Disapproved: _____ (Reason) _____

Charge to Account No. _____

Principal/Supervisor _____ Date _____

Approved: _____ Disapproved: _____ (Reason) _____

Assistant Superintendent for Curriculum _____ Date _____

VOUCHER
For Conference Expense
Reimbursement

Kenmore-Town of Tonawanda UFSD
1500 Colvin Boulevard
Buffalo, NY 14223-1196

6160F.6
 2 of 2

(Do not write)

Voucher Date _____

Warrant No. _____

Voucher No. _____

Vendor's No. _____

Charge to Account No. _____

Name _____

Building _____

LOCATION OF CONFERENCE:

(RECEIPTS MUST BE ATTACHED TO THIS FORM)

Dates of Expenses:					Totals
Registration					
Breakfast					
Lunch					
Dinner					
Hotel					
Business Telephone					
Travel					
Parking					
Taxi					
Miscellaneous (Explain)					
Total					

I certify that these expenses are correct and were incurred in the performance of my duties.

 Employee

 Date

 Principal

 Date

 Assistant Superintendent of Curriculum

 Date

The school district does not pay a Federal or New York State tax, therefore such taxes should not be included in this voucher. The undersigned certifies that the above invoice is duly audited and ready for payment.

I HEREBY CERTIFY, that the merchandise, materials or articles enumerated in the above account have been received and the services specified performed; that they were necessary for and have been, or will be applied to the use of the department specified by the account number.

Audit Clerk _____

Accounting Dept. _____

ADMINISTRATOR

Professional Development Workshop Request Form
(Must be submitted minimum of **Three (3) weeks** in advance.)

Employee _____ Date(s) Requested for Leave _____

Building _____

Title _____ Location _____

Please explain rationale for attending. _____

<u>Estimated Expenses:</u>	
Air	_____
Auto (Mileage/Tolls)	_____
Shuttle, taxi, car rental	_____
Meals	_____
Lodging (NO NYS tax reimbursable - obtain tax exempt forms)	_____
Registration	_____
Other (explain)	_____
Total Estimated Expenses	_____

Charge to Account No. _____

Administrator

Date

Approved: _____ Disapproved: _____ (Reason) _____

Superintendent of Schools

Date

**VOUCHER
For Workshop Expense
Reimbursement**

**Kenmore-Town of Tonawanda UFSD
1500 Colvin Boulevard
Buffalo, NY 14223-1196**

(Do not write in) 2 of 2

Voucher Date _____

Warrant No. _____

Voucher No. _____

Vendor's No. _____

Charge to Account No. _____

Name _____

Building _____

LOCATION OF WORKSHOP:

(RECEIPTS MUST BE ATTACHED TO THIS FORM)

Dates of Expenses:					Totals
Registration					
Breakfast					
Lunch					
Dinner					
Hotel					
Business Telephone					
Travel					
Parking					
Taxi					
Miscellaneous (Explain)					
Total					

I certify that these expenses are correct and were incurred in the performance of my duties.

Administrator

Date

Superintendent of Schools

Date

The school district does not pay a Federal or New York State tax, therefore such taxes should not be included in this voucher. The undersigned certifies that the above invoice is duly audited and ready for payment.

I HEREBY CERTIFY, that the merchandise, materials or articles enumerated in the above account have been received and the services specified performed; that they were necessary for and have been, or will be applied to the use of the department specified by the account number.

Audit Clerk _____

Accounting Dept. _____

Professional Development Conference Request Form

(Must be submitted minimum of **Six (6) weeks** in advance.)

Employee _____ Date(s) Requested for Leave _____

Building _____

Title of Conference _____ Location _____

Please explain rationale for attending. _____

<u>Estimated Expenses:</u>	
Air	_____
Auto (Mileage/Tolls)	_____
Shuttle, taxi, car rental	_____
Meals	_____
Lodging (NO NYS tax reimbursable - obtain tax exempt forms)	_____
Registration	_____
Other (explain)	_____
Total Estimated Expenses	_____

Charge to Account No. _____

Administrator

Date

Approved: ____ Disapproved: ____ (Reason) _____

Superintendent of Schools

Date

VOUCHER
For Conference Expense
Reimbursement

Kenmore-Town of Tonawanda UFSD
1500 Colvin Boulevard
Buffalo, NY 14223-1196

6160F.8
2 of 2

(Do not write)

Voucher Date _____

Warrant No. _____

Voucher No. _____

Vendor's No. _____

Charge to Account No. _____

Name _____

Building _____

LOCATION OF CONFERENCE:

(RECEIPTS MUST BE ATTACHED TO THIS FORM)

Dates of Expenses:					Totals
Registration					
Breakfast					
Lunch					
Dinner					
Hotel					
Business Telephone					
Travel					
Parking					
Taxi					
Miscellaneous (Explain)					
Total					

I certify that these expenses are correct and were incurred in the performance of my duties.

Employee

Date

Principal

Date

Superintendent of Schools

Date

The school district does not pay a Federal or New York State tax, therefore such taxes should not be included in this voucher. The undersigned certifies that the above invoice is duly audited and ready for payment.

I HEREBY CERTIFY, that the merchandise, materials or articles enumerated in the above account have been received and the services specified performed; that they were necessary for and have been, or will be applied to the use of the department specified by the account number.

Audit Clerk _____

Accounting Dept. _____

Request to Attend a Workshop Funded By a Grant

(Must be submitted minimum of three (3) weeks in advance.)

6160F.9
1 of 2

Employee _____ Date(s) Requested for Leave _____

Building _____ Substitute Needed? _____ Yes _____ No

Times (if not full day) _____ (Substitutes are requested by Curriculum Office after approval of conference.)

Title of Workshop: _____ Location _____

Please explain rationale for attending. _____

Estimated Expenses	
---------------------------	--

Air	Meals
Auto (Mileage/Tolls)	Other (Explain)
Registration	
Lodging (No NYS tax reimbursable)	Total Estimated Expenses:

Employee's Signature	Date
-----------------------------	------

Absence Approved:	Absence Disapproved:	Reason
Principal's Signature		Date

Approved:	Disapproved:	Reason
Assistant Superintendent for Curriculum's Signature		Date

Charge to Title Account No.

VOUCHER
For Workshop Expense
Reimbursement from Grant

Kenmore-Town of Tonawanda UFSD
1500 Colvin Boulevard
Buffalo, NY 14223-1196

(Do not write in this space)

Voucher Date _____

Warrant No. _____

Voucher No. _____

Vendor's No. _____

Charge to Grant Number _____

Name _____

Building _____

LOCATION OF WORKSHOP:

(RECEIPTS MUST BE ATTACHED TO THIS FORM)

Dates of Expenses:					Totals
Registration					
Breakfast					
Lunch					
Dinner					
Hotel					
Business Telephone					
Travel					
Parking					
Taxi					
Miscellaneous (Explain)					
Total					

I certify that these expenses are correct and were incurred in the performance of my duties.

Employee

Date

Assistant Superintendent for Curriculum

Date

Title Director

Date

The school district does not pay a Federal or New York State tax, therefore such taxes should not be included in this voucher. The undersigned certifies that the above invoice is duly audited and ready for payment.

I HEREBY CERTIFY, that the merchandise, materials or articles enumerated in the above account have been received and the services specified performed; that they were necessary for and have been, or will be applied to the use of the department specified by the account number.

Audit Clerk _____
(8/02)

Accounting Dept. _____

Request to Attend a Conference Funded By a Grant

(Must be submitted minimum of six (6) weeks in advance.)

Employee _____ Date(s) Requested for Leave _____

Building _____ Substitute Needed? _____ Yes _____ No

Times (if not full day) _____ (Substitutes are requested by Curriculum Office after approval of conference.)

Title of Conference: _____ Location _____

Please explain rationale for attending. _____

How will you turnkey the information you receive at this Conference with appropriate district staff?

Estimated Expenses	
Air	Meals
Auto (Mileage/Tolls)	Other (Explain)
Registration	
Lodging (No NYS tax reimbursable)	Total Estimated Expenses: (Note: A written report is required for reimbursement of expenses.)

Employee's Signature	Date
-----------------------------	------

Absence Approved:	Absence Disapproved:	Reason
Principal's Signature	Date	

Approved:	Disapproved:	Reason
Assistant Superintendent for Curriculum's Signature		Date

Charge to Title Account No. _____

VOUCHER
For Conference Expense
Reimbursement from Grant

Kenmore-Town of Tonawanda UFSD
1500 Colvin Boulevard
Buffalo, NY 14223-1196

(Do not write in this space)

Voucher Date _____

Warrant No. _____

Voucher No. _____

Vendor's No. _____

Charge to Grant Number _____

Name _____

Building _____

LOCATION OF CONFERENCE:

(RECEIPTS MUST BE ATTACHED TO THIS FORM) A written report must accompany request.

Dates of Expenses:					Totals
Registration					
Breakfast					
Lunch					
Dinner					
Hotel					
Business Telephone					
Travel					
Parking					
Taxi					
Miscellaneous (Explain)					
Total					

I certify that these expenses are correct and were incurred in the performance of my duties.

Employee

Date

Assistant Superintendent for Curriculum

Date

Title Director

Date

The school district does not pay a Federal or New York State tax, therefore such taxes should not be included in this voucher. The undersigned certifies that the above invoice is duly audited and ready for payment.

I HEREBY CERTIFY, that the merchandise, materials or articles enumerated in the above account have been received and the services specified performed; that they were necessary for and have been, or will be applied to the use of the department specified by the account number.

Audit Clerk _____
(8/02)

Accounting Dept. _____

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES**District's Responsibilities under the Fingerprinting Law**

Unless otherwise authorized in accordance with law and regulation, the District shall not employ or utilize the prospective school employee, as defined below, unless such prospective employee has been granted a "full" clearance for employment by the State Education Department (SED). All prospective school employees who are not in the SED criminal history file shall be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. A "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI).

- 1) Prior to initiating the fingerprinting process, the District shall:
 - a. Provide prospective employees with a form, developed and supplied by the Commissioner of Education. This form will, among other things, inform the prospective school employee of the criminal record check procedures and applicable fees, the employee's right to withdraw his/her application without prejudice at any time before employment is offered or declined, the right of the prospective employee to obtain, review and seek correction of his/her criminal history information, and the right to submit information directly to the Commissioner in relation to the individual's good conduct and rehabilitation. Forms are available on the State Education Department website.
 - b. Obtain the signed, informed consent for each prospective employee to perform the criminal history check.
- 2) Where the prospective school employee is already in the SED criminal history file, the District shall request clearance for employment on a form or in an equivalent manner as prescribed by SED. No fees shall be payable to SED for such request for clearance.
- 3) If an employee who has been fingerprinted ceases employment with the District or ceases providing services with the District, and does not become employed in this District or another district, charter school or BOCES within twelve (12) months of termination of employment, the Commissioner of Education shall notify DCJS, and the employee's fingerprints shall be destroyed and such individual shall be removed from the SED criminal history file.
- 4) The District shall provide the Commissioner with the name and position held by all employees upon commencement and termination of employment.

(Continued)

Personnel

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)**Who Must Be Fingerprinted**

All "prospective school employees" of the Kenmore-Town of Tonawanda Union Free School District must be fingerprinted. For purposes of this regulation and the applicable provisions in law and Commissioner's Regulations, "prospective school employee" shall mean any individual who will reasonably be expected by the School District to provide services which involve direct contact, meaning in person, face-to-face communication or interaction, with students under the age of twenty-one (21) and who is either:

- 1) Seeking a compensated position with the District and is not currently employed by the District or a student enrolled in the instructional program of a grade level in the School District; or
- 35) 2) An employee of a provider of contracted services to the Kenmore-Town of Tonawanda Union Free School District who is to be placed within the District; or
- 3) A worker who is to be placed within the District under a public assistance employment program pursuant to Title 9-B of Article 5 of the Social Services Law, directly or through contract.

Individuals Who Are Specifically Excluded

Individuals excluded from a criminal history record check/fingerprinting pursuant to this provision of law and regulation are those individuals who:

- 1) Are seeking a position as a school bus driver or school bus attendant and are cleared for employment pursuant to the Vehicle and Traffic Law; or
- 2) Have provided services to the District in the previous school year either in a compensated position, or as an employee of a provider of contracted services to the District, or as a worker placed within the Kenmore-Town of Tonawanda Union Free School District under a public assistance employment program pursuant to Title 9-B of Article 5 of the Social Services Law directly or through contract; or
- 3) Will reasonably be expected by the Kenmore-Town of Tonawanda Union Free School District to provide services for the District on no more than five (5) days in the school year in which services are to be performed, provided that the District provides in-person supervision of such individual by one (1) or more employees of the District while that individual is providing such services. Individuals providing such time-limited and supervised services may include but shall not be limited to artists, guest lecturers and speakers, and sports officials.

(Continued)

Personnel

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)

Any prospective employee who previously has been fingerprinted in order to obtain certification, and whose fingerprints remain on file with the Division of Criminal Justice Services (DCJS), will not be required to be fingerprinted again for purposes of a criminal history record check.

Who Must Perform the Fingerprinting

Although the District is responsible for securing the fingerprints of all prospective employees, a "designated fingerprinting entity" means one of the following types of entities: school districts, boards of cooperative educational services, charter schools, state and local criminal justice agencies, institutions of higher education, and other entities as designated by SED.

Fees for Fingerprinting

Both DCJS and the FBI impose a processing fee. The fees for the criminal history record search shall be an amount equal to the fees established, pursuant to law, by DCJS and the FBI for processing the criminal history information request. DCJS's current processing fee is fifty dollars (\$50) and the FBI's current processing fee is twenty-four dollars (\$24). In addition, the entity that actually takes the fingerprints may impose a fee. The fees shall be payable to SED and paid by money order or check of the District or certified check.

Presumably, unless otherwise authorized by the Board of Education, the prospective employee pays the fees.

- 1) However, employees participating in a public assistance employment program or receiving employment services through the federal Temporary Assistance for Needy Families block grants are not responsible for the fees. Under those circumstances, the fees are paid by the Social Services District making the employment placement or assignment.
- 2) On a form prescribed by the Commissioner, a prospective employee may submit to the Board of Education a request that the fees be waived. The Board is permitted to waive payment of the fees in case of unreasonable financial hardship to the applicant or his/her family. If the Board decides to waive payment of the fees for the prospective employee, payment of the fees becomes the District's responsibility.

Responsibilities of SED

- 1) Upon receipt of fingerprints from a prospective employee (via the School District), SED shall submit the fingerprints of prospective employees in the District to DCJS and the FBI for criminal history background checks.

(Continued)

Personnel

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)

- 2) Where the criminal history record check reveals no criminal record, SED shall issue a clearance for employment to the District, and shall notify the prospective school employee of such clearance for employment.
- 3) Where the criminal history record check reveals that the prospective school employee was convicted of a crime or has a pending criminal charge, SED shall review such record and apply the standards for granting or denial of a license or employment application set forth in Correction Law Section 752 and shall consider the factors specified in Correction Law Section 753. Article 23-A of the Correction Law prohibits denying a license or employment to a convicted offender or from a finding that an applicant lacks "good moral character" when a finding is based on a criminal conviction, unless:
 - a. There is a direct relationship between the criminal offense(s) and the license/employment sought; or
 - 36) b. Granting the license/employment sought would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

A certificate of relief from disabilities or a certificate of good conduct issued to the individual creates a presumption of rehabilitation regarding the offense(s) specified in the certificate.
- 4) The criminal history reports are also subject to Executive Law Section 296(16), which prohibits discrimination in licensing or employment based upon any arrest or criminal accusation no longer pending which was terminated in favor of an individual.
- 5) If, after such review, SED determines that clearance for employment shall be granted, the department shall "promptly" issue such clearance for employment to the Kenmore-Town of Tonawanda Union Free School District.
- 6) If, after such review, SED determines that a prospective school employee's criminal history record demonstrates a basis to deny clearance for employment, SED will issue a notice to the prospective school employee as mandated pursuant to Commissioner's Regulations. The notification will also inform the prospective school employee that he/she has a right to submit a response to SED indicating why clearance for employment should be granted and the appeal process to be followed. Additional procedures to be followed by SED in determining clearance for employment will be as enumerated in Commissioner's Regulations.

(Continued)

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)**Appeal Rights**

A prospective employee may appeal a denial of clearance for employment by SED, based upon the review of his/her criminal record, by directing such appeal to the Executive Coordinator of the Office of Teaching of SED. The record review process will be in accordance with Commissioner's Regulations.

Confidentiality of Reports

All criminal history records processed by DCJS and the FBI and sent to the Commissioner of Education are confidential. The records may not be published or in any way disclosed to persons other than the Commissioner unless otherwise authorized by law.

Refusal to Consent to Fingerprinting

If a prospective employee refuses to consent to be fingerprinted, the District cannot employ the prospective employee.

Conditional Appointments

Upon the recommendation of the Superintendent of Schools, the Board of Education may conditionally appoint a prospective employee.

- 1) A request for conditional clearance shall be forwarded by the District to SED along with the prospective employee's fingerprints as mandated pursuant to law.
- 2) SED sends fingerprints to DCJS (criminal history record check is estimated to be completed within two to four (2-4) days).
- 3) Prior to the commencement of such conditional appointment, the prospective employee must sign a statement indicating whether, to the best of his/her knowledge, he/she has a pending criminal charge or criminal conviction in any jurisdiction outside the state.
- 4) Such conditional appointment shall not commence until notification by the Commissioner that the prospective employee has been conditionally cleared for employment; and such conditional appointment will terminate when the Kenmore-Town of Tonawanda Union Free School District is notified of the determination by the Commissioner to grant or deny full clearance.

(Continued)

Personnel

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)

- 5) If full clearance is granted, the appointment shall continue and the conditional status shall be removed.
- 6) If the Commissioner determines that more time is necessary for SED to make a clearance determination, the notification provided to the prospective employee and the School District shall include a "good faith estimate" of the amount of additional time needed.
- 7) SED shall notify the prospective employee and the Kenmore-Town of Tonawanda Union Free School District within fifteen (15) business days after receipt of a prospective employee's fingerprints and request for a determination on conditional clearance.

Emergency Conditional Appointments

Upon the recommendation of the Superintendent, the Board may make an emergency conditional appointment when an unforeseen emergency vacancy has occurred.

- 1) An unforeseen emergency vacancy shall be defined as:
 - a. A vacancy that occurred less than ten (10) business days before the start of any school session including summer school, or during any school session including summer school, without sufficient notice to allow for clearance or conditional clearance (however, this ten (10) business day time frame provision shall not apply if the Board finds that the District has been unable to fill the vacancy despite good faith efforts to fill the vacancy in a manner that would have allowed sufficient time for full clearance or conditional clearance); and
 - b. When no other qualified person is available to fill the vacancy temporarily; and
 - c. When the emergency conditional appointment is necessary to maintain services which the District is legally required to provide or services necessary to protect the health, education or safety of students or staff.
- 2) When such an emergency conditional appointment is made, the process for conditional appointment as enumerated above must also be initiated.
- 3) Prior to the commencement of such emergency conditional appointment, the prospective employee must sign a statement indicating whether, to the best of his/her knowledge, he/she has a pending criminal charge or criminal conviction in any jurisdiction.

(Continued)

Personnel

SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)

- 4) The District must send the request for conditional appointment to SED, along with the prospective employee's fingerprints as mandated pursuant to law, for a criminal history record check by DCJS. However, employment pursuant to an emergency conditional appointment may start before SED notifies the District regarding conditional clearance.
- 5) Emergency conditional appointment shall terminate twenty (20) business days from the date such appointment commences or when the District is notified by the Commissioner that conditional clearance is either granted or denied, whichever occurs earlier.
- 6) If conditional clearance is granted, the appointment shall continue as a conditional appointment.

Safety of Students

Consistent with the District policy for the safety of the children who have contact with an employee holding conditional appointment or emergency conditional appointment, internal building and/or program procedures will be followed to ensure student safety in the classroom, while attending off-campus activities under the supervision of the Kenmore-Town of Tonawanda Union Free School District and while participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

The immediate supervisor or building principal shall, upon the commencement of the staff member's employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee shall promptly notify the immediate supervisor or building principal of any changes in the employee's appointment status, including receipt of clearance for employment.

"Sunset" Provision for Conditional Appointments/Emergency Conditional Appointments

The provisions in law which permit the conditional appointment and/or emergency conditional appointment of employees pending full clearance from SED shall terminate, in accordance with legislation, on July 1, 2003; and shall be rescinded as Board policy and procedure as of that date (unless subsequent revisions to applicable law provide otherwise).

Personnel

SUBJECT: SAFE MENTORING ACT

In accordance with the Safe Mentoring Act, to ensure the safety of students involved in the District's mentoring program, the District will obtain a criminal history record check from the [Division of Criminal Justice Services \(DCJS\)](#) for each prospective employee as well as prospective volunteer mentors who are involved in any District mentoring program and who may engage in unsupervised activities with youth or in activities with youth in a setting without constant District or parental/guardian oversight.

Definitions

- 1) "Prospective employee" shall mean a person being considered for employment by a mentoring program.
- 2) "Prospective mentor" shall mean an individual who is currently applying to volunteer to help a child or a group of children in a mentoring program for a period of time. Such help shall include, but not be limited to, being a positive role model for youth, building relationships with youth, and providing youth with academic assistance and exposure to new experiences and examples of opportunity that enhance the ability of children to become responsible adults.
- 3) A "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the DCJS and the Federal Bureau of Investigation (FBI).
- 4) "Mentoring program" shall mean a formalized program operated by an educational institution or school district that matches youth with adult volunteers with the purpose of providing such youth with positive role models to enhance their development.

Prospective School Employees

All prospective school employees (as enumerated pursuant to Commissioner's Regulations, 8 New York Code of Rules and Regulations Section 80-1.11 and Part 87) must already receive clearance from the State Education Department (SED) in accordance with existing procedures. However, all other requirements of the Safe Mentoring Act apply to prospective school employees who are being considered for employment by a mentoring program.

The District shall require that a criminal history record check be conducted for any "prospective employee" not otherwise defined as a "prospective school employee" per Commissioner's Regulations in accordance with [Social Services Law Section 390-e](#) and District procedures.

(Continued)

Personnel

SUBJECT: SAFE MENTORING ACT (Cont'd.)**Prospective Volunteer Mentors**

Volunteers, however, are not “covered” by such regulations, and “prospective mentors” (i.e., defined as applicants for volunteer work in a mentoring role/program) will be subject to the requirements of Social Services Law Section 390-e and District procedures.

Fingerprinting Procedures for Prospective Employees Not Otherwise Covered by 8 NYCRR Section 80-1.11 and Part 87/Prospective Volunteer Mentors

Fingerprinting for prospective employees not otherwise covered by Commissioner’s Regulations Section 80-1.11 and Part 87 and prospective volunteer mentors will be conducted as per the following:

District and [Office of Children and Family Services \(OCFS\) Responsibilities](#)

- 1) Prior to initiating the fingerprinting process, the District shall:
 - a. Provide prospective employees and prospective volunteer mentors with a form which will, among other things, inform the prospective employee/volunteer mentor of the criminal record check procedures and applicable fees, the prospective employee/volunteer mentor's right to withdraw his/her application without prejudice at any time before the volunteer opportunity is offered or declined, and the right of the prospective employee/volunteer mentor to obtain, review and seek correction of his/her criminal history information.
 - b. Obtain the signed, informed consent for each prospective employee/volunteer mentor to perform the criminal history check.
- 2) The District will obtain a set of fingerprints and any other information required by the OCFS and the DCJS from each prospective employee/volunteer mentor. The District will provide the applicant with blank fingerprint cards and a description of how the completed fingerprint card will be used upon submission to the District’s mentoring program.
- 3) The District will promptly transmit the completed fingerprint card and the processing fee to the OCFS. The OCFS shall promptly submit the fingerprint card and the processing fee to the DCJS for its full search and processing.
- 4) Upon receipt of a criminal history record from the DCJS, the OCFS shall promptly provide to the District the criminal history record, if any, with respect to the prospective employee/volunteer mentor, or a statement that the individual has no criminal history record.

(Continued)

SUBJECT: SAFE MENTORING ACT (Cont'd.)

- 5) Upon receipt of the results of a criminal background check, the District shall determine whether or not the prospective employee/volunteer mentor shall be offered employment or the opportunity to volunteer with the mentoring program. Such determination shall be made in accordance with the criteria established in [Correction Law Section 752](#) which prohibits unfair discrimination against persons previously convicted of one or more criminal offenses.
- 6) Upon the request of any person previously convicted of one or more criminal offenses who has been denied employment pursuant to Social Services Law Section 390-e, the District shall provide, within thirty days of such request, a written statement setting forth the reasons for such denial. Any such person denied employment shall be afforded the opportunities for enforcement available pursuant to [Correction Law Section 755](#).

Fees for Fingerprinting

Both the DCJS and the FBI impose a processing fee. The fees for the criminal history record search shall be an amount equal to the fees established, pursuant to law, by DCJS and the FBI for processing the criminal history information request. In addition, the entity that actually takes the fingerprints may impose a fee. The fees shall be payable to OCFS and paid by money order, check or certified check by the District.

Unless otherwise authorized by the Board of Education, the prospective employee and/or prospective volunteer mentor shall pay such fees.

Waiver by Custodial Parent/Guardian

A custodial parent/guardian may sign a waiver authorizing a mentor to work with his/her child regardless of a criminal charge or crime related to a mentor, unless the crime is a sex offense or a crime against a child. No waiver is permitted in the case of a sex offense or a crime against a child. This waiver process may only be initiated upon the consent of the prospective mentor, and be on a form developed by the OCFS. Where applicable, the District may notify a custodial parent/guardian of his/her waiver right, but a waiver shall only be authorized by a custodial parent/guardian.

Confidentiality

The criminal history record shall be confidential pursuant to applicable federal and state laws, rules and regulations, and shall not be published or in any way disclosed to persons other than authorized personnel, unless otherwise authorized by law.

(Continued)

Personnel

SUBJECT: SAFE MENTORING ACT (Cont'd.)**Parental/Guardian Disclosure**

The District will provide each custodial parent/guardian of every child participating in its mentoring program a description of the kind of criminal background checks conducted on prospective employees and mentors. The description will include:

- 1) Identification of the source utilized to obtain criminal background histories;
- 2) A list of crimes that would lead the District to deny employment as a prospective employee or the opportunity to volunteer as a prospective mentor; and
- 3) Any other process utilized to determine whether or not a prospective employee or mentor with a conviction record will be offered employment or the opportunity to volunteer.

This description will clearly state whether or not prospective employees or mentors may be hired or offered the opportunity to volunteer despite the existence of a conviction history.

**KENMORE-TOWN OF TONAWANDA SCHOOL DISTRICT
PARENT/GUARDIAN MENTOR WAIVER FORM***

I, _____ (custodial parent/guardian's name), the custodial parent/guardian of _____ (child's name), have been informed by _____ (mentoring program's name) that _____ (prospective mentor's name) has been rejected as a mentor, in accordance with Article 23-A of the Corrections Law and the mentoring program's criminal history policy. I understand that I cannot view the prospective mentor's criminal history due to confidentiality laws, but I have reviewed the above-named mentoring program's policy on evaluating prospective mentors with a criminal history and I understand the types of crimes which the mentoring program uses to reject an individual as a prospective mentor. I further understand that the above-named prospective mentor will only be allowed to mentor my child if I consent to the mentoring relationship. I also understand that if I do not want the prospective mentor mentioned above to mentor my child, the above-named mentoring program is willing to provide another mentor to my child if desired.

I fully understand all the facts and circumstances above, and despite the prospective mentor's criminal history and the mentoring program's rejection of this prospective mentor due to his or her criminal history, I consent to _____ (prospective mentor's name) to mentor my child, _____ (child's name).

Custodial Parent/Guardian's Signature

Date

Mentoring Program Representative's Signature

Date

*This waiver may not be offered to you by the mentoring program if the prospective mentor has been convicted of a sex offense as defined in Article 130 of the Penal Law, or a crime against a child. If the prospective mentor has been convicted of any other crime and the mentoring program determines that it will not approve the prospective mentor based on its guidelines, the mentoring program must ask the prospective mentor if the mentor will consent to the mentoring program asking the custodial parent or guardian of the child if the custodial parent or guardian will sign this waiver form permitting the prospective mentor to be a mentor for the child of the custodial parent or guardian. By signing this form and providing the form to you, the mentoring program verifies that the prospective mentor has consented to this form being provided to you for your consideration.

Personnel**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR**

Regulations recently promulgated by the Office of the State Comptroller provide guidance to school districts to help them determine whether an individual is an employee, and therefore eligible for membership in the New York State and Local Retirement System (NYSLRS) and for service credit, or an independent contractor who is not eligible for membership.

A certification of the determination that an individual is an employee will now be required when the School District initially reports to the NYSLRS certain covered professionals -- those persons providing services as an attorney, physician, engineer, architect, accountant or auditor.

Employee shall mean an individual performing services for the School District for which the District has the right to control the means and methods of what work will be done and how the work will be done. Independent contractor shall mean a consultant or other individual engaged to achieve a certain result who is not subject to the direction of the employer as to the means and methods of accomplishing the result.

When making a determination as to whether an individual is an employee or an independent contractor, the factors set forth below shall be considered by the District.

Factors Supporting the Conclusion that an Individual is an Employee rather than an Independent Contractor

- 1) The District controls, supervises or directs the individual performing the services, not only as to result but as to how assigned tasks are to be performed;
- 2) The individual reports to a certain person or department at the beginning or during each work day;
- 3) The individual receives instructions as to what work to perform each day;
- 4) The individual's decisions are subject to review by the District;
- 5) The District set hours to be worked;
- 6) The individual works at established and fixed hours;
- 7) The District maintains time records for the individual;
- 8) The District has established a formal job description;
- 9) The District's Board of Education formally created the position with the approval of the local civil service commission where necessary;

(Continued)

Personnel**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR (Cont'd)**

- 10) The District prepares performance evaluations;
- 11) The District requires that the individual attend training;
- 12) The District provides permanent work space and facilities (including, but not limited to, office, furniture and/or utilities);
- 13) The District provides the individual with equipment and support services (including, but not limited to, computer, telephone, supplies and/or clerical assistance);
- 14) The individual is covered by a contract negotiated between the union and the District;
- 15) The individual is paid salary or wages through the District's payroll system;
- 16) Tax withholding and employee benefit deductions are made from the individual's paycheck; and
- 17) The individual is entitled to fringe benefits (including, but not limited to, vacation, sick leave, personal leave, health insurance and/or grievance procedures).

Factors Supporting the Conclusion that an Individual is an Independent Contractor rather than an Employee

- 1) The individual has a personal employment contract with the District;
- 2) The District pays the individual for the performance of services through the submission of a voucher;
- 3) The individual is authorized to hire others, at the expense of the individual or a third party, to assist the individual in performing work for the District;
- 4) The individual provides similar services to the public;
- 5) The individual is concurrently performing substantially the same services for other public employers; and
- 6) The individual is also employed or associated with another entity that provides services to the District by contract, retainer or other agreement.

Employees to be Reported to NYSLRS

Only persons who are active members of NYSLRS and who have been assigned a registration number shall be included in the reporting requirements. In the case of employees who are in the process of being registered to membership, all service, salary and deductions data and mandatory contributions

Personnel**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR (Cont'd)**

shall be accumulated by the District and such accumulation shall be included with the first monthly report which is due after the employee's registration number has been assigned.

An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the retirement system.

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making such a determination the District must consider the factors enumerated in State Regulations.

The District shall also complete, as necessary, a Certification Form for Individuals Engaged in Certain Professions (Form RS2414) as promulgated by the Office of the New York State Comptroller. As noted on the Certification Form instructions, when making a determination as to an individual's status as an employee or independent contractor, no single factor should be considered to be conclusive of the issue. All factors should be considered in making an assessment of an individual's status when engaged to perform services.

Written Explanation by District: Certain Professions

In the case of an individual whose service has been engaged by the School District in the capacity of attorney, physician, engineer, architect, accountant or auditor and the District has determined that the individual is rendering service as an employee and, therefore, may be eligible for credit with a retirement system, the District shall submit to the retirement system, in a form prescribed by the Comptroller and certified by the Chief Fiscal Officer of the District, an explanation of the factors that led to the conclusion that the individual is an employee and not an independent contractor or consultant.

Such certification shall be submitted to the retirement system at the time the individual is registered to membership or, in the case of an individual who is already a member of the retirement system, at the time the individual is first reported by the District to the retirement system. The District shall submit copies of documentation pertaining to the appointment of the individual as an employee, including a copy of the minutes of the Board of Education meeting where such individual was appointed an employee by the Board of Education, and the decision to report the individual to the retirement system as well as the acceptance of the appointment by the local civil service commission where necessary.

**SUBJECT: PERSONNEL GUIDELINES FOR RECRUITING OF TEACHING STAFF:
GENERAL PROCEDURES**

- 1) Applications are obtained by written request, telephone call, or drop in.
- 2) A personal letter, application, and directions are sent upon receipt of a request for an application.
- 3) Candidates complete application and return.
- 4) Copy of certification or statement that certification is pending approval must be submitted.
- 5) Requested transcripts arrive.
- 6) Credential folder/references are received.
- 7) Applications are filed alphabetically by subject area for easy review by the Assistant Superintendent for Personnel. Subject area file folders should be noted clearly on exterior for any candidates who have more than one certification.
- 8) Applications are retained in active file for one year. The individual candidate should renew annually.
- 9) Substitute (contract and noncontract) applications on file.
- 10) Vacancy:
 - a. Vacancy notice is posted and advertised if necessary as per contractual provisions.
 - b. Applications are screened by the Assistant Superintendent for Personnel and other appropriate administrators.
 - c. The Assistant Superintendent for Personnel or other administrator initiates a telephone reference check. The same individual should do all phone checks on a given candidate.
 - d. The administrator forwards the appropriate Recommendation for Appointment sheet to the Assistant Superintendent for Personnel and instructs the recommended candidate to contact the Personnel Office to schedule an interview with the Assistant Superintendent for Personnel and the Superintendent.
 - e. Providing the candidate is acceptable, the Superintendent or his/her designee prepares an appointment recommendation to be presented to the Board of Education.

Personnel

**SUBJECT: PERSONNEL GUIDELINES FOR RECRUITING OF TEACHING STAFF:
GENERAL PROCEDURES (Cont'd.)**

- f. Upon approval by the Board of Education, the recommended candidate is notified by phone and letter. A personal letter of rejection is sent to each unsuccessful candidate who was interviewed.
 - g. Every effort will be made to interview qualified Kenmore-Town of Tonawanda Union Free School District residents who have applied.
- 11) When an applicant has been offered the position and accepted, they must then be processed.
- a. Professional Appointment Notice signed and returned.
 - b. Withholding Certificate.
 - c. Physical Examination, if required. (If examination is required by our school physician, the doctor's office is advised and the necessary forms sent).
 - d. Teacher data and record card (personnel file).
 - e. Retirement application form.
 - f. Health/Dental Insurance procedure.
 - g. Copy of Teacher Contract (Association).

Personnel

SUBJECT: SUBSTITUTE TEACHERS

- 1) All applications for substitute teachers shall be sent to the Superintendent's Office. Credentials, certificates and references should be included with the application. This can be also verified by an administrator.
- 2) A statement of release requesting permission from the applicant to obtain information concerning the disposition and disclosure of any conviction records, if applicable, shall be signed by each potential substitute at the time he/she completes a District application form.
- 3) The application shall be forwarded to the appropriate building administrator for evaluation and processing. A recommendation shall then be made to the Board of Education.
- 4) The candidate will or will not be added to the substitute list of each of the respective buildings, pending Board approval.
- 5) Each approved substitute teacher shall be notified that he/she will be placed on the substitute list.

Eligibility for Service

Per Commissioner's Regulations Section 80.36, there shall be three (3) categories of substitutes as follows:

- 1) Substitutes with valid teaching certificates or certificates of qualification. Service may be rendered in any capacity, for any number of days. If employed on more than an "itinerant" basis, such persons will be employed in an area for which they are certified.
- 2) Substitutes without a valid certificate, but who are completing collegiate study towards certification at the rate of not less than six (6) semester hours per year. Service may be rendered in any capacity, for any number of days, in any number of School Districts. If employed on more than an "itinerant" basis, such persons will be employed in the area for which they are seeking certification.
- 3) Substitutes without a valid certificate and who are not working towards certification. Service may be rendered for no more than forty (40) days per school year.

Personnel

SUBJECT: STUDENT TEACHERS

The Kenmore-Town of Tonawanda Union Free School District cooperates with teacher preparation institutions in the placement of student teachers to provide beginning teachers with a quality student teaching experience.

Student teachers are assigned by the building principal or designee with an approved supervising teacher. The student teacher will be placed with supervising teachers who will provide, as determined by the building principal, an appropriate student teaching experience.

In every instance, the well-being of the Kenmore-Town of Tonawanda Union Free students is the prime consideration.

Building principals or designees are responsible for observing student teachers assigned to their buildings. Placement of student teachers in the regular classroom does not relieve the regularly assigned classroom teacher of his/her duties and responsibilities.

Student teachers are encouraged to participate in faculty meetings, other faculty activities and are invited to attend Parent-Teacher-Student Association meetings. Student teachers are to be provided with materials and supplies required in their assignment, and be accorded the courtesy of a regular staff member.

The student teacher's time in the classroom is to be evenly divided so that a specified time will be spent in observation, participation and teaching. The main objective is to prepare the student teacher and does not relieve the supervising teacher from his/her responsibility to be present when instruction is taking place.

The student teacher should not be used as a substitute teacher. In case of emergency, a student teacher may be used until a substitute can be obtained.

The number of student teachers assigned to a supervising teacher is limited to two student teachers per year unless otherwise recommended by the building principal and approved by the Superintendent of Schools.

SUMMARY REPORT OF SUBSTITUTE TEACHER SERVICE

Substitute Teacher _____ Certification(s) _____

School Placement _____ Subject/Grade _____

Please Comment On the Following:

•Classroom Observations _____

•Professional Characteristics of Substitute (Attendance, Reports, Planning, Classroom Control, Communications with Staff and Parents)

•Daily Classroom Teacher Reports _____

•Recommendations for Continued Service as Substitute Teacher:

Date

Principal



**MY SIGNATURE ACKNOWLEDGES THAT I HAVE HAD THE OPPORTUNITY TO DISCUSS THIS REPORT.
IT DOES NOT NECESSARILY EXPRESS AGREEMENT WITH ITS CONTENTS.**

Date

Substitute

After Report has been discussed and signed:

- 1.) Send Original to Director Of Personnel for Personnel File
- 2.) One (1) copy will be retained by Principal
- 3.) Copy to Substitute Teacher

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
•STUDENT TEACHER REPORT•

6220F.1

NAME _____
 Last First M. I.

Permanent Address _____ Phone _____

School _____ Grade/Subject _____

College Attending _____ Date of Graduation _____

Field/Level _____

Please Express Your Opinion by Checking ✓

Excellent	Good	Fair	Poor
------------------	-------------	-------------	-------------

•PERSONAL APPEARANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•COMMUNICATION SKILLS				
1. Voice and Speech	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Command of English	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•PERSONALITY FACTORS				
1. Emotional Stability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Initiative - Drive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Teamwork/Adaptability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Empathy for Children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
•PROFESSIONAL CONSIDERATIONS				
1. Creativity - Imagination - Enthusiasm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Use of Technology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Knowledge of Field or Subject (Including current concepts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Interest in and Capacity for Growth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Teaching Performance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Classroom Management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: _____

RECOMMENDATION: **Would Hire () Some Doubt () Not Recommended ()**

Reasons: _____

WOULD YOU WANT THIS PERSON AS A MEMBER OF YOUR STAFF? Yes () No ()

 COOPERATING TEACHER

 DATE

 Principal

SUBJECT: PROFESSIONAL SERVICES PROVIDERS**Determination by Employee**

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making such a determination the District must consider the factors enumerated in Commissioner's Regulations Sections 315.2 and 315.3. An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the New York State and Local Retirement System (NYSLRS).

Charging for Professional Services

Pursuant to Education Law Section 2050, a "lawyer" shall mean an attorney or counselor governed by Article 15 of the Judiciary Law who receives remuneration or other compensation from the School District in exchange for legal services provided to the District.

A lawyer shall not simultaneously be an independent contractor and an employee of the School District for the purpose of providing legal services to the District.

A lawyer who is not an employee of the School District shall not seek to be or be considered, treated or otherwise reported by the District as an employee thereof for purposes of compensation, remuneration, health insurance, pension and all employment-related benefits and emoluments associated therewith [Education Law Section 2051(2)].

Enforcement

Any person who shall knowingly:

- 1) Violate the provisions of Education Law Section 2051(2);
- 2) Make a false statement of material fact; or
- 3) Falsify or permit to be falsified any record or records of the retirement system in an attempt to defraud the retirement system as a result of such act for the purpose of obtaining a credit towards pension benefits, or a benefit or payment in excess of \$1000 from such retirement system for a professional services provider to which such professional services provider would not be entitled, shall be guilty of a Class E felony.

2009

6230R
2 of 2

Personnel

SUBJECT: PROFESSIONAL SERVICES PROVIDERS (Cont'd.)

Reports Regarding Lawyers

The District shall, on or before the 45th day after the commencement of its fiscal year, file with the State Education Department, the State Comptroller and the Attorney General a report specifying:

- 1) All lawyers who provide legal services to the District or Board of Education;
- 2) Whether the District or Board hired such lawyers as employees; and
- 3) All remuneration and compensation paid for legal services.

Protection Against Fraud

Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified any record or records of the retirement system in any attempt to defraud the system as a result of such act, shall be guilty of a misdemeanor, and shall be punishable under the laws of New York State.

Any violation of applicable law that results in a member or beneficiary of the retirement system receiving a benefit or payment in excess of \$1000 more than he/she would have been entitled to shall be a class E felony. Any violation of applicable law that results in a member or beneficiary of the retirement system receiving a benefit or payment in excess of \$3000 more than he/she would have been entitled to shall be a class D felony.

Should any change or error in records result in any employee or beneficiary receiving from the retirement system more or less than he/she would have been entitled to receive had the records been correct, then, on the discovery of any such error, the Retirement Board shall correct such error, and, as far as practicable, shall adjust the payments in such a manner that the actuarial equivalent of the benefit to which he/she was correctly entitled shall be paid.

NOTE: Refer also to Regulation #6190R -- Determination of Employment Status: Employee or Independent Contractor

Personnel

SUBJECT: RECRUITMENT: CIVIL SERVICE PERSONNEL

- 1) Candidates are not to be discriminated against because of race, creed or religion, age, color, sex, sexual orientation, national origin, political affiliation, marital or veteran status, or disability.
- 2) Competitive class candidates must be selected from the top three candidates listed on the Civil Service Certification of Eligibles. Candidates hired from the list must serve a twenty-six (26) week probationary period as determined by the Board of Education. If no existing eligibility list exists for a job title, the District may grant a provisional appointment. The candidate is required, however, to take a test and be placed on the eligibility list when such tests are offered.
- 3) All other classes of employees are not subject to a Civil Service examination and the District may employ any candidate the District and the County Civil Service Commission feels meets the minimum qualifications established for the particular job title.
- 4) The District must adhere to all rules and regulations as established by Civil Service Law and the County Civil Service Commission.
- 5) The Civil Service Commission must certify all candidates before they can be employed.

6310F

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
PROBATIONARY REPORT**

FIRST _____

FINAL _____

Department _____

Date _____

EMPLOYEE _____

POSITION _____

Date of Probationary Appointment _____

Probation Expires _____

RATING OF GENERAL PERFORMANCE
IN POSITION DURING PROBATIONARY
PERIOD

Exceptional()
Very Good()
Good.....()
Fair()
UNSATISFACTORY()

TIME RATING DURING
PROBATIONARY PERIOD

Attendance _____
Days Absent _____
Punctuality _____
Time Late _____

**RATING OF TRAITS AND QUALITIES BASED ON OBSERVATION DURING
PROBATIONARY PERIOD**

	Exceptional	Very Good	Good	Fair	Deficient
<u>POSITION APTITUDE</u> Ability to grasp the duties of this position; alertness					
<u>QUALITY OF WORK</u> Accuracy, reliability, orderliness, neatness					
<u>QUANTITY OF WORK</u> Output, dispatch, speed of accomplishment					
<u>COOPERATION</u> Loyalty, proper attitude toward work					

TO BE USED FOR FINAL REPORT ONLY

Please indicate the action that you intend to take at the expiration of this employee's probationary period by checking one of the following:

- () The performance of this employee during the probationary period has been SATISFACTORY and (he/she) will be retained as a permanent employee.
- () The performance of this employee during the probationary period has been UNSATISFACTORY and I shall terminate (his/her) employment as of _____.

Employee's Signature _____
Supervisor's Signature _____

Date _____

Appointing Officer

PLEASE RETURN BY: _____

Personnel

SUBJECT: PERSONNEL RECORDS AND FILES**Personnel Records**

District employees shall notify the District Office of their wish to inspect their personnel files at least one (1) day in advance.

Employees may obtain copies of any material in the personnel file, but may not remove any materials from it.

Inspection of the personnel file shall take place in the District Office.

Personnel Files

All personnel files are considered confidential. In this case confidential means that the file is available only to the individual, and his/her supervisors.

Faculty personnel files are to be kept in the District Office. Copies of observations and/or evaluation forms may be kept in the principal's office but the signed original is to be sent to the District Office. The building principal's file is considered part of the District personnel file. Service personnel files are to be kept in the District and/or business office. Copies of evaluations may be kept in the business office but the original signed copy is to be kept in the District Office.

Personnel files are to include communications with the staff member, transcripts, letters of reference, employment records, etc. All items should be marked "cc: personnel file", and the employee should get a copy. Personal notes by the supervisor or building principal and interoffice memos are not to be kept in the personnel file unless the employee receives a copy. Grievance materials/communications will be kept in the personnel file until the grievance is resolved. At that time, the original grievance and the resolution will be kept in the personnel file and all other information relating to the grievance will be placed in a grievance file.

Material kept in the personnel file is not to be released unless authorized by the staff member. This will normally be done through the District Office and will require written authorization. This does not prohibit the immediate supervisor, the building principal or the School Business Executive from sending a letter of personal reference if requested by a prospective employer.

Employees may review their personnel file by appointment in the presence of the Superintendent or his/her designee. Employees may have copies of any material in their folder except confidential recommendations.

Financial data and other information covered by the Freedom of Information Law will be made available only upon proper request.

Personnel

SUBJECT: PERSONNEL RECORDS

<u>Responsibility</u>	<u>Action</u>
District Employee	1) Requests permission to inspect his/her personnel file from the District Office at least one (1) day in advance.
Administrator	2) Grants or denies request. a. If request is granted, has file ready and an area set aside for inspection on the agreed upon day and time. b. If permission is denied for particular date requested, states the reason and arranges an alternate time.
District Employee	3) a. At agreed upon day and time, at designated area, inspects file. b. Requests copy of any material he/she wishes to have, but may not remove any original material from the file. c. Upon completion of inspection, returns the file to the Administrator.
Administrator	4) Returns the personnel file to its proper place.

SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES

The District's computer system (DCS hereafter) is provided for staff to enhance the educational programs of the District, to further District goals and objectives; and to conduct research and communicate with others.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of the DCS. The standards of acceptable use as well as prohibited conduct by staff accessing the DCS, as outlined in District policy and regulation, are not intended to be all-inclusive. The staff member who commits an act of misconduct which is not specifically addressed in District policy and/or regulation may also be subject to disciplinary action, including loss of access to the DCS as well as the imposition of discipline under the law and/or the applicable collective bargaining agreement. Legal action may also be initiated against a staff member who willfully, maliciously or unlawfully damages or destroys property of the District.

Staff are encouraged to utilize electronic communications in their roles as employees of the District. Staff are also encouraged to utilize electronic means to exchange communications with parents/guardians or homebound students, subject to appropriate consideration for student privacy. Such usage shall be limited to school related issues or activities. Communications over the DCS are often public in nature; therefore, general rules and standards for professional behavior and communications will apply.

The District's policies and accompanying regulations on staff and student use of computerized information resources establish guidelines for staff to follow in instruction and in working with students on acceptable student use of the DSC, including access to external computer networks.

Privacy Rights

Staff data files, E-mail and electronic storage areas shall remain District property, subject to District control and inspection. The computer coordinator may access all such files and communications to ensure system integrity and that users are complying with requirements of District policy and accompanying regulations. Staff should **NOT** expect that information stored on the DCS will be private.

SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES (Cont'd.)**Prohibitions**

It is not the intention of this regulation to define all inappropriate usage. However, in addition to the general requirements of acceptable staff behavior, activities which shall be prohibited by staff members using the DCS include, but are not limited to, the following:

- 1) Using the DCS which in any way results in unauthorized charges or expense to the District.
- 2) Damaging, disabling or otherwise interfering with the operation of computers, computer systems, software or related equipment through physical action or by electronic means.
- 3) Using unauthorized software on the DCS.
- 4) Changing, copying, renaming, deleting, reading or otherwise accessing files or software not created by the staff member without express permission from the computer coordinator.
- 5) Violating copyright law.
- 6) Employing the DCS for commercial purposes, product advertisement or political lobbying.
- 7) Disclosing an individual password to others or using others' passwords.
- 8) Sharing confidential information on students and employees.
- 9) Sending or displaying offensive messages or pictures.
- 10) Using obscene language.
- 11) Harassing, insulting or attacking others.
- 12) Engaging in practices that threaten the DCS (e.g., loading files that may introduce a virus).
- 13) Violating regulations prescribed by the network provider.
- 14) Use of the DCS for other than school related work or activities.
- 15) Assisting a student to violate District policy and/or regulation, or failing to report knowledge of any student violations of the District's policy and regulation on student use of computerized information resources.

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

- 16) Use which violates any other aspect of School District policy and/or regulations, as well as local, state or federal laws or regulations.

Any user of the DCS that accesses another network or other computer resources shall be subject to that network's acceptable use policy.

Sanctions

The computer coordinator will report inappropriate behavior to the staff member's supervisor who will take appropriate disciplinary action. Any other reports of inappropriate behavior, violations or complaints will be routed to the staff member's supervisor for appropriate action. Violations may result in a loss of access to the DCS and/or disciplinary action. When applicable, law enforcement agencies may be involved.

Notification

All staff will be given a copy of the District's policies on staff and student use of computerized information resources and the regulations established in connection with those policies. Each staff member will sign an acceptable use agreement (Refer to Form #6470F) before establishing an account or continuing their use of the DCS.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
AGREEMENT FOR SCHOOL DISTRICT STAFF USE OF COMPUTERIZED
INFORMATION RESOURCES**

In consideration for the privilege of using the School District's Computer System (DCS), I agree that I have been provided with a copy of the District's policies on staff and student use of computerized information resources and the regulations established in connection with those policies. I agree to adhere to the staff policy and the regulations and to any changes or additions later adopted by the District. I also agree to adhere to related policies published in the Staff Handbook. I shall report all student violations of the District's policy on student use of computerized information resources to District officials.

I understand that failure to comply with these policies and accompanying regulations may result in the loss of my access to the DCS and may, in addition, result in the imposition of discipline under the law and/or the applicable collective bargaining agreement. I further understand that the District reserves the right to pursue legal action against me if I willfully, maliciously or unlawfully damage or destroy property of the District.

(Blank lines for items of staff information)

Staff Member Signature

Date

School/Building

SUBJECT: ACCEPTABLE EMAIL USE -- GUIDELINES AND ETIQUETTE

The District believes that electronic mail (email) is an important means of communication and recognizes that proper email content and quick replies to messages convey a professional image and deliver good customer service. Users should take the same care in drafting an email that they would take to compose any other type of written communication.

Email Etiquette

The following statements apply to employees/authorized users when using the District's email system:

1. Every employee/authorized user is responsible for all email originating from his/her user ID (email address).
2. Forgery or attempted forgery of email is prohibited.
3. Email is NOT private. The Superintendent/designee has the right to access all email sent or received by employees/authorized users.
4. In the event that the District is involved in any legal proceeding, any relevant emails may need to be disclosed on the same basis as written documents.

Guidelines for Drafting Email

Employees/authorized users should utilize the following guidelines when drafting and sending email using the District's email system:

1. All email messages must be appropriate and professional. Users should spell and grammar check emails before sending.
2. Avoid any language in emails or attachments that could be construed as indecent, obscene or offensive to others on the basis of race, color, creed, religion, national origin, political affiliation, sex, age, disability or any other basis protected by law. Pornography and sexually explicit jokes are prohibited.
3. Avoid using bold print in emails since this may be interpreted as shouting. Similarly, the use of all capitals or italics should be done with caution.
4. Mark emails as urgent or important only when necessary.
5. Signature files with a sender's name and contact information should be included in all email to verify a user's authenticity. Anonymity of sender and impersonation of others is prohibited.
6. A disclaimer should accompany an email message to provide for its confidentiality.

SUBJECT: ACCEPTABLE EMAIL USE -- GUIDELINES AND ETIQUETTE (Cont'd.)

7. To help assure confidentiality, a "prevent copy" option may be used when the email attachment should not be forwarded or copied, if available on the email system in use by the district.
8. Attempts to read, delete, copy or modify the email of other users are prohibited.
9. Forwarding of chain letters, jokes and junk mail is prohibited.

Sanctions

The Computer Coordinator may report inappropriate behavior to the employee/authorized user's Principal/supervisor who will take appropriate disciplinary action. Violations may result in a loss of access to the use of email, the technology network and/or other disciplinary action. When applicable, law enforcement agencies may be involved.

Notification

All employees/authorized users will be required to access a copy of the District's policies on staff and student use of computerized information resources and the regulations established in connection with those policies. Each user will acknowledge this employee/designated user agreement before establishing an account or continuing in his/her use of email.

NOTE: Refer also to #3310R -- Public Access to Records
#3190R -- Anti-Harassment in the School District
#6111R -- Staff-Student Relations (Fraternization)

Adopted 1/10/12

**Kenmore-Town of Tonawanda School District
LEAVE OF ABSENCE REPORT**

(CHECK STATUS)

- TENURED TEACHER
- ADMINISTRATOR/SUPERVISOR
- NON-TENURED TEACHER
- CIVIL SERVICE

LAST NAME [Grid]

FIRST NAME [Grid]

SOCIAL SECURITY NUMBER [Grid] ID NUMBER [Grid] LOCATION [Grid]

KEY TO LOCATION: B & G 81 FRANK EL 15 HOOV EL 14 LIND 10
 EAST 02 FRANK MID .. 04 HOOV MID ... 05 ROOS 09
 EDISON 16 HAMILTON ... 19 JEFF 18 SHER 11
 FOOD SERV . 80 HOLMES 23 KEN MID 03 WEST 01

(CHECK TYPE OF LEAVE)	FULL DAY		HALF DAY			FULL DAY		HALF DAY				
	A	B	C	D		N	P	U*	V*			
Employee Illness	<input type="checkbox"/>	<input type="checkbox"/>			Condolence (Relative not in immediate family)	<input type="checkbox"/>	<input type="checkbox"/>			Religious holiday	<input type="checkbox"/>	<input type="checkbox"/>
Compensable Injury	<input type="checkbox"/>	<input type="checkbox"/>			Relationship: _____					Leave with pay	<input type="checkbox"/>	<input type="checkbox"/>
Vacation	<input type="checkbox"/>	<input type="checkbox"/>			Death in immediate family	<input type="checkbox"/>	<input type="checkbox"/>			Leave without pay	<input type="checkbox"/>	<input type="checkbox"/>
Personal	<input type="checkbox"/>	<input type="checkbox"/>			Relationship: _____					Graduation	<input type="checkbox"/>	<input type="checkbox"/>
Family Illness	<input type="checkbox"/>	<input type="checkbox"/>			Jury Duty/Court	<input type="checkbox"/>	<input type="checkbox"/>			Paternity	<input type="checkbox"/>	<input type="checkbox"/>
Conference	<input type="checkbox"/>	<input type="checkbox"/>			Union Business	<input type="checkbox"/>	<input type="checkbox"/>			Professional Day	<input type="checkbox"/>	<input type="checkbox"/>
					UA = Charge to District UB = Charge to Union					CORE Recess	<input type="checkbox"/>	<input type="checkbox"/>

*Need prior approval

Employee signature _____ Date _____
 Absence date(s) _____ Number of days/Hours _____
 Explanation (when required by contract) _____

Approval Disapproval Principal/Supervisor signature _____ Date _____

▲ RETURN ALL COPIES TO SUPERVISOR FOR APPROVAL) WHITE COPY: SEND WITH TIMESHEETS YELLOW COPY: RETAIN IN SCHOOL OR DEPARTMENT PINK COPY: RETURN TO EMPLOYEE (REV. 7/98) ▲

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT

6550F.1

APPLICATION FOR LEAVE WITHOUT PAY

I request a leave of absence without pay from the Kenmore-Town of Tonawanda Union Free School District for the following reason(s) _____

If granted my unpaid leave will be effective from _____ (month) _____ (day) _____ (year)
 through _____ (month) _____ (day) _____ (year)

ID#	Employee's Signature	Position
	Building Location	Date

(PLEASE ✓ APPROPRIATE BOX)

<p>CAA CONTRACT SECTION</p> <p>7.3 CHILD CARE <input type="checkbox"/>*</p> <p>7.6 EXCEPTIONAL <input type="checkbox"/></p> <p>FAMILY & MEDICAL LEAVE <input type="checkbox"/>*</p>	<p>KTA CONTRACT SECTION</p> <p>10.4 CHILD CARE <input type="checkbox"/>*</p> <p>10.7.1 PERSONAL <input type="checkbox"/></p> <p>10.7.2 ACADEMIC YEAR <input type="checkbox"/></p> <p>FAMILY & MEDICAL LEAVE <input type="checkbox"/>*</p>	<p>KTSEA CONTRACT SECTION</p> <p>11.03 FAMILY CARE <input type="checkbox"/>*</p> <p>11.04 EXCEPTIONAL <input type="checkbox"/></p> <p>FAMILY & MEDICAL LEAVE <input type="checkbox"/>*</p>
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* ATTACH MEDICAL DOCUMENTATION

Approved Not Approved _____
 Principal/Supervisor Signature Date

Remarks: _____

Approved Not Approved _____
 Director of Personnel Relations Date

Remarks: _____

Board Approved _____
 Date

6550F.1

Personnel

SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act of 1993 (FMLA) requires public agencies to provide up to twelve (12) weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250 hour test. The law covers both full-time and part-time employees.

The District will compute the twelve-month period according to the following time frame: a "rolling" twelve-month period will be used that is measured backward from the date an employee uses any FMLA leave.

Reasons for Taking Leave

An employer must grant unpaid leave to an eligible employee for one (1) or more of the following reasons:

- 1) For the care of the employee's child (birth, or placement for adoption or foster care);
- 2) For the care of the employee's spouse, son or daughter, or parent/guardian, who has a serious health condition;
- 3) For a serious health condition that makes the employee unable to perform their job;
- 4) Because of "any qualifying exigency" (such term to be defined by regulations issued by the Secretary of Labor) arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. In the interim, the Department of Labor is encouraging employers to provide this type of leave to qualifying employees.

Service Member Family Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative of that individual) of a covered service member who is recovering from a serious illness or injury sustained in the line of duty while on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

The term "covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)**Substitution of Paid Leave**

At the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

Notice for Leave Due to Active Duty of Family Member

In any case in which the necessity for leave due to any qualifying exigency is foreseeable, whether because the spouse, or a son, daughter, or parent of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable.

Advance Notice and Medical Certification

The employee may be required to provide advance leave notice and medical certification.

- 1) The employee ordinarily must provide thirty (30) days advance notice when the leave is "foreseeable."
- 2) An employer may require medical certification to support a request for leave because of a serious health condition.
- 3) An employer may reinitiate the medical certification process with the first absence in a new 12-month leave year.
- 4) An employer may also require medical certification if the employee is unable to return from leave because of a serious health condition.

Intermittent or Reduced Leave

- 1) An employee may take intermittent leave or may work a reduced leave schedule to reduce the usual number of hours per day or work week.
- 2) Intermittent or reduced leave schedules are subject to employer approval unless medically necessary.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)**Job and Benefits Protection**

- 1) Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Employers may deny restoration to certain highly compensated employees, but only if necessary to avoid substantial and grievous economic injury to the employer's operation.
- 2) The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.
- 3) The use of unpaid FMLA leave cannot affect the exempt status of bona fide executive, administrative and professional employees under the Fair Labor Standards Act.

Medical Insurance Coverage

- 1) For the duration of FMLA leave, the employer must maintain the employee's medical insurance coverage under any "group health plan," under the conditions coverage would have been provided if the employee had continued working.
- 2) In some cases, the employer may recover premiums paid for maintaining an employee's health coverage if the employee fails to return to work from FMLA leave.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- 1) Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- 2) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA; and
- 3) Discharge or discriminate against any person because of involvement in any proceeding under or related to FMLA.

Miscellaneous Provisions

- 1) Special rules apply to employees of local education agencies.

(Continued)

SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

- 2) Employers must post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. Any employer who willfully violates this requirement may be subject to a fine of up to one hundred dollars (\$100) for each separate offense.

FMLA Does Not

- 1) Affect any federal or state law prohibiting discrimination;
- 2) Supersede any state or local law which provides greater family or medical leave rights;
- 3) Diminish an employer's obligation to provide greater leave rights under a collective bargaining agreement or employment benefit plan, nor may the rights provided under FMLA be diminished by such agreement or plan; nor
- 4) Discourage employers from adopting policies more generous than required by FMLA.

Enforcement

- 1) The Secretary of Labor is authorized to investigate and attempt to resolve complaints of violations, and may bring an action against an employer in any federal or state court of law.
- 2) FMLA's enforcement procedures parallel those of the federal Fair Labor Standards Act. The FMLA will be enforced by the Department's Wage and Hour Division.
- 3) An eligible employee may bring a civil action against an employer for violations.
- 4) Employers who act in good faith and have reasonable grounds to believe their actions did not violate FMLA may have any damages reduced to actual damages at the discretion of a judge.

For more information, please contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor, Employment Standards Administration.

Personnel

SUBJECT: YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

Reasons for Taking Leave

Unpaid leave must be granted for any of the following reasons:

- 1) To care for the employee's child after birth, or placement for adoption or foster care;
- 2) To care for the employee's spouse, son or daughter, or parent/guardian, who has a serious health condition; or
- 3) For a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

Advance Notice and Medical Certification

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- 1) The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- 2) An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

Job Benefits and Protection:

- 1) For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- 2) Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- 3) The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

(Continued)

**SUBJECT: YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT
(Cont'd.)**

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- 1) Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- 2) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement:

- 1) The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- 2) An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

For Additional Information

Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.

2003 7000

Students

Kenmore-Town of Tonawanda Union Free School

NUMBER

STUDENTS

(Section 7000)

**STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION,
ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS
TO MINORS**

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Regulation: Student Dismissal Precautions 7122.2R

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2003 7000
Students

STUDENTS (Cont'd.) **NUMBER**
(Section 7000)

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BUS RULES AND REGULATIONS

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GUN-FREE SCHOOLS

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2003 7000

Students

STUDENTS (Cont'd.)

NUMBER

(Section 7000)

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2003 7000

Students

STUDENTS (Cont'd.)

NUMBER

(Section 7000)

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KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
DISTRICT STUDENT PRIVACY NOTICE

Dear Parent/Guardian:

Our School District has always recognized the importance of the protection of student privacy and the rights of parents/guardians to have notice of activities which may affect student privacy.

However, the No Child Left Behind Act of 2001 has revised the Protection of Pupil Rights Amendment giving parents/guardians more rights with regard to the surveying of minor students, the collection of information from students for marketing purposes, and certain non-emergency medical examinations. As a result, the Kenmore-Town of Tonawanda Union Free School District has worked in consultation with parents/guardians to develop a new policy relating to student privacy and parental rights: **Policy #7000 Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors.**

This annual notice is to inform parents/guardians of their rights under the Protection of Pupil Rights Amendment as amended by the No Child Left Behind Act of 2001 and our District Policy #7000 which is attached for your reference.

As parents/guardians, you have the opportunity to opt out of (i.e., remove your child from) participation in the following activities:

Category 1: Activities involving the collection, disclosure, or use of personal information (student's or parent/guardian's first and last name, home address, phone number or Social Security number) collected from students for the purpose of marketing or for selling that information.

This does **not** apply to the collection of such information for the exclusive use of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- 1) College or other postsecondary education recruitment or *military recruitment*,*
- 2) Book clubs, magazines, and programs providing access to low-cost literary products;
- 3) Curriculum and instructional materials used by elementary and secondary schools;
- 4) Tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- 5) The sale by students of products or services to raise funds for school-related or education-related activities; or
- 6) Student recognition programs.

**Please contact the Building Principal for information relating to military recruiter access to student information.*

(Continued)

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
DISTRICT STUDENT PRIVACY NOTICE (Cont'd.)

Category 2: The administration of any survey containing one or more of the following eight items of information:

- 1) political affiliations or beliefs of the student or the student's parent/guardian;
- 2) mental and psychological problems of the student or the student's family;
- 3) sex behavior or attitudes;
- 4) illegal, anti-social, self-incriminating, or demeaning behavior;
- 5) critical appraisals of other individuals with whom respondents have close family relationships;
- 6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- 7) religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or
- 8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Category 3: Any non-emergency, invasive physical examination or screening that is:

- 1) required as a condition of attendance,
- 2) administered by the school and scheduled by the school in advance, and
- 3) not necessary to protect the immediate health and safety of the student or of other students.

The term *invasive physical examination* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does **not** include a hearing, vision or scoliosis screening.

This also does **not** apply to any other physical exam or screening that is permitted or required by State law, including those that are permitted without parental notification.

(Continued)

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
DISTRICT STUDENT PRIVACY NOTICE (Cont'd.)

During the 20__ - 20__ school year, the School District expects to conduct activities relating to the above three categories at approximately these dates:

Category	Activity	Date	Yes	No
# 1				
# 2				
# 3				

Please review this list, indicate your wishes next to each activity, sign and date below, and return to the Building Principal within ten (10) days. If you have any questions, please contact the Building Principal.

I have reviewed the above list of activities and have checked **yes** next to those activities in which I give permission for my child _____ to participate.
student's name

I have checked **no** next to those activities in which I do **not** want my child to participate.

Parent/guardian signature Date

or

Student signature if over age 18 Date
or an emancipated minor

SUBJECT: ATTENDANCE

According to Education Law, a student who becomes six (6) years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age. All children who are residents of the Kenmore-Town of Tonawanda Union Free School District and who are of compulsory attendance age must receive full-time instruction in a school.

The impact of attendance upon instruction on a regular and continuing basis is an important element in an effective teaching/learning program. Each and every student should attend classes on a regular basis and be a participant in the classroom programs, activities, and discussions in order to benefit from presentations made by instructors. Because of the information being disseminated and because of the expectation of student participation, class attendance is important. Students' prolonged absences will result in loss of instruction; therefore, attendance is imperative.

At such time as a student's lack of attendance is identified as a problem, every effort should be made to address the problem, utilizing the resources of the school and involving the student and his/her parents or guardians to discuss the attendance problem. The school resources include both teaching and administrative staff as well as guidance staff. When resources of the District have been exhausted and attendance patterns have not improved, other outside sources, including family court, may be appropriate in an attempt to correct the problem.

Definitions

- 1) Excused Absences, Tardiness and Early Departures -- Refer to excused absences, tardiness and early departures as enumerated in the District's Attendance Policy and/or implementation plan.
- 2) Unexcused Absences, Tardiness and Early Departures -- The parent or guardian is aware of the reason for the student's absence, tardiness or early departure. The reason for the absence, tardiness or early departure is not one of those listed as excused or as a truancy/cut.
- 3) Truancy/Cut -- The parent or guardian sends the student to school, attempts to get the student to school, expects the student to be in school, but the student misses all or part of the school day.

SUBJECT: ATTENDANCE (Cont'd.)**Regulations**

The attendance regulations which follow are intended to be constructive rather than punitive. The intent is to encourage each student to attend all classes in order to achieve maximum success in schools.

- 1) Students absent from school must account for that absence by:
 - a. Producing a note from parent or guardian stating the student's name, date, day(s) of absence and the reason for the absence; and
 - b. Assuming responsibility for making up work missed with each teacher in a manner consistent with school and department guidelines.
- 2) Arrangements for make up work:
 - a. Teachers shall set standards for their classes as to deadlines for late work and/or missed evaluation opportunities, tests, quizzes, lab work, etc., consistent with building guidelines.
 - b. Students who are absent from class have the obligation to contact their teacher upon the day of their return concerning the make up work.
 - c. Work will be made up as directed by the teacher. After-school make up sessions take precedence over extracurricular and non-school activities, including employment.
 - d. Although teachers will consider extenuating circumstances, completed make up work will be required within reasonable deadlines established by the teacher.
 - e. Teachers are encouraged, but not required, to assist with make up work outside regularly scheduled after school office hours.
- 3) Students asked to leave a class due to poor behavior will receive a disciplinary penalty.
- 4) If a student feels that this regulation has been misapplied by a teacher, that student has the right to appeal the decision to the department head or administration, whichever is appropriate.

SUBJECT: STUDENT ABSENCES AND EXCUSES**Absences**

Students must:

- 1) Bring a note from home giving name, date, days of absence and reason for absence.
- 2) Present excuse on day of return to homeroom teacher.
- 3) Make immediate plans to make up work due to absence. If student is absent for an extended period of time, the student should call the Counseling Office for aid in obtaining assignments.

NOTE: Parents/guardians, if their child's surname is not the same as the parent/guardian, should include the child's last name on the note as well.

School attendance is required for all children who are of compulsory attendance age.

Absences, Tardiness and Early Departures from School Which are Considered Excused and Unexcused

Excused and unexcused absences, tardiness and early departures will be as enumerated in the District's Attendance Policy and/or implementation plan.

Extended Illness

Students who have an extended illness may be placed on home-tutoring and will not be counted as absent during the extended illness.

- 1) A doctor's statement indicating the need for, the dates and the length of the home-tutoring must be submitted by the parent/guardian before approval by the administration.
- 2) The request for home tutoring will be forwarded to the Superintendent/designee for approval, who will make the arrangements for the home-tutoring.
- 3) Under the directions of the tutor, the student will complete all missed assignments and continue assigned course work. When the assignments are satisfactorily completed and approved by the teacher, the student will then be marked in attendance for the days missed due to illness.

SUBJECT: STUDENT ABSENCES AND EXCUSES (Cont'd.)**Truancy and Tardiness**

Any student not in his/her assigned homeroom or first period class within five (5) minutes after the start of the scheduled school day is considered either absent or tardy. If a student arrives at school after homeroom has begun, he/she should report immediately to the main office to sign in. A written excuse is required explaining why the student is late. If the student does not have an excuse explaining his/her tardiness, he/she must submit a note from his/her parents/guardians the following day explaining the reason for his/her tardiness.

Student absence without prior knowledge and consent of a parent/guardian is considered truancy, an illegal and/or an unexcused absence. Truancy will be dealt with as outlined in the Code of Conduct.

Skip Days: Occasionally students get together and organize a day or part of a day off from school. The Kenmore-Town of Tonawanda Union Free School District does not condone these activities. Students participating in such activities will be subject to sanctions for truancy as outlined in the Code of Conduct.

Students

SUBJECT: ATTENDANCE: ENROLLMENT OF STUDENTS

<u>Responsibility</u>	<u>Action</u>
Office Clerk	1) a. Determines if student lives with parents/guardians in District. If student lives in foster home, or individuals other than parents/guardians, or there is any other question about the legal residence, refer student and parent/guardian to building principal. No further action is to be taken until Central Administration authorizes. b. Obtains copy of birth certificate (if student is entering kindergarten, he/she must be 5 on or before December 1). c. Establishes legal name of student from birth certificate or other appropriate document.
Parents/Guardians/Student	2) Completes the following forms: a. Immunization Certificate; b. Health History Form; c. Emergency Card; d. Guidance Form; e. Parental/Guardian Release Form.
School Nurse	3) Checks immunization for compliance requirements. If student does not meet these requirements, parent/guardian is informed. Students will be excluded if compliance is not met. Nurse records necessary information from health history form.
Office Clerk	4) Refers to student guidance office or building administration for placement.

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE)

The process of education requires continuity of instruction, student interaction, classroom participation, and well planned instructional activity. The District's attendance regulation is based on the principle that regular school attendance maximizes the student's interaction with his/her teachers and peers, and is a major component of academic success. Regular attendance is expected in all classes, and is considered essential for student success in school.

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

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

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, any absence from class which is not made up shall result in the loss of a certain number of points from the student's class participation grade for the marking period as determined by the building administrator and/or classroom teacher.

Any student with more than 28 absences in a full year or 40-week course (15% of class sessions), for any reason (including legal and illegal absences), may not receive credit for the course. However, where a student earns a passing grade, credit will not be denied for the course(s).

For courses meeting one 1/2 year or 1/4 year, the same percentage of absences (i.e., 15% of class sessions) will apply and the calculation of absences will be prorated accordingly. For physical education (including swimming), students may not be absent, excused or unprepared more than 7 times for the semester (20 weeks).

Transfers and students re-enrolling after having dropped out will be expected to attend a minimum number of the scheduled class meetings, prorated in accordance with classroom attendance guidelines, during their time of enrollment as a condition for course credit pursuant to this regulation.

Students will be considered in attendance if the student is:

- 1) Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or
- 2) Working pursuant to approved independent study program; or

(Continued)

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

3) Receiving approved alternative instruction.

If a student identified as having a disability by the Committee on Special Education (CSE) does not meet the attendance requirements, he/she will be referred to the CSE before any other action is taken.

Students who are absent from class due to their participation in a school sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher.

Any student who misses a class is expected immediately upon his or her return to identify the material covered. Except for those intentional absences whereby the student sought to gain an unfair academic advantage (e.g., the student is absent to allow for more time to study for an exam), make up opportunities will be provided for all students absent from class. The student will have the opportunity to make up the classes and work missed in accordance with procedures established by the classroom teacher.

Upon satisfactory completion of the assigned make up work, as determined by the classroom teacher, the student will be given credit for classroom work as well as classroom participation.

To assure due process, the District shall vigorously publicize and disseminate this regulation in order to ensure faculty, student, and parental/guardian awareness.

Notice

Effective implementation of any attendance regulation requires all participants to be informed and to fully understand its purpose, procedures, and the consequences of non-compliance. To ensure that students, parents/guardians, teachers, and administrators are notified of and understand this regulation, the following procedures shall be implemented.

Student Notice

- 1) The District will provide each student with a copy of the attendance regulation. Each student will be asked to sign and return a statement indicating that he/she has read and understands the regulation.
- 2) The regulation also will be included in each school's handbook on student conduct and discipline.

(Continued)

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

- 3) An orientation session will be held for students at the beginning of each school year to inform students as to the District's regulation regarding class attendance and credit for course work.
- 4) If a student cuts class or is absent without excuse, a designated staff person will review the attendance regulation with the student.

Parent/Guardian Notice

- 1) The District will provide each student's parent(s) or guardian(s) with a copy of the attendance regulation distributed to students. Each student's parent(s) or guardian(s) will be asked to sign and return a statement indicating that he/she has read the regulation and understands it.
- 2) Each student's parent(s) or guardian(s) will be provided with a District telephone number to call with questions about the regulation.
- 3) Where a student cuts class or is absent without excuse, designated staff members will notify the student's parent(s) or guardian(s) and review the attendance regulation.
- 4) School newsletters and publications will include periodic reminders of the components of the attendance regulation.
- 5) Full Year Course = 40 Weeks: A student may not be absent from a 40-week course more than 28 days.

The attendance office will notify parents/guardians in writing when a student is absent from any class after 15 absences. After a student has been absent 20 times, parents/guardians are contacted in writing and a parent/guardian conference may be required. At 29 absences course credit may be denied and parents/guardians will be notified accordingly.

- 6) Semester Course = 20 Weeks: A student may not be absent from a 20-week course more than 14 days.

The attendance office will notify parents/guardians in writing when a student is absent from any class after 5 absences. After a student has been absent 10 times, parents/guardians are contacted in writing and a parent/guardian conference may be required. At 15 absences course credit may be denied and parents/guardians will be notified accordingly.

(Continued)

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

- 7) Physical Education = 20 Week Semester: A student may not be absent from physical education more than 7 times.

The attendance office will notify parents/guardians in writing when a student is absent from class after 3 absences. After a student has been absent 5 times, parents/guardians are contacted in writing and a parent/guardian conference may be required. At 8 absences course credit may be denied and parents/guardians will be notified accordingly.

Faculty/Staff Notice

- 1) The District will provide a copy of the attendance regulation with an announcement letter to the faculty and staff of the District upon its adoption.
- 2) All faculty and staff will meet at the beginning of each school year to go over the attendance regulation and clarify individual roles in its implementation.
- 3) The District will provide its faculty and staff with in-service training on attendance during each school year.

General Procedures/Data Collection

- 1) Attendance will be taken during each class period.
- 2) At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the appropriate individual(s) responsible for attendance.
- 3) The nature of an absence (full day, class cut) shall be coded on a student's record.
- 4) Student absence/class cut data shall be available on the following school day and should be reviewed by teachers, counselors, attendance officers or other appropriate school personnel.
- 5) Where additional information is received from a student during a student/staff conference that requires corrections to be made to a student's attendance records, such correction will be made immediately. Notice of such a change will be sent to the appropriate school personnel (i.e., homeroom teachers, attendance officer, etc.).
- 6) Attendance data will be analyzed periodically to identify patterns or trends in student absences.

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

- 7) A student who is more than 10 minutes late to any class will be considered absent from that class for attendance purposes. However, students are expected to report to their scheduled class regardless of the time missed.
- 8) A student of compulsory school attendance age who is suspended from classroom instruction (whether in-school or out-of-school suspension) will not be marked absent unless the District provides alternative instruction and the student fails to attend such instruction. (If the District elects to provide alternative instruction to a student over the compulsory attendance age, only students who fail to attend can be marked absent.)
- 9) If a student identified as having a disability by the Committee on Special Education (CSE) does not meet the attendance requirements, he/she would be referred to the CSE before any other action is taken.

Incremental Interventions

- 37) A system of incremental interventions will be designed and implemented in the District.
For example:

Cut 1- For the first class cut or unexcused day-long absence, a (teacher, guidance counselor) shall meet with the student to review the attendance policy and regulation, explain the ramifications of unexcused absences and stress the importance of class attendance. This meeting should also ascertain the reason for the absence.

A designated individual from building administration will notify the student's parent(s) or guardian(s) of the student's absence by telephone. If the parent(s) or guardian(s) cannot be reached by telephone, a letter shall be sent informing the parent(s) or guardian(s) of the student's unexcused absence from schools.

Cut 2- A second cut in a particular class or unexcused day-long absence will result in one detention. An appropriate school administrative official will also meet with the student. In addition, the student shall be warned that continued non-compliance with the attendance policy and regulation will lead to in-school suspension. The student's parent(s) or guardian(s) will be contacted by telephone as described above. If the parent(s) or guardian(s) cannot be reached by telephone, a letter shall be sent home informing them of the student's absence. The student's guidance counselor shall also be informed of the problem and will meet with the student to determine the reasons for the absence and, where necessary, discuss a plan to address any underlying problems.

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

- Cut 3- For the third cut or unexcused absence, the student shall receive two detentions. The student's parent(s) or guardian(s) shall be notified by telephone and asked to attend a meeting with appropriate staff to discuss the continuing problem and potential alternative solutions. This meeting shall take place within one week after the third cut.
- Cut 4- For the fourth cut or unexcused absence; the student shall receive a one day in-school suspension. The student's parent(s) or guardian(s) shall be asked to come in for a conference with the principal, guidance counselor and appropriate teachers.
- *Cut 5- For the fifth cut or unexcused absence and for all subsequent cuts and unexcused absences, the student will receive additional in-school suspensions. The length of the internal suspension will be determined by the principal. The more frequently a student cuts class, the longer the student's suspension will run. The student will also be denied the privilege of participating in or attending extracurricular activities, including athletic events, for _____ days.
- Cut 6
and over- Where necessary, school personnel may seek to involve the juvenile justice system (e.g., the Department of Probation) and, in cases of habitual truancy, the Family Court, by filing a Person in Need of Supervision (PINS) petition in accordance with Family Court Act Section 732. Where the student's absenteeism is due to the parents/guardians failure to enable the student's attendance and the student is of compulsory school age, school personnel, as mandated reporters under the Social Services Law, are obligated to report the matter as educational neglect to the Central Registry of the State Department of Social Services pursuant to Social Services Law Section 413.

Review Process

Where a student has exceeded the number of permissible absences for a specific class, the student may request an attendance review with the principal. At this review, the absences will be discussed. This appeal process is available only to:

- 1) Allow students to challenge the number of absences on record;
- 2) Ensure that no violation of Federal Law (the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act) or the First Amendment to the United States Constitution has occurred; and

(Continued)

*** FILL IN BLANKS WITH DISTRICT DATA**

Students

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

- 3) To give students a "last chance" under the regulation by waiving the maximum allowance absent limit for extenuating circumstances -- without regard to whether the prior absences are excused or unexcused.
- 4) The decision of the principal may be appealed to the Superintendent.
- 5) It will be the student's responsibility to see that all data is provided and that the attendance record is attached at all stages. Any supporting data is to be obtained by the student and presented with the appeal. The student is to contact the principal (stage #1) or the Superintendent (stage #2) to make an appointment within a five (5) day period or the appeal may be considered denied.

Attendance/Grade Computation

- 1) In implementing this regulation, students who are unable to attend a class on a given day/period due to their participation in a school sponsored activity (e.g., music lessons, field trips, etc.), who arrange with their teachers to make up any work missed, shall, upon the completion of any make up work assigned, be given credit for classroom participation for the day/class period missed. This also applies to any student who is absent from school due to illness* who either receives home instruction from the District or makes arrangements with the teacher to make up the work missed.
- 2) Teachers may fashion opportunities for students to make up missed work to fit the circumstances. For example, a student who is ill can be given the work at home. Students who miss a day due to a funeral, a court appearance or a college interview, for example, could be required to make up the work missed in an extended learning period or a study hall. For students who miss class because of a field trip or other school sponsored activity, a teacher should assess whether the school sponsored activity, itself, could serve as a substitute for the classroom instruction otherwise missed on that day. If not, some other more suitable make up opportunity will be extended.

(Continued)

*A student's parent(s) or guardian(s) should make arrangements with the main office for home instruction once they anticipate that the student's illness will cause him/her to be out of school for more than ____ days. For absences of less than ____ days, we urge a student's parent(s) or guardian(s) to contact the main office to allow the student to make up the work to enable him/her to earn a grade for work completed and classroom participation.

SUBJECT: HIGH SCHOOL CLASS ATTENDANCE AND GRADING (MINIMAL ATTENDANCE) (Cont'd.)

- 3) Any student who misses a class is expected immediately upon his/her return to identify the material covered. The student may earn his/her classroom participation grade by arranging an assignment with the teacher to cover the work missed, unless such absence was intentional so as to give the student an unfair academic advantage over other students. (See #4 below.)
- 4) Except for those intentional absences whereby the student sought to gain an unfair academic advantage (e.g., the student is absent to allow for more time to study for an exam), all students will be given the opportunity to make up a test and/or turn in a late assignment for inclusion in the calculation of the performance portion of their final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question.

SUBJECT: DISTRICT SCREENING PROGRAM

New York State Education Law and the Regulations of the Commissioner of Education require local School Districts to screen all new entrants to determine those students who may possibly be gifted, may possibly have a disability or may possibly be of limited English proficiency. In addition, School Districts are required to screen students scoring below the state reference point on designated New York State assessment tests to determine those students who may possibly have a disability.

Definition:

Screening is a preliminary method of distinguishing from the general population those students who may possibly have a disability, those who may possibly be gifted or those who may possibly be of limited English proficiency.

Students who Should be Screened:

- 1) New entrants, including children who are beginning kindergarten.
- 2) Transfer students into the public schools from nonpublic school within New York State, from other states and from other countries.
- 3) Students scoring below the state reference point on New York State assessment tests will be screened to determine the need for remedial instruction or the presence of a disability within thirty (30) days of the availability of test scores.

A child who has been identified as having a disability prior to school entry should be referred directly to the Committee on Special Education. Screening is not required.

Responsibility for Screening:

- 1) The principal shall develop and implement a plan for the screening of kindergarten entrants who were not in the pre-kindergarten program. When possible, screening will be completed prior to the school year but no later than December 1st of the school year.
- 2) New entrants shall be referred by persons responsible for registration to both the guidance director and the school nurse for screening. Screening shall be completed within ten school days.
- 3) The principal shall refer those students who score below the state reference point for competency for screening.

SUBJECT: DISTRICT SCREENING PROGRAM (Cont'd.)**Screening Report Forms:**

- 1) The screening form shall report the results of kindergarten screening.
- 2) Screening of new school entrants and students scoring below the state reference point for competency will be reported on a form prepared by the building principal/designee.

Screening Instruments:

The principal and the guidance director shall cooperate to select appropriate screening instruments.

Developmental Areas to be Screened:

- 1) Physical development.
- 2) Cognitive development.
- 3) Receptive and expressive language development.
- 4) Articulation skills.
- 5) Motor development.

Other Screening Requirements:

- 1) Students will be screened individually.
- 2) Students will be screened in their native languages.
- 3) Screening information shall be kept confidential.
- 4) Screening results shall be available to parents/guardians who may request a conference to the information.

Referring Students as a Result of Screening:

- 1) Children who may possibly have a disability shall be referred to the Committee on Special Education.
- 2) Children who may possibly be gifted shall be referred to the Superintendent/building principal; notification shall be provided to the parents/guardians.
- 3) Children who may possibly be of limited English proficiency shall be referred for further assessment to determine eligibility for appropriate transitional bilingual or free-standing ESL programs.

Students

SUBJECT: STUDENT DISMISSAL PRECAUTIONS

The principal of each school in the District shall maintain lists of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released in the custody of any individual who is not the parent or guardian of the student unless the individual's name appears on the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment. A parent or guardian may amend, in writing, a list submitted pursuant to this regulation at any time.

Certified copies of any court order or divorce decrees provided by the custodial parent/guardian, which restrict a parent's/guardian's ability to seek the release of his/her child, shall be maintained by the principal of each school.

Individuals seeking the release from school of a student must report to the school office and present identification deemed satisfactory by the school principal. The principal must check the authorized list and relevant court orders or divorce decrees before a student may be released.

The principal may release a student to an individual not appearing on the approved list only if the principal has determined that an emergency exists and the parent or guardian has been contacted by the principal and has approved the release.

Students

SUBJECT: DETERMINATION OF STUDENT RESIDENCY

Prior to making a determination of entitlement to attend the schools of the District, the Board or its designee shall afford the child's parent/guardian or the child, as appropriate, the opportunity to submit information concerning the child's right to attend school in the District. When the Board of Education or its designee determines that a child is not entitled to attend a District school, the Board or its designee shall, within two business days, provide written notice of its determination to the child's parent/guardian or to the child, as appropriate. Such written notice shall state:

- 1) That the child is not entitled to attend the public schools of the District;
- 2) The basis for the determination;
- 3) The date the child will be excluded from the schools of the District; and
- 4) That the determination of the Board may be appealed to the Commissioner of Education, in accordance with Education Law, Section 310, within 30 days of the date of the determination, and that the procedure for taking such an appeal may be obtained from the Office of Counsel, New York State Education Department, State Education Building, Albany, New York, 12234.

Students

SUBJECT: RESIDENCY GUIDELINES

Residence is based, in part, upon an individual's physical presence as an inhabitant within the District as his/her actual and only place of residence, along with an intent to remain on a presumptively permanent basis.

A student's residence is presumed to be that of his/her parents/persons in parental relation. This presumption can be rebutted by the parents/persons in parental relation or the District, however.

To determine whether the presumption that a student resides with his/her parents/persons in parental relation has been rebutted, the following non-exhaustive list of factors are relevant:

- 1) Is the current address and living arrangement the student's actual and only address?
- 2) Does the student intend to remain permanently in the District?
- 3) Are the parents/persons in parental relation exercising custody or control over the student?
- 4) Do the parents/persons in parental relation continue to support the student?
- 5) Is there sufficient evidence that the parents/persons in parental relation have transferred custody and control of the child to the individual with whom the child is living? (e.g., who claims the student as an income tax exemption?)
 - a. Although the District cannot require a court ordered change of guardianship, it can require a sworn statement or affidavit from the parents/persons in parental relation and/or the claimed custodian residing in the District acknowledging the transfer of custody to the custodian unless the student is an emancipated minor. (see subheading "Emancipated Minors" in this regulation)
 - b. If the student claims to be an emancipated minor, the District cannot require any court documentation to that effect but can require the student to complete a sworn affidavit or statement attesting to emancipated status. (see subheading "Emancipated Minors" in this regulation)
- 6) Why is the student living with others? Where the sole reason for living with others is to take advantage of the services available in the District, the Commissioner has held that the student has not established residence.

When a court order awards custody to one parent/person in parental relation, the student's residence is presumed to be that of the custodial parent/person in parental relation.

(Continued)

Students

SUBJECT: RESIDENCY GUIDELINES (Cont'd.)

When a student lives with a noncustodial parent/person in parental relation in the District, the District must consider whether the student's actual and only residence is with the custodial parent/person in parental relation. In making that determination, the District must consider the same factors as those listed above, but the custodial document would be strong evidence that the child's actual and only residence is with the custodial parent/person in parental relation.

In cases in which a student's time is divided between two households and both parents/persons in parental relation assume the day-to-day responsibilities for the student, (such as in a "50-50" joint custody arrangement), the custodial parent/person in parental relation or parents/persons in parental relation must designate the student's residence within one or the other of the districts in which the two parents/persons in parental relation reside.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District due to relocation necessitated by the call to active military duty, other than training, of the student's parent/person in parental relation will be allowed to attend the public school that they attended prior to the relocation.

The District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

The District requires proof of the parent's/person's in parental relation notice of call to active duty and verification of the family's temporary residence outside the District.

Emancipated Minors

The presumption that a child shares the residence of his or her parents may be rebutted if the child is emancipated. A child may be considered "emancipated" if the child is (1) beyond compulsory school age, (2) is living separate and apart from his or her parents in a manner inconsistent with parental control, (3) is not receiving financial support from his or her parents, and (4) has no intent to return to his or her parents' residence.

In such cases, the emancipated minor's actual residency determines whether he/she may attend the District's schools.

In order to determine whether a child is emancipated, the District may request an affidavit from the parents/persons in parental relation. However, a statement from the parents/persons in parental relation of an emancipated minor describing the nature of their relationship to the child may not be required where, based upon the facts of the case and in the District's judgment, it places an unreasonable burden on the prospective student.

(Continued)

Students

SUBJECT: RESIDENCY GUIDELINES (Cont'd.)

The District should require an affidavit from the student as proof of emancipation and residence, in addition to requesting supporting documentation of the student's age, means of support, home address and circumstances surrounding the student's emancipation (e.g., a statement from the person with whom the student is living, rent receipts, pay stubs, driver's license, letter from the Department of Social Services).

(NOTE: Refer also to Form # 7130F (Independent Minor Affidavit))

Children Living With Persons Not Their Parents -- Guardianship or Custody

In accordance with the Family Court Act and Domestic Relations Law, a person possessing a lawful order of guardianship or custody of a minor child who is not the parent of such child may enroll the child in public school in the school district where he/she and the child reside.

Therefore, upon application for enrollment by the guardian or custodian, the District shall enroll such a child for such time as the child resides with the guardian or custodian in the District upon verification that the guardian or custodian possess a lawful order of guardianship or custody for the child and that the guardian or custodian and the child properly reside in the same household within the District.

Children Lacking a Permanent Address

Other children who are not "homeless" or "runaway and homeless" nonetheless might lack a permanent address because they (if they are emancipated) or their families might lose their primary homes due to circumstances beyond their control and might be forced to make temporary living arrangements outside their usual district of residence. These students cannot be deprived of the right to attend school, and residency determinations must be made on a case-by-case basis, focusing upon the student's or student's family's intent to return to the district of residence. Temporary absence from the district of residence does not necessarily constitute the establishment of residence in a district elsewhere or the abandonment of permanent residence. Because the lack of a permanent address does not in and of itself constitute a legitimate basis for denying admission, students are entitled either to continue to attend in the district they attended before losing their permanent home or in a district where they are located temporarily.

Residency Determination

Prior to making a residency determination, the Board of Education or its designee must afford the student's parent/person in parental relation the opportunity to submit information concerning the student's right to attend District schools.

(Continued)

Students

SUBJECT: RESIDENCY GUIDELINES (Cont'd.)

If it is determined that the student is neither a resident nor entitled to attend as a nonresident, written notice of the determination must be provided within two (2) business days to the parent/person in parental relation or the student. The written notice must include the basis for the determination; the date the student will be excluded from the District, and a statement regarding the right to appeal an adverse decision to the Commissioner of Education within thirty (30) days. The notice must indicate that the procedure for taking the appeal can be obtained from the Office of Counsel, State Education Department, Albany, New York.

Undocumented Children/Social Security Numbers and Data Collection

Undocumented children, like U.S. citizen children, have the right to attend school full-time as long as they meet the age and residency requirements established by Federal and State laws. In accordance with Education Law Section 3202, residence is established based on two (2) factors: physical presence as an inhabitant within the district and the intent to reside in the district.

The State Education Department does not require the District to report students' social security numbers or their status as "legal" or "undocumented" immigrants; however, several State and federal laws require certain student demographic data to be collected by the Department and/or the District in certain circumstances. For example, in order to receive funding under certain federal Title III programs, states and school districts must collect and report data on "immigrant children and youth" served by them. (20 United States Code (USC) Section 6961 et seq.). While the District may need to collect certain data pursuant to State and/or Federal laws, such data shall not be required during the enrollment/registration process so as not to inadvertently give the impression that information related to immigration status will be used in making enrollment determinations.

A child's residence is presumed to be that of his/her parents or legal guardians. However, the District may encounter students, particularly from other countries, who reside with persons other than their parents or legal guardians. In order to determine residency in these cases, the District may request information regarding such student's custody to establish residency and to ensure the health, safety and welfare of the child.

The following are examples of documentation that may be used to establish a student's residency in such circumstances. This list is not intended to be exhaustive, nor is it a list of required documentation.

- 1) Pay stub;
- 2) Income tax form;
- 3) Deed or lease to house or apartment;
- 4) Utility or other bills sent to the student's home address;

(Continued)

Students

SUBJECT: RESIDENCY GUIDELINES (Cont'd.)

- 5) Membership documents - such as library cards - based upon residency;
- 6) Voter registration document;
- 7) Official driver's license, learner's permit or non-driver ID;
- 8) State or other government-issued ID.

Homeless Children and Youth

Please refer to Regulation # 7180R -- Education of Homeless Children and Youth.

INDEPENDENT MINOR AFFIDAVIT

The undersigned, being duly sworn, deposes and says that:

1. _____, b.d. _____ establishes
the status of minor living independent from _____
(parent/guardian)

2. _____ resides full time in the Kenmore-Town of
Tonawanda Union Free School District with _____
(parent substitute)
at _____

3. (Pupil) _____ acknowledges in regard to
school matters: a.- (parent) _____ retains release
rights to school records until pupil attains the age of eighteen years.
b. (Parent substitute) _____
serves as adult contact for school-related matters while
(pupil) _____, lives and
attends school in the Kenmore-Town of Tonawanda Free School District.

4. (Pupil) _____ does not seek to enroll in the
Kenmore-Town of Tonawanda Union Free School District solely to take
advantage of the educational program and related activities offered in said School
District.

5. The reasons for the residence of said pupil with (parent substitute)
_____ are as follows: _____

Date:
(Minor seeking independent status) _____

State of New York
County of Erie ss.:
Town of Tonawanda

_____ being duly sworn, deposes and says
that Deponent has read the foregoing statement and knows the contents thereof and that
the same is true to the Deponent's own knowledge.
(Minor's Signature) _____

Sworn to before me
This ____ day of _____, 20__

Notary Public

Date: _____

1. I _____ am the natural parent of _____, b.d. _____
2. I reside at: _____

3. I acknowledge that I am aware that _____ has assumed the status of an emancipated minor.
4. _____ will act on his/her own behalf on all school matters except for the release of official school records until _____ is 18 years of age.
5. I am ___ am not ___ willing to be contacted in the case of an emergency while _____ is under school supervision.

STATE OF NEW YORK }
 COUNTY OF ERIE } SS
 TOWN OF TONAWANDA)

_____ being duly sworn, deposes and says that Deponent has read the foregoing statement and knows the content thereof and that the same is true to the Deponent's own knowledge.

Signed _____

Sworn to before me this _____ day of _____ 20____
 Notary Public

STATEMENT OF APPOINTED GUARDIAN

The undersigned being duly sworn deposes and says that:

1. _____ resides in the Kenmore-Town of Tonawanda Union Free School District at _____.
(guardian) (address)
2. _____, B.D. _____, a child of _____ school age, resides with the undersigned on a full time basis (seven days per week).
(pupil)
3. The undersigned is not the natural parent of _____.
4. The natural parents of _____ are living at _____.
(mother's name and address) (father's name and address)
5. The natural parents have relinquished total parental control over _____ assigning said control to the undersigned.
6. The undersigned does not seek to enroll _____ in the Kenmore-Town of Tonawanda Union Free School District solely to take advantage of the educational program and related activities offered in said School District.
7. The reasons for the assumption of guardianship and parental control by the undersigned over _____ are as follows:
(child)

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1 of 2

**KENMORE-TOWN OF TONAWANDA UFSD
DEPARTMENT OF PUPIL SERVICES**

STATEMENT OF NATURAL OR CUSTODIAL PARENT

The undersigned being duly sworn deposes and says that:

1. _____ resides at _____
(parent)

2. _____ B.D. _____
(child)
resides with _____
(appointed guardian)
at _____

in the Kenmore-Town of Tonawanda Union Free School District.

3. As natural/custodial parent of _____,
I relinquished parental control to _____
relationship being _____.

4. The guardian does not seek to enroll _____
in the Kenmore-Town of Tonawanda Union Free School District solely to take
advantage of the educational program and related activities offered in said School
District.

5. The reason for the transfer of guardianship and parental control to _____
_____ are as follows: _____

Sworn to be

This _____

Notary Public

TW 01/04

Parent of _____

State of New York
County of Erie ss:
Town of Tonawanda

_____ being duly sworn, deposes and says that Deponent has read the forgoing statement and knows the contents therefore and that the same is true to the Deponent's own knowledge.

Parent

Sworn to me

This _____ day of _____, 20____

Notary Public

2003

7180R

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Students

SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH**Definitions**Homeless Child

Pursuant to Commissioner's Regulations, a "homeless child" means a child or youth who lacks a fixed, regular, and adequate nighttime residence; including a child who is:

- 1) Sharing the housing of other persons due to a loss of housing, economic hardship or a similar reason;
- 2) Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
- 3) Abandoned in hospitals;
- 4) Awaiting foster care placement; or
- 5) A migratory child who qualifies as homeless in accordance with Commissioner's Regulations. As defined in the No Child Left Behind Act of 2001, the term "migratory child" *includes* a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who has moved from one school district to another in the preceding 36 months, in order to obtain, or accompanies such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing work.
- 6) A child or youth who has a primary nighttime location that is:
 - a. A supervised, publicly or privately operated shelter designed to provide temporary living accommodations including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth established pursuant to Article 19-H of the Executive Law; or
 - b. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.

(Continued)

SUBJECT:
EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

The term "**homeless child**" shall not include a child in foster care or receiving educational services pursuant to Education Law Section 3202(4),(5),(6),(6a) or (7) or pursuant to Article 81, 85, 87 or 88. For example, a child in a family home at board, a school for the mentally retarded, a hospital or other institution for the care, custody and treatment of children; youths under the direction of the Division for Youth incarcerated in county correctional facilities or youth shelters; or children residing in child care institutions or schools for the deaf or blind would not be considered "homeless."

Designator

"Designator" means:

- 1) The parent or person in parental relation to a homeless child; or
- 2) The homeless child, together with the homeless liaison designated by the School District in the case of an unaccompanied youth; or
- 3) The director of a residential program for runaway and homeless youth established pursuant to Article 19-H of the Executive Law, in consultation with the homeless child, where such homeless child is living in such program.

School district of origin means the school district within New York State in which the homeless child was attending a public school on a tuition-free basis or was entitled to attend when circumstances arose which caused such child to become homeless, which is different from the school district of current location.

School district of current location means the public school district within New York State in which the hotel, motel, shelter or other temporary housing arrangement of a homeless child, or the residential program for runaway and homeless youth, is located, which is different from the school district of origin.

Regional placement plan means a comprehensive regional approach to the provision of educational placements for homeless children which has been approved by the Commissioner of Education.

Unaccompanied youth means a homeless child for whom no parent or person in parental relation is available.

Local educational agency liaison is the staff person designated by the School District, who may also be a coordinator for other federal programs, as the person responsible for carrying out the duties assigned to the liaison pursuant to the McKinney-Vento Act as well as state law and regulations, and applicable guidance issued by the U.S. and New York State Education Departments.

(Continued)

SUBJECT:
EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

Choice of District

The designator shall have the right to designate one of the following as the school district within which a homeless child shall be entitled to attend upon instruction:

- 1) The school district of current location;
- 2) The school district of origin; or
- 3) A school district participating in a regional placement plan.

Depending on which designated category is applicable to the School District, attendance areas/school building, duration of attendance, and transportation requirements shall be in accordance with law and/or regulation.

Reimbursement

If the School District is designated the district of attendance and the District is either the school district of current location or a school district participating in a regional placement plan, and the homeless child's school district of origin is within New York State, the District is eligible for reimbursement by the State Education Department for the direct cost of educational services. Pursuant to Commissioner's Regulations, the school district of origin (if not designated the district of attendance) shall reimburse the State Education Department in accordance with law.

Designation Form

A designation form provided by the Commissioner of Education shall be completed by the appropriate designator as defined above. Upon receipt of a designation form, the School District (if designated the district of attendance) shall immediately:

- 1) Review the designation form to assure that it has been completed;
- 2) Admit the homeless child even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, medical records, proof of residency, or other documentation;
- 3) Provide the child with access to all of its programs, activities and services to the same extent as they are provided to resident students;
- 4) Immediately contact the school district where the child's records are located for a copy of such records;

(Continued)

SUBJECT:
EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

- 5) If the child or youth needs to obtain immunizations or immunization or medical records, the school admitting such child or youth shall immediately refer the parent or guardian of the homeless child or youth to the District liaison who shall assist in obtaining necessary immunizations or immunization or medical records.

The designation form shall be forwarded to the Commissioner of Education and, where applicable, the school district of origin.

Within five days of the receipt of a request for school records, the school district receiving such request shall forward a complete copy of the homeless child's records including, but not limited to, proof of age, academic records, evaluations, immunization or medical records, and guardianship papers, if applicable.

School District Responsibilities

Enrollment

The School District shall:

- 1) Ensure that homeless children and youth are not segregated in a separate school, or in a separate program within the school, based on their status as homeless; and
- 2) To the extent feasible and consistent with the applicable requirements in Commissioner's Regulations, keep a homeless child or youth in the school of origin except when doing so is contrary to the wishes of the child's or youth's parent or guardian.

To facilitate immediate enrollment, the School District may consider, but is not limited to, the following practices:

- 1) Training all school enrollment staff such as secretaries, guidance counselors, school social workers, and principals on the legal requirements regarding immediate enrollment;
- 2) Reviewing all District policies and regulations to ensure that they comply with federal and state requirements pertaining to the education of homeless children and youth;
- 3) Collaborating with community-based or public agencies to provide uniformity within and among neighboring districts;
- 4) Contacting the previous school for records and assistance with placement decisions; and

(Continued)

Students

SUBJECT:
EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

- 5) Expeditiously following up on any special education referrals or services and language assistance services.

Dispute Resolution

The School District shall establish procedures, in accordance with the McKinney-Vento Act, for the prompt resolution of disputes regarding school selection or enrollment of the homeless child or youth. *The District shall provide a written explanation, including a statement regarding the right to appeal as enumerated in the McKinney-Vento Act, to the homeless child's or youth's parent or guardian if the School District sends such child or youth to a school other than the school of origin or school requested by the parent or guardian.*

Pursuant to the McKinney-Vento Act, if a dispute arises over school selection or enrollment in a school:

- 1) The child or youth shall be immediately admitted to the school in which enrollment is sought, pending the resolution of the dispute;
- 2) The parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;
- 3) The child, youth, parent, or guardian shall be referred to the District liaison who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; and
- 4) In the case of an unaccompanied youth, the District liaison shall ensure that the youth is immediately enrolled in the school pending resolution of the dispute.

Duties of the District Liaison

The District liaison for homeless children and youth shall ensure that:

- 1) Homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;
- 2) Homeless children and youths enroll in, and have full and equal opportunity to succeed in schools in the District;

(Continued)

SUBJECT:**EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)**

- 3) Homeless families, children, and youths receive educational services for which they are eligible, including Head Start and Even Start programs and preschool programs administered by the District; and referrals to health care services, dental services, mental health services, and other appropriate services;
- 4) The parents or guardian of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- 5) Public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services pursuant to the McKinney-Vento Act, such as in schools, family shelters, and soup kitchens;
- 6) Enrollment disputes are mediated in accordance with the requirements of the McKinney-Vento Act, as well as other applicable laws and regulations;
- 7) The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, pursuant to law and/or regulation; and is assisted in accessing transportation to the school that is selected;
- 8) In the case of an unaccompanied youth, assistance is provided in placement or enrollment decisions, considering the views of such unaccompanied youth, and providing notice to such youth of the right to appeal pursuant to law and regulation.

The School District shall inform school personnel, service providers and advocates working with homeless families of the duties of the District liaison.

Coordination

The School District shall coordinate the provision of services as enumerated in the McKinney-Vento Homeless Education Assistance Act with local social services agencies and other agencies or programs providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act. Further, the District shall coordinate with other school districts on interdistrict issues, such as transportation or transfer of school records.

Reporting

The School District shall collect and transmit to the Commissioner of Education, at such time and in the manner as the Commissioner may require, a report containing such information as the

Commissioner determines is necessary to assess the educational needs of homeless children and youths within the state.

Students

SUBJECT: SELECTION OF VALEDICTORIAN AND SALUTATORIAN

Criteria listed below will be used to determine the valedictorian and salutatorian of the senior high school(s) of the Kenmore-Town of Tonawanda Union Free School District.

- 1) An eligible student must attend the Kenmore-Town of Tonawanda Union Free schools for a minimum of three full academic years, prior to graduation, from grades 9-12.
- 2) Student must be enrolled as a full-time student at the time of graduation.
- 3) Only the average of grades earned in the Kenmore-Town of Tonawanda Union Free schools through January of the senior year will be used to select the final candidate. If such final candidates are enrolled in Advanced Placement and/or Honors courses during their senior year, the additional points granted for such courses will be included in the calculation of the class rank provided the students remain enrolled in such class or classes for the entire school year. (Course credits earned in other high schools, in summer schools other than those conducted by Kenmore-Town of Tonawanda Union Free School District, and post high school college credits will not be used in determining the final selection of a valedictorian or salutatorian.)
- 4) Eligibility will not be restricted in any way by virtue of the type of courses undertaken by the students.
- 5) The valedictorian and salutatorian will be afforded the opportunity to speak at commencement. This does not eliminate other students as determined by the school administration from speaking at commencement, i.e., senior class president, president of student association, etc.
- 6) Students eligible for graduation at the end of their junior year can qualify under the above criteria. In addition to being eligible as valedictorian and salutatorian, the student graduating at the end of his or her junior year will be permitted to participate in all other senior activities, i.e., prom, inclusion in the yearbook, social functions, etc. It is important to note that the student who opts for graduation at the end of the junior year must fulfill all other requirements of Board of Education policy dealing with early graduation including the determination of the student's status in the year preceding the junior year.

SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

An important determination in the annual review process for students with disabilities is whether the anticipated outcome of the secondary program is a Regents diploma, local high school diploma, high school IEP diploma, or a local certificate. Such decision will be considered as early as possible in order to ensure that students receive access to the required courses and participate in the mandated testing program, where appropriate, in order to make a successful transition to post-high school activities.

High School Diploma

Students pursuing either a Regents or local diploma must acquire a certain number of units of credit in specified courses, and also meet subject sequence requirements. It is critical that students with disabilities be provided access to the required courses and testing programs needed for graduation with these awards.

- 1) Administration is responsible for coordinating activities with guidance and BOCES staff to ensure that students with disabilities are meeting credit and sequence requirements and that vocational opportunities are considered.
- 2) Instructional techniques and materials may be modified to provide students with disabilities the opportunity to meet diploma requirements. Such modifications will be included on the IEP so that they can be implemented consistently throughout a student's program.
- 3) The instructional programs of special education classes will be reviewed by administration to determine equivalency to the same courses taught in the regular education program to ensure that students meet the needed requirements for a high school diploma.
- 4) Administration will be responsible for coordinating communication between special and regular education staff so that required skills and competencies are understood and equivalency of instruction in appropriate special education classes can be determined.

Local Certificates and Individualized Education Program Diplomas for Students with Disabilities

Each local certificate or individualized education program (IEP) diploma awarded shall be accompanied by a written statement of assurance that the student named as its recipient shall continue to be eligible to attend school until the student has earned a high school diploma or until the end of the school year of such student's 21st birthday, whichever is earlier.

The Superintendent shall report to the State Education Department, within 15 days after the June graduation, the total number and the names of the students awarded local certificates or IEP diplomas that school year.

(Continued)

SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)**Local Certificates**

The Board of Education supports the awarding of local certificates to students with disabilities provided that:

- 1) Such student has achieved the educational goals specified in his/her individualized education program in effect during the school year in which such a certificate is awarded; and
- 2) Unless identified as meeting all the criteria of Section 200.1(cc)(4) of the Commissioner's Regulations, such student has attended school for at least thirteen (13) years, excluding kindergarten, or has received a substantially equivalent education in accordance with Section 3204(2) of the Education Law for such period of time.

High School Individualized Education Program Diplomas

The Board of Education supports the awarding of high school individualized education program diplomas to students with disabilities provided that:

- 1) Such student has attained the age of twenty-one (21) and has achieved the educational goals specified in his/her current individualized education program; or
- 2) Such student has attended school or has received a substantially equivalent education elsewhere for at least twelve (12) years, excluding kindergarten and has achieved the educational goals specified in his/her current individualized education program.

Each high school individualized education program diploma shall be identical in form to the local high school diploma issued by the School District, except that there shall appear on the front of such diploma a clear annotation to indicate that the diploma is awarded on the basis of the student's successful achievement of the educational goals specified in the student's current individualized education program as recommended by the Committee on Special Education.

Students

SUBJECT: EARLY GRADUATION

- 1)
 - a. Application for graduation at the end of Grade 11 shall be made at the end of Grade 10.
 - b. Application for graduation at the end of the first semester of Grade 12 shall be made at the end of Grade 11.
- 2) Upon receipt of the application, the student's counselor will arrange for a meeting with the student and his/her parents/guardians at which time information will be provided regarding the educational advantages and opportunities of the full three year program. The counselor should determine the reasons why the student is seeking early graduation and should discuss the advisability of early graduation for the student.
- 3) In the event the parents/guardians and the student wish to pursue approval of their request for early graduation, and so indicate to the counselor, the counselor will recommend approval or disapproval of the request to the principal, with reasons therefore following consultation with the student, the student's teachers, and with the Chairpersons of Guidance, English and Physical Education.
- 4) The principal will act upon the request after considering the reasons for the request and the recommendations of the counselor. The principal may disapprove the request if in his/her judgment, he/she determines there are compelling reasons against early graduation.
- 5) If the principal approves the request, he/she will outline a program of study for the student designed to meet all requirements for graduation including a three year program of physical education.
- 6) Any student who completes the requirements for early graduation but is not seeking early admission to college may pursue an Independent Study Program under school supervision and guidance, if requested by the student and approved by the principal.

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

An important determination in the annual review process for students with disabilities is whether the anticipated outcome of the secondary program is a Regents Diploma, Local Diploma, a Career Development and Occupational Studies (CDOS) Commencement Credential, or a Skills and Achievement (SA) Commencement Credential. To support these determinations:

- 1) Administration is responsible for coordinating activities with guidance and BOCES staff to ensure that students with disabilities are meeting credit and sequence requirements and that vocational opportunities are considered.
- 2) Instructional techniques and materials may be modified to provide students with disabilities the opportunity to meet diploma requirements. Such modifications will be included on a student's IEP so they can be implemented consistently throughout a student's program.
- 3) The instructional programs of special education classes will be reviewed by administration to determine equivalency to the same courses taught in the general education program to ensure that students meet the needed requirements for a diploma.
- 4) Administration will be responsible for coordinating communication between special and general education staff so that required skills and competencies are understood and equivalency of instruction in appropriate special education classes can be determined.

Districts must plan transition services for post-secondary life for students with Individual Education Plans (IEP). Individualized planning should begin as early as possible, but no later than the school year in which the student turns age fifteen (15). The coordinated set of transition activities must be focused on improving both the academic and functional achievement of the student with a disability. High school transition planning should include exploring post-secondary opportunities and employment options and, if applicable, connecting with adult service agencies that may provide the student with services after exiting school.

In addition to all graduation options afforded to general education students, including the Regents Diploma and various honors and/or designations, the following diplomas and/or credentials are also available for students with disabilities.

Local Diploma

Students with a disability may earn a Local Diploma by completing the same units of credit as required for a Regents Diploma and one of the following options:

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

1) Low Pass Option

Achieve a score of 55 or higher on one or more of the five (5) examinations required for a Regents Diploma: Math, Science, English (ELA), Global History, and US History and Government.

2) Compensatory Option

To earn a local diploma using this compensatory option a student must:

- a. Achieve a score of at least 55 on both Regents exams in English (ELA) and Math;
- b. Achieve a score between 45-54 on one or more of the other required Regents exams (US History and Government, Global History, and a Science);
- c. Achieve a score of 65 or higher on any other Regents exam, in which case each score of 65 or higher on a single examination may compensate for a single 45-54 exam;
- d. Obtain a passing grade for the course in the subject area of the Regents examination in which he or she received a score of 45-54;
- e. Have a satisfactory attendance rate in accordance with the District's or school's attendance policy for the school year; and
- f. Not already be using a passing score on any RCTs, if such examination is available to the student (entered grade 9 prior to September 2011).

3) Regents Competency Test (RCT) -- for Students Entering Grade 9 Prior to September 2011 Only

A passing grade on a Regents Competency Test (RCT) may be used in lieu of a passing grade on a Regents Examination. The school may administer the RCT before or after the Regents examination, but in all cases the student must take the required Regents examination. The RCT option remains available until the student who entered Grade 9 prior to September 1, 2011 graduates or reaches the age of twenty-one (21).

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

4) Regents Appeal

Obtain an accepted appeal for two (2) required Regents examinations, and have attained a passing score of 65 or above on each of the three (3) remaining required Regents examinations. Please note that this is also the only circumstance in which a general education student may earn a Local Diploma.

Career Development and Occupational Studies (CDOS) Commencement Credential

The Career Development and Occupational Studies (CDOS) Commencement Credential may be issued to a student with a disability to document his/her preparation for entry-level employment after high school. This credential can be awarded in conjunction with a Regents or Local Diploma, if a student also completes such requirements, or the credential may be issued as stand-alone exiting award to students who are unable to earn a diploma. In order to achieve the CDOS credential a student may utilize one of two (2) options.

Option One

When awarding the CDOS Commencement Credential using option one, the student shall demonstrate evidence of the following requirements, which shall be verified by the District:

1) Career Plan

The student has a developed, annually reviewed and, as appropriate, revised Career Plan. Assurance that the student is actively engaged in career exploration, includes, but is not limited to:

- a. A statement of the student's self-identified career interests;
- b. Career-related strengths and needs;
- c. Career goals; and
- d. Career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals.

The student's Career Plan may include career-related activities provided by the school and may also include activities outside of school (i.e., volunteer work, summer employment). The Career Plan must be included in a student's permanent record.

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)**2) Commencement Level Knowledge and Skills**

The student has demonstrated commencement level knowledge and skills of the CDOS learning standards, which include:

a. Career development - The student should be knowledgeable about the world of work, explore career options, and relate personal skills, aptitudes, and abilities to future career decisions. Learning standards may be evidenced when applying decision-making skills in the selection of a career option, analyzing skills and abilities necessary for specific careers, and participating in work experiences;

b. Integrated learning - This standard may be evidenced by applying academic knowledge and skills across multiple settings and demonstrating the ability to research, interpret, analyze and evaluate information;

c-1. Universal foundation skills, that include:

(1) Basic skills - Evidenced by reading, writing, listening, speaking and mathematical functions;

(2) Thinking skills - Evidenced by problem solving, experimenting, focused observation and applying knowledge to new and unfamiliar situations;

(3) Personal skills - Evidenced by self-management, planning, organizing and taking independent action;

(4) Interpersonal skills - Evidenced by teamwork and cooperation in large and small groups in family, social and work situations;

(5) Technology skills - Evidenced by designing and creating things from available resources to satisfy personal and societal needs and wants;

(6) Managing of information skills - Evidenced by accessing and using information obtained from people, community resources and computer networks;

(7) Managing of resources skills - Evidenced by applying financial and human factors, and the elements of time and materials to successfully carry out a planned activity; and

(8) Systems skills - Evidenced by understanding and working within natural and constructed systems.

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

c-2. Career majors (optional for this credential) - Students who complete a career major will demonstrate career-specific technical knowledge and skills necessary for gainful employment, career advancement, and success in post-secondary programs. The career majors may include: business/information systems, health services, human and public services, natural and agricultural sciences, or arts/humanities.

The "CDOS Resource Guide with Core Curriculum" provides information on each learning standard and career major, including teacher-developed classroom activities that help students achieve the CDOS learning standards, and is available at:
<http://www.p12.nysed.gov/cte/cdlearn/cdosresourceguide.html>

3) Career and Technical Education Courses/Work-Based Learning Experiences

The student has successfully completed at least two (2) units of study (216 hours) in Career and Technical Education (CTE) courses and/or work-based learning experiences. The units of study:

- a. Must include a minimum of fifty-four (54) hours of documented school supervised work-based learning experiences. The fifty-four (54) hours may, but are not required to be, completed in conjunction with the CTE course; and
- b. May consist of job shadowing, community service, volunteering, service learning, senior projects and/or school based enterprises.

The student's courses of study and supervised work-based learning experiences must be documented on his/her transcript.

4) Employability Profile

Within one (1) year prior to a student's exit from high school, at least one Employability Profile must be completed by designated school staff or other individuals with knowledge about the student's employment skills and experiences.

The profile must:

- a. Document the student's employment skills and experiences;
- b. Identify the student's attainment of each of the CDOS learning standards;

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

- c. As appropriate, document the attainment of technical knowledge and work-related skills, work experiences, performance on industry-based assessments and other work-related and academic achievements; and
- d. Must be maintained in the student's permanent record.

Students with disabilities who transfer from another school district, within the state or another state, may be awarded a CDOS Commencement Credential if there is evidence that the student has attained each of the learning standards and the student has successfully completed instruction and/or transition activities related to the student's post-secondary employment goals. A Career Plan and Employability Profile must still be completed.

It may not be feasible for students who were previously completing the requirements for an IEP diploma to complete the required two units of study in CTE courses/work-based learning activities before exiting school. Therefore, until June 30, 2015, a district may award a CDOS Commencement Credential to a student who has completed less than two (2) units of study, or 216 hours. The student must still demonstrate commencement level knowledge and skills of the CDOS learning standards and the District must still ensure a Career Plan and Employability Profile is completed.

Option Two

In lieu of option one, requiring completion of the four elements discussed above, a district may award the CDOS Commencement Credential to a student who has met the requirements for a nationally-recognized work-readiness program/certification. These programs or certifications include, but are not limited to: SkillsUSA, the National Work Readiness Credential, the National Career Readiness Certificate and the Comprehensive Adult Student Assessment Systems Workforce Skills Certification System. However, the national program/certificate option should not be the only option available to students to earn the CDOS Commencement Credential.

Skills and Achievement Commencement Credential

Prior to awarding the Skills and Achievement Commencement Credential, the District shall ensure that:

- 1) The student meets the definition of a student with a severe disability, defined as a student who has limited cognitive ability combined with behavioral and/or physical limitations and who requires highly specialized education, social, psychological and medical services in order to maximize his/her full potential for useful and meaningful participation in society and for self-fulfillment;

Students

SUBJECT: DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

- 2) The student has been recommended by the Committee of Special Education (CSE) to take the New York State Alternative Assessment (NYSAA) for students with severe disabilities;
- 3) The student has been given appropriate opportunities to participate in community experiences and development of employment and other instructional activities to prepare the student for post-secondary living, learning and employment; and
- 4) The District has issued a summary of the student's academic achievement and functional performance, which includes documentation of:
 - a. The student's level of achievement and independence for each of the CDOS learning standards (career development, integrated learning, universal foundation skills);
 - b. The student's academic skills, as measured by the State Alternative Assessment for students with severe disabilities; and
 - c. The student's strengths and interests and, as appropriate, other student achievements and accomplishments.

A model summary form developed by SED is located at:
<http://www.p12.nysed.gov/specialed/publications/SACC-SESform-att2.htm>

Awarding the SA or CDOS Commencement Credentials

The SA and CDOS Commencement Credentials may be issued at any time after such student has attended school for at least twelve (12) years, or at the end of the school year in which the student turns twenty one (21) years old. When a student is under twenty-one (21) and is issued SA Commencement Credential or the CDOS Commencement Credential without the Regents or Local Diploma, the credential award must be accompanied by a written statement of assurance. This statement must indicate that the student remains eligible to attend the public school within the District, without payment of tuition, until the student has either earned a diploma or until he/she turns twenty-one (21), whichever occurs first.

The CDOS and SA Commencement Credentials must be similar in form to the diplomas issued by the District, except that they shall not use the term "diploma" on them. The SA Commencement Credential must contain a clear annotation that it is based on alternate academic achievement standards. The CDOS Commencement Credential shall indicate that it has been endorsed by the New York State Board of Regents as a certificate of readiness for entry-level employment.

SUBJECT: ACCESS TO STUDENT RECORDS**Definitions**Education Records

The term education records is defined as all records, files, documents and other materials containing information directly related to a student and maintained by the education agency or institution, or by a person acting for such agency or institution. This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provided under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA. As such, they are subject to the confidentiality provisions of both Acts.

The definition of education Records does not include the following:

- 1) Personal notes made by teachers or other staff, if these notes are:
 - a. Kept in the sole possession of the maker;
 - b. Not accessible or revealed to any other person except a temporary substitute; and
 - c. Used only as a memory aid.
- 2) Records created or received by an educational agency or institution after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.
- 3) Grades on peer-graded papers before they are collected and recorded by a teacher.

Attendance

Attendance includes, but is not limited to:

- 1) Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
- 2) The period during which a person is working under a work-study program.

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

Directory Information

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status (e.g., undergraduate or graduate, full-time or part-time); dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

Directory information does not include a student's: (1) social security number; or (2) student identification (ID) number, except as provided below.

Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

Disclosure

Disclosure is to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

Personally Identifiable Information

The term personally identifiable information includes, but is not limited to:

- 1) The student's name;
- 2) The name of the student's parent or other family members;
- 3) The address of the student or student's family;
- 4) A personal identifier, such as the student's social security number, student number, or biometric record;

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

- 5) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
- 6) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- 7) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Biometric Record

Biometric record, as used in the definition of personally identifiable information, is a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints; DNA sequence; facial characteristics; and handwriting.

Parent/Guardian Access Rights

- 1) The School District, hereinafter referred to as "the District," shall, upon request of a parent/guardian, permit the parent/guardian to inspect, review, or copy any education record relating to the child or children of that parent/guardian when such record is collected, maintained, or used by the District. The District shall fulfill the request within forty-five (45) days after the request is received.
- 2) The right to inspect, review, or copy education records includes:
 - a. The right of a parent/guardian to request of and receive from the District a reasonable explanation of information contained in the education records of the child;
 - b. The right of a parent/guardian to be provided, on request, with a copy of all or part of the education records of the child; and
 - c. The right of a parent/guardian to designate a representative who will inspect, review, or copy the records.

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

- 3) If a parent/guardian requests copies of education records from the District, the District may charge the parent/guardian a reasonable cost which will not exceed the actual expense of the duplication. However, no cost shall be charged to a parent/guardian for inspecting and reviewing the record or records. No cost shall be charged to a parent/guardian for the search for or retrieval of records.
- 4) A parent/guardian shall have the right to request a list of the types and the location of the child's educational records collected, maintained, or utilized by the District.
- 5) At the discretion of the District and for verification and record keeping purposes only, the District may require all parents/guardians to put into writing:
 - a. Their oral requests to inspect, review, copy or receive copies of education records;
 - b. Their oral designations of a representative; and
 - c. Their oral requests for a list of the types and location of records.
- 6) Student access rights

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent/guardian of the student shall thereafter only be accorded to and required of the student.

Disclosures to Parents of Eligible Students

Even after a student has become an "eligible student" under FERPA (which is defined as a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education) an educational agency or institution may disclose education records to an eligible student's parents, without the student's consent:

- 1) If the student is claimed as a dependent for Federal income tax purposes by either parent;
- 2) In connection with a health or safety emergency;
- 3) If the student is under twenty-one (21) years of age and has violated an institutional rule or policy governing the use of alcohol or a controlled substance; or

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

- 4) If the disclosure falls within any other exception to the consent requirements under FERPA or its Regulations, such as the disclosure of directory information or in compliance with a court order or lawfully issued subpoena.

Access Record

- 1) The District shall keep a record of parties who have obtained access to the education records of a student. The access record shall include the name of the party, the date of access, and the purpose for which the party was allowed to use the records.
- 2) A parent/guardian shall have the right to inspect the access record for the education records of his/her child.
- 3) The District shall maintain, for public inspection, a current list of the names and positions of those employees who are authorized by the District to have access to personally identifiable information.

Maintenance of Records

Officials

The District shall designate an employee of the District as the official who shall be responsible for insuring that the education records confidentiality policies and procedures are enforced and administered. This official shall:

- 1) Notify parents/guardians of the policies and procedures regarding student education records and their rights regarding access.
- 2) Develop the plan for education records, including safeguards which protect the confidentiality of personally identifiable information at the point of collection, storage, release, and destruction.
- 3) Provide inservice training to all staff in the implementation of Federal and State record access and confidentiality policies.

- 4) Maintain the current listing of employees who are authorized to have access to personally identifiable information.

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

Release of Information

Under the Family Educational Rights and Privacy Act (FERPA), unless otherwise exempted in accordance with law and regulation, the District may release personally identifiable information contained in student records only if it has received a "signed and dated written consent" from a parent/guardian or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that such signature:

- 1) Identifies and authenticates a particular person as the source of the electronic consent; and
- 2) Indicates such person's approval of the information contained in the electronic consent.

Parental/Guardian Consent Required

Written parental/guardian consent shall be obtained by the District before education records or personally identifiable information contained therein is released to any party unless:

- 1) Such release is authorized by the Family Educational Rights and Privacy Act, or its implementing regulations;
- 2) The information released is directory information as previously defined herein.

Health and Safety Emergency Exception

School districts must balance the need to protect students' personally identifiable information with the need to address issues of school safety and emergency preparedness. Under FERPA, if an educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records, without consent, to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals during the period of the health or safety emergency. School districts may release information from records to appropriate parties including, but not limited to, parents, law enforcement officials and medical personnel. A school district's determination that there is an articulable and significant threat to the health or safety of a student or other individuals shall be based upon a totality of the circumstances, including the information available, at the time the

determination is made. The school district must record the articulable and significant threat that formed the basis for the disclosure and maintain this record for as long as the student's education records are maintained.

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

Release of Information to Another Educational Institution

The District may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, to another school or postsecondary institution at which the student seeks or intends to enroll, or after the student has enrolled or transferred, so long as the disclosure is for purposes related to the student's enrollment or transfer. Parental consent is not required for transferring education records if the school's annual FERPA notification indicates that such disclosures may be made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, schools must provide a copy of the information disclosed and an opportunity for a hearing.

Records Hearing

The District shall, on parent/guardian request, provide the parent/guardian with an opportunity for a hearing to challenge information in education records if the parent/guardian alleges that such information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. The hearing shall be conducted according to the following provisions:

- 1) The hearing shall be held at a mutually agreed upon time and place within a reasonable time after the District receives the request for a hearing from the parent/guardian.
- 2) The parent/guardian shall be notified in writing of the date, place and time of the hearing.
- 3) The hearing shall be conducted by a party who does not have a direct interest in the outcome of the hearing.
- 4) The parent/guardian shall be afforded a full and fair opportunity to present evidence relevant to the issues.

- 5) The parent/guardian may, at the hearing, be assisted or represented by persons at his/her expense; such persons may include legal counsel.

Decision After Hearing

The Hearing Officer shall render a written decision on the issues presented at the hearing within a reasonable time after the conclusion of the hearing. The decision shall be based solely upon evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

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SUBJECT: ACCESS TO STUDENT RECORDS (Cont'd.)

Decision To Amend

If, as a result of the hearing, the Hearing Officer decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, the District shall amend the education records accordingly and so inform the parent/guardian in writing.

Decision Not To Amend

If, as a result of the hearing, the Hearing Officer decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, the District shall inform the parent/guardian of his/her right to place in the education record of the student a statement which sets forth the written comments of the parent/guardian regarding the information in the education records or reasons for disagreeing with the decision of the Hearing Officer or both written comments and reasons.

- 1) The statement of the parent/guardian shall be appended by the agency to the education records so long as the record or the contested portion thereof is maintained by the District.
- 2) If the education records of the students or the contested portion thereof are released by the District to any party, the statement of the parent/guardian shall also be released to the party.

Nothing in this section shall be interpreted to mean that the parent/guardian and the District may not, by mutual agreement, meet prior to either a parent/guardian request for a hearing or the hearing itself in order to discuss the concerns of the parent/guardian regarding the accuracy or inaccuracy of the records of the student.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
REQUEST BY PARENT/GUARDIAN OR ELIGIBLE STUDENT
TO EXAMINE AND COPY RECORDS**

TO: RECORDS ACCESS OFFICER

I, _____, hereby request that

I be allowed to review and make copies of the following records pertaining to:

myself

my son/daughter _____

Dated: _____

Signature of Parent/Guardian or Eligible Student

(To be kept by the Records Access Officer so as to indicate the date a particular record was requested for the purpose of the 45-day period. If a person refuses to fill out a written request, access cannot be denied. In those cases, the Records Access Officer should complete this form.)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
AUTHORIZATION FOR RELEASE OF RECORDS**

I, _____, hereby authorize
the _____ to release copies
(name of school)
of _____
(list records)
which are part of the records of _____
and to furnish them to _____
for the purpose of _____

Signature

(This form must be signed by the parent/guardian or eligible student prior to the release of personally identifiable student information to a third party at the request of the parent/guardian or eligible student.)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
NOTICE OF COURT ORDER OR SUBPOENA**

Dear Parent/Guardian or Student:

This is to inform you that _____
Name of District

received a Court Order/Subpoena requesting that the following records which are part of your

_____ relationship _____ name

confidential records be presented to _____
name

at _____
time and place

Please be advised that said records will be provided in accordance with the Court Order/Subpoena.

Very truly yours,

(This letter is to be used to notify parents/guardians or eligible students of a Court Order or Subpoena to examine and make copies of personally identifiable student records. It must be sent prior to compliance with the Court Order or Subpoena.)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
NOTIFICATION TO PARENTS/GUARDIANS THAT RECORDS ARE TO BE
TRANSFERRED TO AN EDUCATIONAL INSTITUTION**

Dear Parent/Guardian or Student:

This is to advise you that school records relating to you(r) _____
(relationship and name)

will be transferred to _____.

If you desire, you may see or be given copies of those records to be transferred. They will

38) be available between _____ at
_____.

If you feel the content of those records is incorrect, you have the right to challenge them at
a hearing.

If _____
is not contacted by _____ the District will assume that you
do not want copies of those records and that you do not wish a hearing to object to their content.

Very truly yours,

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
REQUEST TO CONTEST RECORDS**

I _____ hereby request a hearing to challenge the contents of the school record(s) of _____.

My reason for requesting a hearing to challenge the content of these school record(s) is as follows (check as many as apply):

The record(s) contain information that is inaccurate. Explain (be as specific as possible)

The record(s) contain information that is misleading. Explain (be as specific as possible)

The record(s) contain information that is in violation of the privacy or other rights of the student. Explain (be as specific as possible)

It is my understanding that I will be notified within a reasonable time of my request as to the date, time, and place of the hearing.

I also understand that I shall receive a written response by the hearing officer as to the disposition of the hearing within a reasonable time of the hearing.

Signed _____

Date _____

Students

SUBJECT: DISCIPLINE

- 1) All employees must constantly promote an honest and open communication system which involves students, parents/guardians, all other employees, and the community-at large. Such a system can result in a mutual understanding of the rights and responsibilities which belongs to each and a more pleasant and successful climate can be created.

One means by which communication will be enhanced is through each school distributing handbooks for students, parents/guardians and faculty. Such handbooks clearly define the law, Board of Education policy, and administrative regulations as well as provide guidelines for the development of self discipline and the maintenance of order. The content of such handbooks must be consistent throughout the District, yet recognize the need for which such handbooks are intended. All policy and regulations pertaining to discipline and student behavior must be contained therein and distributed and reviewed annually.

- 2) Administrators and faculty must constantly seek to provide alternative educational programs and facilities to respond to the needs of the disruptive student.
- 3) Students must be properly supervised at all times by the proper individual charged with this responsibility, i.e., teacher, bus driver, etc. If at any time it is necessary for the individual to be away from the students, the responsible individual must make proper arrangements to ensure temporary supervision.
- 4) Building administrators are responsible for enforcing the laws, policies and regulations to ensure appropriate student behavior and a conducive educational climate. In turn, the teachers are responsible to maintain appropriate student behavior in their classrooms and throughout their school. Classrooms and schools should be so administered that at all times the objectives of training for self-discipline, individual responsibility and favorable climate for learning might be realized.
- 5) When a discipline problem occurs, the teacher should exhaust all possibilities and resources available to him/her for its solution. Finding this unsuccessful, the teacher needs to seek further assistance through the administration of the school. All parties to the problem, i.e., student, teacher, parents/guardians, administrators, guidance, must be involved as early and as completely as is necessary to resolve it. All problems are to be dealt with in a firm, fair, legal and timely manner.

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

- 6) The building administrator and staff must make every reasonable effort to assist students to adjust properly, using to good advantage their experience and knowledge of child growth and development. Depending on the nature of the case, they may discipline the student directly in relation to the offense; they may call in the parents/guardians for a conference; they may refer the case for the attention of the support personnel; or they may use a combination of these procedures - as well as other resources or techniques - in accordance with their best judgment.
- 7) Administrators, teachers and counselors are to contact and involve the parents/guardians as early as possible in the resolution of a problem. This is of extreme importance, as parents/guardians can exert the most influence on the student in helping him/her adjust to school. Parents/guardians are expected to cooperate with the schools in working toward a solution to the problem.
- 8) Whenever possible, administrators and teachers throughout the District are to adhere to the following for dealing with student misbehavior:
 - a. The teacher must exhaust all resources in dealing with a problem. This means that there must be at least one or more private conferences between the teacher, the student, and the parent(s)/guardian(s), to attempt to resolve the problem. The administrator and/or counselor should be informed of the problem.
 - b. The teacher may consider detaining the student after school for a conference and assistance, and parents/guardians are to be notified. Such detention may be scheduled for the following day from the infraction in order to inform parents/guardians and provide transportation.
 - c. The teacher should refer a student to the administrator and/or counselor for a conference and/or corrective measures. Parents/guardians are to be notified by school authorities and involved in the resolution of the problem.
 - d. The continuation of the student's misbehavior can result in the following:
 - (1) Required parent/guardian conference.
 - (2) Teacher removal from the classroom in accordance with law, Commissioner's Regulations and the *District's Code of Conduct*.

(Continued)

Students

SUBJECT: DISCIPLINE (Cont'd.)

- (3) Placement of student in an alternative program (a program for secondary students who are denied attendance in the regular day school). Parents/guardians must be notified and parent/guardian conference is required.
 - (4) Suspension out of school by building principal for a period of time not to exceed five (5) days. (see letter "e" below).
- e. A student may be suspended:
- (1) Who is insubordinate or disorderly, or violent or disruptive, or whose conduct otherwise endangers the safety, morals, health and welfare of others, OR
 - (2) Whose physical or mental condition endangers the health, safety or morals of himself/herself or of other minors.
 - (3)
 - a. When the Superintendent or the principal (the "suspending authority") proposes to suspend a student for five (5) school days or less, the suspending authority shall provide the student with **notice** of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an **explanation** of the basis for the suspension. When suspension of a student for a period of five (5) school days or less is proposed, administration shall also immediately notify the parent/person in parental relation in writing that the student *may be* suspended from school.
 - b. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of the decision to propose suspension at the last known address or addresses of the parents/persons in parental relation. Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation. The notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person in parental relation of the right to request an immediate informal conference with the principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference shall be in the dominant language or mode of communication used by the parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student's version of the event and to ask questions of the complaining witnesses.

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

- a. The notice and opportunity for informal conference shall take place **prior to** suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.
 - d. Teachers shall immediately report or refer a violent student to the principal or Superintendent for a violation of the *District's Code of Conduct* and a minimum suspension period.
- (4) Suspension out of school by the Superintendent of Schools for a period of time exceeding five (5) school days. Parents/persons in parental relation must be notified, presumably by telephone and registered mail, that prior to the suspension in excess of five (5) school days, the parent/guardian and student shall have the right to a hearing. At such hearing, the student shall have the right to be represented by an attorney, the right to present witnesses and/or other evidence on his/her own behalf, and the right to cross examine witnesses against him/her.
 - (5) When a student has been suspended and is compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.
 - (6) The notice of the hearing must advise the student of the grounds for the charges in specific enough terms to enable him/her to anticipate reasonably the subject content of the proposed hearing and to prepare a defense.
 - (7) The student should be allowed to remain in school prior to the hearing unless his/her presence in school poses a clear danger to his/her physical or emotional safety, to other students, faculty or institutional property, or to the continuation of the learning process.
 - (8) At the hearing, persons having direct knowledge of the facts should be called to testify. Hearsay evidence alone is not sufficient. There must be some direct evidence of guilt of the charges. As in court, the burden of providing guilt rests upon the administrator making the charge, and the student is entitled to a presumption of innocence of wrongdoing unless the contrary is proved. The student may testify in his/her own behalf, and is free to cross-examine witnesses against him/her.

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

- (9) The administrator bringing the charges must furnish the Superintendent of Schools with all records and written report on the facts and charges.
 - (10) Both the Superintendent of Schools and the Board of Education are authorized to appoint a hearing officer to conduct disciplinary hearings. The report of the hearing officer is advisory only, and the Superintendent of Schools or Board of Education may accept or reject all or any part of such report.
 - (11) A record of the hearing shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record.
 - (12) Any decision by the Superintendent of Schools can be appealed to the Board of Education, and from the Board of Education to the Commissioner of Education, or through the courts.
 - (13) If a suspended student is under the compulsory attendance age, the Board of Education must provide alternative instruction for him/her.
- 9) Building administrators and/or the Transportation Director are empowered to suspend bus transportation privileges of students who are disorderly or insubordinate. The parents/guardians in these cases are then responsible for the safe transportation of their children to and from school. (Refer also to Regulation #7340R -- Suspension From Bus Transportation.)
 - 10) Student discipline records are to be maintained by building administrators.
 - 11) The use of the term "corporal punishment" in this regulation shall be defined as any act of physical force upon a student for the purpose of punishing that student. Corporal punishment is prohibited. However, reasonable physical force can be used for any of the following purposes:
 - a. To protect oneself from physical injury;
 - b. To protect another student or teacher or any other person from physical injury;
 - c. To protect the property of the school or of others; or
 - d. To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of School District functions, powers or duties, if that student has refused to comply with a request to refrain from further disruptive acts; provided that alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purposes set forth above.

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

Any use of corporal punishment must be reported both verbally and in writing just as soon as possible to the individual's immediate supervisor. Such report must include all necessary facts leading to the use of corporal punishment as the means of correcting the problem. Any use of corporal punishment or any complaint of such use must be investigated by appropriate personnel of the District and written report submitted to the Superintendent.

- 12) Removal of a student with a disability or a student presumed to have a disability for discipline purposes for longer than ten (10) cumulative school days or as otherwise viewed as a disciplinary change in educational placement in accordance with law and/or regulation cannot take place without appropriate involvement of the District Committee on Special Education.

When a student with a disability or a student presumed to have a disability is referred in writing to the District Committee on Special Education for disciplinary infractions which would result in long term suspension, the referral shall document the infractions and request an immediate District Committee on Special Education meeting.

The District Committee on Special Education meeting will be held within ten (10) business days of commencing a removal that constitutes a change in placement in accordance with federal and state law and/or regulation. The Committee must consider, among other factors:

- a. Whether the student's behavior was related to the disability.
- b. Whether the student's behavior presents a serious danger to himself/herself or others.
- c. Whether the student's classification, placement, and/or program, needs to be changed to better meet the student's needs.

Where the District Committee on Special Education determines that the student's actions are related to his/her disability, the Committee must provide alternate placement and/or program changes. If the District Committee on Special Education determines that the behavior is not related to the disability, disciplinary action will be determined by normal disciplinary procedures.

In all cases, the due process rights pertaining to the placement of a child with a disability and the due process rights pertaining to suspension of a student will be granted to the student and his/her parents/guardians.

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

- 13) Smoking by students in and on school property shall be prohibited. The Board of Education supports a strong anti-smoking program within the school curriculum.
- 14) Board of Education policy, administrative regulations and guidelines are to be given wide dissemination. This is necessary so that all parties involved -- students, parents/guardians, teachers and administrators -- will know what is expected of them.

Early Identification and Resolution of Student Discipline Problems

Pupil service personnel, administrators, teachers, and others should communicate about students when they believe such students present a possible discipline problem. Appropriate personnel will conduct an investigation of the reports and/or communicate, which may include conferences with the student, parents/guardians, teachers, other pupil service personnel or others, as he/she deems appropriate for the early identification and resolution of the suspected problem. If an administrator suspects that the problem may be a manifestation of a disability, he/she will refer the matter to the Committee on Special Education in the manner prescribed by 200.4 of the Commissioner's Regulations and by District policy.

The Superintendent will direct the development of any forms necessary for the implementation of this regulation after consulting with each building principal.

Discipline Code for Students

Students must conduct themselves at all times in the following manner:

- 1) So as not to interfere with the teaching/learning process or the orderly operation of the school;
- 2) So as to obey laws and rules to respect others and the property of others;
- 3) So as to maintain courteous relations with teachers and fellow students;
- 4) So as to assume responsibility for themselves, their conduct and their learning;
- 5) So as to maintain an excellent attendance record to class and school by avoiding unnecessary absence or tardiness;
- 6) So as to make a sincere effort to always perform in the best manner possible.

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

The following list of student misbehaviors, though not intended to be all-inclusive, is cause for disciplinary action by school authorities:

- 1) Possession, use, distribution or sale of drugs on school grounds or at school events;
- 2) Possession, use, or sale of alcohol on school grounds or at school events;
- 3) Disrespectfulness;
- 4) Physical assault on teachers, students or school employees;
- 5) Vandalism;
- 6) Truancy or excessive tardiness;
- 7) Fighting;
- 8) Stealing;
- 9) Disobedience;
- 10) Continual disruptive misbehavior;
- 11) Profane and/or obscene language or actions;
- 12) Storing, possessing or carrying dangerous weapons;
- 13) Endangering another or impugning another's rights;
- 14) Continual unexcused absenteeism;
- 15) Intimidation;
- 16) Extortion;
- 17) Immorality;
- 18) Acts of violence;
- 19) Forgery;
- 20) Arson;
- 21) Continual infractions of school rules;
- 22) Dishonesty;
- 23) Insubordination;
- 24) Smoking.

A student may be suspended from school or subjected to other disciplinary action when the student:

- 1) Engages in conduct which is:
 - a. Disorderly, i.e., intentionally causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, by:
 - (1) Fighting or engaging in violent behavior;
 - (2) Making unreasonable noise;
 - (3) Using abusive or obscene language or gestures;
 - (4) Obstructing vehicular or pedestrian traffic; or

(Continued)

SUBJECT: DISCIPLINE (Cont'd.)

- (5) Creating a hazardous or physically offensive condition by any act which serves no legitimate purpose; or
 - (6) Vandalizing school property or property of others;
 - (7) Stealing.
- b. Insubordinate, i.e., failing to comply with the lawful directions of a teacher, school administrator or other school employee in charge of the student; or
- 2) Endangers the safety, morals, health or welfare of others by any act, including but not limited to:
- *a. Selling, using or possessing alcohol, drugs, or other controlled substances or drug paraphernalia;
 - *b. Selling, using or possessing weapons, fireworks, or other dangerous instruments or contraband;
 - c. Selling, using or possessing obscene materials;
 - d. Using profane, vulgar or abusive language (including ethnic slurs);
 - e. Smoking;
 - f. Gambling;
 - g. Hazing;
 - h. Engaging in lewd behavior, or any behavior unbecoming young adults in a public school, i.e., excessive display of affection; or
- *A violation of this nature is severe enough to automatically warrant a suspension.**
- 3) Engages in any of the following forms of academic misconduct:
- a. Lateness for, missing or leaving school or class without permission or excuse;
 - b. Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion), or
 - c. Plagiarism; or

(Continued)

Students

SUBJECT: DISCIPLINE (Cont'd.)

- 1) Engages in conduct violating the Board's rules and regulations, the *District's Code of Conduct* and local laws for the maintenance of public order on school property; or
- 5) Is identified as "violent or disruptive" in accordance with law, Commissioner's Regulations, and the *District's Code of Conduct*.

The range of disciplinary measures which may be imposed by staff and/or administration for violations of the student disciplinary code include the following:

- 1) Verbal warning;
- 2) Written warning;
- 3) Written notification to parents/guardians;
- 4) Counseling;
- 5) Probation;
- 6) Reprimand;
- 7) Detention;
- 8) Teacher removal from the classroom in accordance with law, Commissioner's Regulations, and the *District's Code of Conduct*;
- 9) In school suspension;
- 10) Suspension from transportation;
- 11) Suspension from athletics participation;
- 12) Suspension from social or extra curricular activities;
- 13) Suspension of other privileges;
- 14) Exclusion from a particular class;
- 15) Involuntary transfer;
- 16) Suspension from school.

Depending upon the nature of the violation, it is the Board's desire that student discipline be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that the staff member/administrator take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

These regulations and penalties 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 or state law or local ordinance and the imposition of a fine or penalty provided for therein.

(Continued)

Kenmore-Town of Tonawanda Union Free School District

Check School:

Student Discipline Referral

Hamilton

Jefferson

Kenmore Middle



<input type="checkbox"/> Edison	<input type="checkbox"/> Franklin El	<input type="checkbox"/>
<input type="checkbox"/> Holmes	<input type="checkbox"/> Hoover El	<input type="checkbox"/>
<input type="checkbox"/> Lindbergh	<input type="checkbox"/> Roosevelt	
<input type="checkbox"/> Franklin Middle	<input type="checkbox"/> Hoover Middle	<input type="checkbox"/>
<input type="checkbox"/> Kenmore East	<input type="checkbox"/> Kenmore West	

Name of student: _____ Grade: _____

Date of Incident: _____ Time of Incident: _____ Location of Incident: _____

Name of Staff Member Making Referral: _____

Infraction

- | | | |
|---|--|---|
| <input type="checkbox"/> Attendance Violation | <input type="checkbox"/> Disruptive Behavior | <input type="checkbox"/> Tobacco/Drug/Alcohol Issue |
| <input type="checkbox"/> Harassment | <input type="checkbox"/> Vandalism | <input type="checkbox"/> Insubordination |
| <input type="checkbox"/> Misrepresentation (written/verbal) | <input type="checkbox"/> Threat to Safety | <input type="checkbox"/> Obscene Language/Gesturing |
| <input type="checkbox"/> Physical Confrontation | <input type="checkbox"/> Theft | <input type="checkbox"/> Other |

Details/Comments: _____

Teacher Interventions

- | | |
|--|--|
| <input type="checkbox"/> Verbal Warning/Conferred with Student | <input type="checkbox"/> Assigned Classroom Detention |
| <input type="checkbox"/> Time Away Room and Follow Up with Student _____ day(s) | <input type="checkbox"/> Consulted with Other Staff Members/Administration |
| <input type="checkbox"/> Consulted with Counselor | <input type="checkbox"/> Referral to Building IST Committee |
| <input type="checkbox"/> Phoned or Conferred with Parent/Guardian
(Date: _____ Time: _____) | <input type="checkbox"/> Mailed Parent Notification Form
(Date: _____) |

Administrative Interventions

- | | |
|--|---|
| <input type="checkbox"/> Directive Given/Conferred with Student | <input type="checkbox"/> Assigned Administrative Detention* |
| <input type="checkbox"/> Phoned or Conferred with Parent/Guardian
(Date: _____ Time: _____) | <input type="checkbox"/> In School Suspension* |
| <input type="checkbox"/> Counselor Referral/Agency Referral | <input type="checkbox"/> Structured Suspension Program* |
| <input type="checkbox"/> Conflict Resolution/Mediation | <input type="checkbox"/> Out of School Suspension* |
| | <input type="checkbox"/> Superintendent's Hearing Requested |

* _____ Date of _____ Detention(s) or _____ Suspension(s)

* _____ Details/Comments/Other _____ Actions

Administrator's Signature: _____ Date: _____

----- ***** For Office Use Only ***** -----

Student's Age _____ UVIR/CODE _____ Category _____

Victim's Name _____ Grade _____ Age _____

Weapons Involved? Yes No (If Yes, specify type) _____
Drug/Alcohol Involved? Yes No
Gang Related Incident? Yes No
Bias Related Incident? Yes No

SUBJECT: DISCIPLINE (Cont'd.)**Student Disciplinary Proceedings**

- 1) Any teacher, administrator, Board member, parent/guardian or other person may report a violation of the student disciplinary code (i.e., *Code of Conduct*) to the building principal or designee. The principal or designee will then make an investigation of the charges as deemed appropriate and institute an informal or disciplinary proceeding, and/or make a referral to the Committee on Special Education, as he/she deems necessary.
- 2) Any teacher may detain a student without first referring the case to a building administrator. The teacher must give the student notice of the reasons for the detainment and an opportunity to discuss these reasons.
- 3) The District's Code of Conduct will be disseminated and publicized to staff, students, parents and the community as enumerated in law, and Commissioner's Regulations. In order to insure the effectiveness of the Code of Conduct, the Board of Education requests the continuing assistance of parents/guardians in explaining and enforcing such Code.

Professional Staff Development Opportunities for Effective Application of the Discipline Policy and Regulations

Continuing professional growth and increasing effectiveness on the part of the entire staff are essential for the success of educational programs and the effective application of the school conduct and discipline policy and regulations. Inservice programs, to familiarize the professional staff with the provisions and purposes of this policy and regulations, shall be conducted in each school of the District by the principal or other appropriate administrator at least annually. The professional staff shall be encouraged to make use of available inservice opportunities. Such opportunities shall include, within budgetary limitations, special inservice courses and workshops, summer study grants, school visitations, and attendance at professional conferences and meetings.

The Superintendent will have the authority to approve released time for conferences and visitations, and reimbursements for expenses, provided such activities are within budget allocations.

NOTE: Refer also to Regulations #7313R -- Guidelines For Student Suspensions and #7313R.1 -- Superintendent's Hearing.

**Kenmore-Town of Tonawanda Union Free School District
Student Discipline Referral**



Check School:

<input type="checkbox"/> Edison	<input type="checkbox"/> Franklin El	<input type="checkbox"/> Hamilton
<input type="checkbox"/> Holmes	<input type="checkbox"/> Hoover El	<input type="checkbox"/> Jefferson
<input type="checkbox"/> Lindbergh	<input type="checkbox"/> Roosevelt	
<input type="checkbox"/> Franklin Middle	<input type="checkbox"/> Hoover Middle	<input type="checkbox"/> Kenmore Middle
<input type="checkbox"/> Kenmore East	<input type="checkbox"/> Kenmore West	

Name of student: _____ Grade: _____

Date of Incident: _____ Time of Incident: _____ Location of Incident: _____

Name of Staff Member Making Referral: _____

Infraction

- | | | |
|---|--|---|
| <input type="checkbox"/> Attendance Violation | <input type="checkbox"/> Disruptive Behavior | <input type="checkbox"/> Tobacco/Drug/Alcohol Issue |
| <input type="checkbox"/> Harassment | <input type="checkbox"/> Vandalism | <input type="checkbox"/> Insubordination |
| <input type="checkbox"/> Misrepresentation (written/verbal) | <input type="checkbox"/> Threat to Safety | <input type="checkbox"/> Obscene Language/Gesturing |
| <input type="checkbox"/> Physical Confrontation | <input type="checkbox"/> Theft | <input type="checkbox"/> Other |

Details/Comments : _____

Teacher Interventions

- | | |
|--|--|
| <input type="checkbox"/> Verbal Warning/Conferred with Student | <input type="checkbox"/> Assigned Classroom Detention |
| <input type="checkbox"/> Time Away Room and Follow Up with Student _____ day(s) | <input type="checkbox"/> Consulted with Other Staff Members/Administration |
| <input type="checkbox"/> Consulted with Counselor | <input type="checkbox"/> Referral to Building IST Committee |
| <input type="checkbox"/> Phoned or Conferred with Parent/Guardian
(Date: _____ Time: _____) | <input type="checkbox"/> Mailed Parent Notification Form
(Date: _____) |

Administrative Interventions

- | | |
|--|---|
| <input type="checkbox"/> Directive Given/Conferred with Student | <input type="checkbox"/> Assigned Administrative Detention* |
| <input type="checkbox"/> Phoned or Conferred with Parent/Guardian
(Date: _____ Time: _____) | <input type="checkbox"/> In School Suspension* |
| <input type="checkbox"/> Counselor Referral/Agency Referral | <input type="checkbox"/> Structured Suspension Program* |
| <input type="checkbox"/> Conflict Resolution/Mediation | <input type="checkbox"/> Out of School Suspension* |
| | <input type="checkbox"/> Superintendent's Hearing Requested |

* Date of Detention(s) or Suspension(s) _____

* Details/Comments/Other Actions _____

Administrator's Signature: _____ Date: _____

-----*** For Office Use Only ***-----

Student's Age _____ UVIR/CODE Category _____

Victim's Name _____ Grade _____ Age _____

- | | | | |
|------------------------|------------------------------|-----------------------------|------------------------------|
| Weapons Involved? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (If Yes, specify type) _____ |
| Drug/Alcohol Involved? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Gang Related Incident? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Bias Related Incident? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |

Students

SUBJECT: GUIDELINES FOR STUDENT SUSPENSIONS

- 1) Keep careful records of all violations of school regulations. This should include names, dates, circumstances, investigation and disposition.
- 2) Utilize support personnel to find ways of helping the student and/or parents/person(s) in parental relation to solve the problem (teachers, guidance, psychologists, social worker, attendance officer, etc.).
- 3) Utilize all school and community agencies which might prove helpful.
- 4) Record all attempts to deal with problems, including conferences with parents/person(s) in parental relation, teacher observations, record of referrals to other personnel and agencies and their reports.
- 5) Teachers shall immediately report or refer a violent student to the principal or Superintendent for a violation of the *District's Code of Conduct* and a minimum suspension period.
- 6) A student may be suspended:
 - a. Who is insubordinate or disorderly, or violent or disruptive, or whose conduct otherwise endangers the safety, morals, health and welfare of others, OR
 - b. Whose physical or mental condition endangers the health, safety or morals of himself/herself or of other minors.
- 7) When the principal has exhausted all available alternatives and resources and feels that the student's continued presence in school would constitute a threat or danger to himself/herself or other students or that the student is "violent and/or disruptive" as defined in accordance with law and Commissioner's Regulations, the matter should also be referred to the Superintendent of Schools.
 - a. A "violent student" is defined in [Education Law Section 3214\(2-a\)](#) as an elementary or secondary student under twenty-one (21) years of age who:
 - (1) Commits an act of violence upon a teacher, administrator or other school employee;
 - (2) Commits, while on School District property, an act of violence upon another student or any other person lawfully upon said property;

Students

SUBJECT: GUIDELINES FOR STUDENT SUSPENSIONS (Cont'd.)

- (3) Possesses, while on School District property, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
- (4) Displays, while on School District property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;
- (5) Threatens, while on School District property, to use any instrument that appears capable of causing physical injury or death;
- (6) Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee or any person lawfully upon School District property; or
- (7) Knowingly and intentionally damages or destroys School District property.

Teachers are required to **immediately** report and refer violent students to the principal or Superintendent for a violation of the *District's Code of Conduct* and a minimum suspension period pursuant to Education Law Section 2801. However, the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law.

- b. A "disruptive student" is defined in Education Law Section 2801 as an elementary or secondary student under twenty-one (21) years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

As further enumerated in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by the teacher(s) pursuant to Education Law and the provisions set forth in the *District's Code of Conduct* on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable.

Pursuant to the *District's Code of Conduct*, a minimum suspension period shall be established for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom. However, the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law.

Students

SUBJECT: GUIDELINES FOR STUDENT SUSPENSIONS (Cont'd.)**Suspension: Five School Days or Less**

- 1) When the Superintendent or the principal (the "suspending authority") proposes to suspend a student for five (5) school days or less, the suspending authority shall provide the student with **notice** of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an **explanation** of the basis for the suspension. When suspension of a student for a period of five (5) school days or less is proposed, administration shall also immediately notify the parent/person in parental relation in writing that the student *may be* suspended from school.
- 2) Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of the decision to propose suspension at the last known address or addresses of the parents/persons in parental relation.

Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

- 3) Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference shall be in the dominant language or mode of communication used by the parent/person in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student's version of the event and to ask questions of the complaining witnesses.
- 4) The notice and opportunity for informal conference shall take place **prior to** suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.
- 5) For suspensions of five (5) school days or less, a parent/person in parental relation wishing to appeal the suspension of such student by the principal must file a written appeal to the Superintendent, if necessary, prior to commencing an appeal to the Commissioner of Education.

Students

SUBJECT: GUIDELINES FOR STUDENT SUSPENSIONS (Cont'd.)**Suspension: More than Five School Days**

- 1) When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.
- 2) The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her.
- 3) A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.
- 4) An appeal of the decision of the superintendent may be made to the board of education that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

Procedure after Suspension

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

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Students

SUBJECT: GUIDELINES FOR STUDENT SUSPENSIONS (Cont'd.)

When a student has been suspended, the suspension may be revoked by the Board of Education whenever it appears to be for the best interest of the school and the student to do so. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

Adopted: April 9, 2013

Students

SUBJECT: SUPERINTENDENT'S HEARING

A student may not be suspended for a period in excess of five school days unless he/she and the person in parental relation to him/her shall have had an opportunity for a Superintendent's Hearing at which the student shall have the right to be represented by an attorney, the right to present witnesses and other evidence on his/her own behalf and the right to cross-examine witnesses against him/her. The notice of the hearing should advise the student of the grounds for the charges in specific enough terms to enable him/her to anticipate reasonably the subject content of the proposed hearing and to prepare a defense.

The student may bring a parent/guardian or person in parental relationship with him/her to the hearing, and both the student and the person invoking the hearing procedure may be represented by counsel. An interpreter should be available, if needed.

At the hearing, persons having direct knowledge of the facts should be called to testify. Hearsay evidence may be admitted but alone is not sufficient, notwithstanding the administrative nature of the proceeding. There must be some direct evidence of guilt of the charges. The burden of proving guilt rests upon the person making the charge, and the student is entitled to a presumption of innocence of wrongdoing unless the contrary is proved. The student may testify in his/her own behalf and is free to cross-examine witnesses against him/her.

Both the Superintendent of Schools and the Board of Education are authorized to appoint a hearing officer to conduct student disciplinary hearings. The report of the hearing officer is advisory only, and the Superintendent of Schools or Board may accept or reject all or any part of such report.

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes. Although the alternative instruction need not match in every respect the instructional program previously offered to the student, it must be adequate enough so that the student may complete his/her course work.

In the case of a potential long term suspension of a student classified as having a disability, a referral to the District Committee on Special Education will be made to determine if the behavior giving rise to the suspension is directly related to the disability.

SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES**Program Implementation**

The School District recognizes that effective use of technology is important to our students and will be essential to them as adults. Consequently, the School System will provide access to various computerized information resources through the District's computer system (DCS hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so called "on-line services" and "Internet." The District shall provide personnel support for such usage.

The DCS is for educational and/or research use only and must be consistent with the goals and purposes of the School District. The standards of acceptable use as well as prohibited conduct by students accessing the DCS, as outlined in District policy and regulation, are not intended to be all-inclusive. Students are responsible for good behavior on school computer networks just as they are in a classroom or a school hallway. In addition to the specific standards of student conduct delineated in this regulation, the general requirements of acceptable student behavior expected under the District's school conduct and discipline policy and the Student Discipline Code of Conduct also apply to student access to the DCS. Communications on the network are often public in nature. General school rules for behavior and communications apply.

Legal and ethical implications of software use will be taught to students of all levels where there is such software use. In addition, the building principal or his/her designee and/or classroom teacher will be responsible for informing District students of rules and regulations governing student access to the DCS.

In order to match electronic resources as closely as possible to the approved District curriculum, District personnel will review and evaluate resources in order to offer "home pages" and menus of materials which comply with Board guidelines governing the selection of instructional materials. In this manner, staff will provide developmentally appropriate guides to students as they make use of telecommunications and electronic information resources to conduct research and other studies related to the District curriculum. As much as possible, access to the District's computerized information resources will be designed in ways which point students to those which have been reviewed and evaluated prior to use. While students may be able to move beyond those resources to others which have not been evaluated by staff, students shall be provided with guidelines and lists of resources particularly suited to the learning objectives.

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

Authorization

Students will not be permitted to use the DCS without specific authorization from the appropriate administrator and/or instructor. Furthermore, only those students who have signed an agreement form and provided written permission from parents/guardians may access the DCS, including potential student access to external computer networks not controlled by the School District. (Refer to Forms #7314F and #7314F.1.) Permission is not transferable and may not be shared. All required forms must be kept on file in the District Office.

Standards of Conduct Governing Student Access to the DCS

Inappropriate use of the DCS may result in disciplinary action, including suspension or cancellation of access. Prior to suspension or revocation of access to the DCS, students will be afforded applicable due process rights. Each student who is granted access will be responsible for that usage. The DCS is provided for students in support of their educational program and to conduct research and communicate with others. Student access to external computer networks not controlled by the District is provided to students who act in a considerate and responsible manner. Individual users of the District's computerized information resources are responsible for their behavior and communications over the District computer network. It is presumed that users will comply with District standards and will honor the agreements they have signed.

A student is responsible for keeping a log of all contacts made on the District's computer network. The full Internet address of each correspondence on the network must be included in this log. A count of all mail received must be included in this log. The District computer coordinator or his/her designee will be responsible for placing a log book near each computer capable of accessing the network.

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

During school, teachers will guide students toward appropriate materials. Outside of school, parents/guardians bear responsibility for such guidance as they do with information sources such as television, telephones, movies, radio and other potentially offensive/controversial media.

Students

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

Use of the DCS which violates any aspect of School District policy; the Student Discipline Code of Conduct; and federal, state or local laws or regulations is strictly prohibited and may result in disciplinary action in compliance with applicable District guidelines and/or federal, state and local law including, but not limited to, suspension and/or revocation of access to the DCS. In addition to the District's general requirements governing student behavior, the following specific activities shall be prohibited by student users of the DCS.

- 1) Using the DCS to obtain, view, download, send, print, display or otherwise gain access to or to transmit materials that are unlawful, obscene, pornographic or abusive.
- 2) Use of obscene or vulgar language.
- 3) Harassing, insulting or attacking others.
- 4) Damaging, disabling or otherwise interfering with the operation of computers, computer systems, software or related equipment through physical action or by electronic means.
- 5) Using unauthorized software on the DCS.
- 6) Changing, copying, renaming, deleting, reading or otherwise accessing files or software not created by the student without express permission from the computer coordinator.
- 7) Violating copyright law.
- 8) Employing the DCS for commercial purposes, product advertisement or political lobbying.
- 9) Disclosing an individual password to others or using others' passwords.
- 10) Transmitting material, information or software in violation of any District policy or regulation, the school behavior code, and/or federal, state and local law or regulation.
- 11) Revealing personal information about oneself or of other students including, but not limited to, disclosure of home address and/or telephone number.

Network accounts are to be used only by the authorized owner of the account. Any user of the DCS that accesses another network or computer resources shall be subject to that networks acceptable use policy.

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

If a student or a student's parent/guardian has a District network account, a non-District network account, or any other account or program which will enable direct or indirect access to a District computer, any access to the DCS in violation of District policy and/or regulation may result in student discipline. Indirect access to a District computer shall mean using a non-District computer in a manner which results in the user gaining access to a District computer, including access to any and all information, records or other material contained or stored in a District computer.

Sanctions

- 1) Violations may result in suspension and/or revocation of student access to the DCS as determined in accordance with appropriate due process procedures.
- 2) Additional disciplinary action may be determined at the building level in accordance with existing practices and procedures regarding inappropriate language or behavior, as well as federal, state and local law.
- 3) When applicable, law enforcement agencies may be involved.

Security

Security on any computer system is a high priority, especially when the system involves many users. Users of the DCS identifying a security problem on the District's system must notify the teacher in charge. A student is not to demonstrate the problem to other users. Attempts to log on to the DCS as a computer coordinator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the DCS. Further, any violations regarding the use and application of the DCS shall be reported by the student to the teacher in charge.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
AGREEMENT FOR STUDENT USE OF DISTRICT
COMPUTERIZED INFORMATION RESOURCES**

In consideration for the use of the School District's Computer System (DCS), I agree that I have been provided with a copy of the District's policy on student use of computerized information resources and the regulations established in connection with that policy. I agree to adhere to the policy and the regulations and to any changes or additions later adopted by the District. I also agree to adhere to related policies published in the Student Handbook.

I understand that failure to comply with these policies and regulations may result in the loss of my access to the DCS. Prior to suspension or revocation of access to the DCS, students will be afforded applicable due process rights. Such violation of District policy and regulations may also result in the imposition of discipline under the District's school conduct and discipline policy and the Student Discipline Code of Conduct. I further understand that the District reserves the right to pursue legal action against me if I willfully, maliciously or unlawfully damage or destroy property of the District. Further, the District may bring suit in civil court pursuant to General Obligations Law Section 3-112 against my parents or guardians if I willfully, maliciously or unlawfully damage or destroy District property.

(Blank lines for items of student information)

Student Signature

Date

School Building

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
PARENTAL/GUARDIAN CONSENT**

I am the parent/guardian of _____,
the minor student who has signed the District's agreement for student use of computerized information resources. I have been provided with a copy and I have read the District's policy and regulations concerning use of the DCS.

I also acknowledge receiving notice that, unlike most traditional instructional or library media materials, the DCS will potentially allow my son/daughter student access to external computer networks not controlled by the School District. I understand that some of the materials available through these external computer networks may be inappropriate and objectionable; however, I acknowledge that it is impossible for the District to screen or review all of the available materials. I accept responsibility to set and convey standards for appropriate and acceptable use to my son/daughter when using the DCS or any other electronic media or communications.

I agree to release the School District, the Board of Education, its agents and employees from any and all claims of any nature arising from my son/daughter's use of the DCS in any manner whatsoever.

I agree that my son/daughter may have access to the DCS and I agree that this may include remote access from our home.

Parent/Guardian Signature

Date

SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES (STUDENTS)

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol, tobacco, drugs, and other substances:

- 1) While the District can and must assume a leadership role in alcohol, tobacco, drugs, and other substance use/abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents/guardians, students, staff, and the community as a whole.
- 2) Alcohol, tobacco, drugs, and other substance use/abuse is preventable and treatable.
- 3) Alcohol, tobacco, drugs, and other substance use/abuse inhibits the District from carrying out its central mission of educating students.
- 4) The behavior of the Board of Education, the administration, and all school staff should model the behavior asked of students.

Primary Prevention

The intent of primary prevention education is to provide information to prevent the onset of alcohol, tobacco, drugs, and other substance use by students. The components of this education shall include:

- 1) A sequential K through 12 prevention curriculum that provides for:
 - a. Helping students develop a positive self-concept.
 - b. Accurate and age-appropriate information about alcohol, tobacco, drugs, and other substances, including the physical, psychological, and social consequences of their use/abuse.
 - c. Information about the relationship of alcohol, drugs, and other substance use/abuse to other health-compromising behaviors such as AIDS, teenage pregnancy, eating disorders, child abuse, suicide, and dropping out of school.
 - d. Helping students develop appropriate life skills to resist the use of alcohol, tobacco, drugs, and other substances and to promote healthy life styles.
 - e. Helping students identify personal risk factors for alcohol, tobacco, drugs, and other substance use/abuse and the steps needed for risk reduction.

(Continued)

Students

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

- f. Helping students identify when they are under stress and how to manage or reduce stress through non-chemical means.
- 2) Educating parents and guardians to use the information and skills necessary to reinforce the components of Board policy and administrative regulations in the home and community.
- 3) Community education about the issues of alcohol, tobacco, drugs, and other substance use/abuse as a basis for providing a consistent message to District youth.
- 4) Positive alternatives to alcohol, tobacco, drugs, and other substance use/abuse, such as peer leadership programs, service projects, and recreational and extra-curricular activities. Such activities will be planned collaboratively with students, parents/guardians, community members, and agencies.

Intervention

The intent of intervention programs is to eliminate any existing use/abuse of alcohol, tobacco, drugs, and other substances, and to identify and provide supportive services to grades K through 12 students at high risk for such use/abuse. The components of such programs shall include:

- 1) Providing alcohol, tobacco, drugs, and other substance use/abuse assessment, cessation counseling and referral 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, tobacco, drugs, and/or other substances requires counseling and/or treatment.
- 4) Providing 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, and family counseling targeted at students at high risk for alcohol, tobacco, drugs, and/or other substance use/abuse.
- 6) Educating parents/guardians on when and how to access the District's intervention services.
- 7) Confidentiality.

(Continued)

Students

**SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES (STUDENTS)
(Cont'd.)****Disciplinary Measures**

Disciplinary measures for students found to have used or to be using, in possession of, selling, or distributing alcohol, tobacco, drugs, and/or other substances and for students possessing drug paraphernalia are outlined in the District's Code of Conduct.

Students who are disciplined for any of these infractions will be referred to the intervention services established by Board policy and administrative regulations.

Staff Development

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

- 1) For all staff:
 - a. Awareness of personal risk factors for alcohol, tobacco, drugs, and other substance use/abuse so that they may identify personal use/abuse problems and seek assistance,
 - b. Their role in implementing this Board policy and administrative regulations which includes how to identify students who exhibit high risk behaviors or who are using/abusing alcohol, tobacco, drugs, and other substances, and
 - c. Referral of students to the appropriate services established by this Board policy and administrative regulations.
- 2) Additionally for teachers: the knowledge and skills necessary to implement the District's K through 12 alcohol, tobacco, drugs, 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.

Students

SUBJECT: SEARCHES AND INTERROGATIONS OF STUDENTS BY SCHOOL OFFICIALS

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband/prohibited items seized on school grounds or in a school building by an authorized School District official (as designated below) only when the School District official has reasonable suspicion to believe the student has engaged in or is engaging in proscribed activity which is in violation of the law and/or the rules of the school (i.e., the District Code of Conduct).

Determination of Reasonable Suspicion

The reasonableness of any search involves a twofold inquiry:

- 1) Whether the action was justified at its inception, i.e., did the school official have reasonable grounds for suspecting the search will turn up evidence that a student has violated or is violating either the law or the rules of the school; and
- 2) Whether the search as actually conducted was reasonably related in scope to the circumstances which justified the interference in the first place, i.e., the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

To carry out this Regulation, the School District retains the right to examine its property at any time. In addition, school officials may search students and search and/or seize student property upon reasonable grounds for suspecting that the search will reveal evidence of a violation of law or a school rule. In evaluating the reasonable grounds for a search, designated school officials should consider the reliability of the information received, the availability of corroborating evidence, the severity of the suspected infraction, and the intrusiveness of the searched to be carried out.

Factors to Consider

The reasonableness of any search depends upon the particular facts of each case and a determination as to whether the scope of the search is justified in relation to the circumstances that motivated the search.

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

- 1) The age of the student;
- 2) The student's school record and past history;

SUBJECT: SEARCHES AND INTERROGATIONS OF STUDENTS BY SCHOOL OFFICIALS (Cont'd.)

- 3) The predominance and seriousness of the problem in the school where the search is directed;
- 4) The probative value and reliability of the information used as a justification for the search;
- 5) The school official's prior knowledge of and experience with the student; and
- 6) The urgency to conduct the search without delay.

Designated School Officials and Scope of Search

The Superintendent, Building Principals, Assistant Principals, School Nurse, and designated teachers are authorized to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will produce evidence that the student has violated or is violating the law and/or the Code of Conduct.

Designated school officials, whenever possible, will seek the least intrusive means to conduct a search to safeguard the privacy interests of students in their person and property.

Prior to searching a student or the student's possessions, the student shall first be given the chance to admit that he or she possesses evidence that they violated the law or the Code of Conduct, or to voluntarily consent to the search. Coercion, either express or implied, such as threatening to contact parents or police, invalidates apparent consent. Searches will be limited to the extent necessary to locate the evidence sought.

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

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Searches will be conducted by a staff member of the same sex as the student. Whenever possible, another staff member, also of the same sex, will be present as a witness.

Random causeless searches are not permitted and school officials shall clearly document the need for any generalized search (e.g., a general locker search) based on a higher level of suspicion than if seeking to search an individual locker.

SUBJECT: SEARCHES AND INTERROGATIONS OF STUDENTS BY SCHOOL OFFICIALS (Cont'd.)

Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. Strip searches are intrusive in nature and are not permissible. If school authorities believe there is an emergency situation that could threaten the safety of others, the student shall, to the extent practicable, be isolated and secured. Police and parents will be contacted immediately.

Searches and Seizure of School Property

Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent.

Parent Notification

The student's parent or guardian shall be notified if any illegal, prohibited, or dangerous articles or materials are found in the student's locker, vehicle, or other property or possessions, or on the student's person, as a result of a search conducted in accordance with this Regulation.

Documentation of Searches

The designated school official conducting the search shall be responsible for the custody, control and disposition of any illegal, prohibited or dangerous items taken from the student. The school official or his/her designee shall clearly label each item taken from the student and retain control of the item(s) until the item(s) is turned over to the police or secured by alternate means.

This school official shall also be responsible for promptly documenting information about the search including, but not limited to, the reasons for the search, the purpose of the search, the type and scope of the search, and the results of the search.

Questioning of Students by School Officials

School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of

SUBJECT: SEARCHES AND INTERROGATIONS OF STUDENTS BY SCHOOL OFFICIALS (Cont'd.)

misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.

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

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

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

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

Dissemination of Information

Copies of this Regulation will be distributed to students when they enroll in school, and will be included in the District Code of Conduct available to students and parents at the beginning of each school year.

SUBJECT: SUSPENSION FROM BUS TRANSPORTATION

The School District provides transportation to students in grades kindergarten through twelve within the guidelines established in Board of Education Policy. Every student eligible for transportation is entitled to be safely transported to and from school on a daily basis. At the same time, each student is expected to abide by the rules and regulations for appropriate school bus conduct.

In accordance with the responsibility of the Board of Education to maintain order and discipline and to assure student safety, the following regulations regarding suspension of students being transported by the District shall be followed.

Bus Drivers

Bus drivers have the responsibility to maintain reasonable behavior of students while riding school buses. However, school bus drivers may not suspend students from bus transportation. If a student engages in disorderly or insubordinate conduct while on a school bus, the driver shall refer the student to the child's school principal for appropriate action using a form developed for this purpose (Form #7340F).

Disciplinary Action

Upon receipt of a transportation disciplinary referral, the principal will promptly notify the student's parent(s)/guardian(s) by forwarding a copy of the referral form.

Before a student can be disciplined for acts of misconduct committed while on a school bus, there must be a reasonable degree of certainty that the student was the perpetrator of, or was otherwise involved in, such conduct. The principal will base his/her determination upon interviews with the student and any eyewitnesses involved, including other students, teachers, bus drivers, and/or transportation officials.

The principal may impose an appropriate disciplinary measure proportionate to the offense, including but not limited to:

- 1) Verbal and/or written warning of the potential for suspension of transportation privileges if the student misbehaves on the bus again;
- 2) Detention;
- 3) In-school suspension;
- 4) Short or long term suspension from transportation privileges, in accordance with due process procedures as outlined below.

Students

SUBJECT: SUSPENSION FROM BUS TRANSPORTATION (Cont'd.)

The particular disciplinary measure that will be imposed (including the length of any suspension from transportation privileges) shall be based upon consideration of the nature of the particular misconduct, the degree of potential harm to other students, the number of times a student has been previously determined to have misbehaved on a school bus, or any other factors deemed applicable by the principal. While these disciplinary measures are intended to provide for a range of sanctions of increasing severity, the principal reserves the authority to impose a long term suspension from transportation privileges (rather than a lesser penalty such as a warning) for "first time" offenders in cases of extremely dangerous conduct.

Due Process Procedures

Only the Board of Education, the Superintendent, or his/her designee has the authority to suspend the transportation privileges of students who are disorderly or insubordinate. In accordance with District policy, the school principal has been delegated the authority to suspend students from bus transportation.

No student shall be suspended from riding the bus, for any period of time, until the principal has:

- 1) Prior to the imposition of the suspension, granted to the student and the parent(s)/guardian(s) an opportunity for an informal conference to discuss the factual situation underlying the threatened suspension, and
- 2) Provided the student and the parent(s)/guardian(s) adequate notice of such conference.

The decision of the principal with regard to any disciplinary action imposed may be appealed to the Superintendent of Schools. The decision of the Superintendent may be appealed to the Board of Education.

If a student with a disability, who receives transportation as a related service as part of his/her Individualized Education Program or Section 504/ADA Accommodation Plan, is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student shall be referred to the Committee on Special Education or Section 504 Team, whichever is applicable.

Alternate Arrangements

39) Generally, parent(s)/guardian(s) will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, the effect of a suspension from transportation on the student's ability to attend school will be considered. If a suspension from transportation effectively results in a suspension from attendance because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District shall make appropriate arrangements to provide for the student's education.

Students

SUBJECT: BUS RULES AND REGULATIONSResponsibilityAction

Bus Driver

- 1) a. Warns student regarding unacceptable bus behavior.
- b. Discusses the situation with the student and reviews consequences of behavior.
- c. May communicate with the parents/guardians of the student.
- d. May complete a School Bus Incident Referral Form (#7340F) detailing specific violations of rules. Submits form to respective principal.

Student

- 2) a. Behavior on the bus improves and the problem is resolved.

OR

- b. Further report of violations of bus rider regulations is necessary.

Building Principal/Designee 3)

- a. Upon receipt of transportation disciplinary referral, notifies student's parents/guardians by forwarding copy of the referral form.
 - b. Investigates misconduct.
 - c. Imposes appropriate disciplinary measure proportionate to offense.
- (1) May make the decision to suspend bus riding privilege for prescribed length of time; prior to imposition of suspension grants student and parents/guardians opportunity for informal conference to discuss the factual situation underlying the threatened suspension; provides adequate notice of such conference.

OR

(Continued)

Students

SUBJECT: BUS RULES AND REGULATIONS (Cont'd.)Responsibility

Building Principal/Designee (Cont'd.)

Action

(2) After meeting with the parents/guardians and student, and/or the bus driver (if necessary) decides that the problem is resolved and receives assurances that regulations will be observed.

- d. Keeps a written record of all bus disciplinary cases which he/she handles.
- e. Other actions as may be deemed appropriate.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
SCHOOL BUS INCIDENT REFERRAL FORM**

Date _____

Student's Name _____ Student's School _____

Grade _____ Teacher _____ Bus No. _____

Date of Incident _____ Time of Incident _____

Driver Explanation of Problem _____

Signature of Driver

Student Conference with Principal _____

ACTION TAKEN

- | | |
|---|---|
| <input type="checkbox"/> Warning to student | <input type="checkbox"/> Detention for _____ days |
| <input type="checkbox"/> Conference with driver and student | <input type="checkbox"/> Bus clean up |
| <input type="checkbox"/> Telephone call to parent/guardian | <input type="checkbox"/> In-school suspension |
| <input type="checkbox"/> Conference with parent/guardian | <input type="checkbox"/> Referral to Committee on Special
Education/Section 504 Team |
| <input type="checkbox"/> Suspension from bus for _____ days | |

Date of Notice of Informal Conference to Parents/Guardians

Date of Informal Conference with Student/Parents/Guardians _____

Principal's Comments _____

Other _____

Signature of Principal

Date

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
BUS ACCIDENT: PARENT/GUARDIAN NOTIFICATION FORM**

Name of Student _____

School _____ Grade _____

Date of Accident: _____ Time of Accident: _____

Description of Accident: _____

Nature and Extent of Injury: _____

Was First Aid Rendered? Yes _____ No _____

Statement of Nurse/School Physician _____

Statement of Student _____

Dear Parent/Guardian:

Please contact _____ at _____ if you
Principal Telephone Number

have any further questions concerning your child's bus accident or any injury your child may have sustained. It is imperative that you return this form within two (2) days indicating your awareness of the accident.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
BUS ACCIDENT: PARENT/GUARDIAN ACKNOWLEDGEMENT FORM**

Please detach and return within two (2) days

Name of Student _____

School _____ Grade _____

Date of Accident: _____

I have reviewed the information regarding the accident involving my child and am fully aware of the nature of the bus accident.

Signature of Parent/Guardian

Date

2003

7350R

Students

SUBJECT: PHYSICAL FORCE/CORPORAL PUNISHMENT

Building principals are to file a written report (using Form #7350F) to the Superintendent of any incident of an employee using physical force or corporal punishment within 5 days of knowledge of the incident.

In addition, the Superintendent should be advised verbally of the incident as soon as possible after the occurrence.

After consultation with the principal and, if necessary, the employee, parent/guardian and/or student, the Superintendent will determine if action toward the employee is appropriate.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
USE OF PHYSICAL FORCE/CORPORAL PUNISHMENT REPORT FORM**

PART I: Please complete and return to the Superintendent of Schools.

- 1) Employee administering physical force/corporal punishment (circle one)

- 2) Name of student _____

- 3) Student's grade level _____

- 4) Briefly describe the incident _____

- 5) Why did the employee use physical force or corporal punishment? _____

- 6) What complaint was filed by the parents/guardians, if any? _____

- 7) Were there other actions that resulted from the complaint? _____

- 8) Signature of building principal _____

Date _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
USE OF PHYSICAL FORCE/CORPORAL PUNISHMENT REPORT FORM (Cont'd.)**

PART II (Completed by Superintendent)

1) If a Superintendent conference was held, what was the outcome? _____

2) Other recommendations or steps taken: _____

3) Signature of Superintendent _____

Date _____

Reported to SED Date _____

The University of the State of New York
THE STATE EDUCATION DEPARTMENT

Comprehensive Health and Pupil Services Team
Albany, New York 12234

**SEMI-ANNUAL REPORT OF INCIDENTS OF COMPLAINTS
ABOUT THE USE OF CORPORAL PUNISHMENT**

Please provide the information requested on this form and return it no later than

40) _____ to the Comprehensive Health and Pupil Services Team.

1) School District/BOCES: _____

4. On the reverse side of this form, please set forth the substance of each complaint about the use of corporal punishment received by your District/BOCES during the reporting period of _____ to _____.

[] Check box if there were no complaints received concerning corporal punishment in this reporting period.

Date ____/____/____

Superintendent's Signature

PLEASE NOTE:

41) FAX COPY IS NOT ACCEPTABLE, FORM WITH ORIGINAL SIGNATURE IS REQUIRED.

SEMI-ANNUAL REPORT OF INCIDENTS OF COMPLAINTS
ABOUT THE USE OF CORPORAL PUNISHMENT

In the space below, provide a summary of each complaint about the use of corporal punishment by personnel in this District or BOCES. This form may be reproduced if additional sheets are needed.

Reporting period: From _____ to _____

COMPLAINT NO. AND DATE	SUBSTANCE OF COMPLAINT	RESULT OF INVESTIGATION	ACTION TAKEN, IF ANY

Students

SUBJECT: REGULATIONS REGARDING GUN-FREE SCHOOLS

In accordance with the Gun-Free Schools Act of 1994 and Kenmore-Town of Tonawanda Union Free School District policy, any student found guilty of bringing or possessing a firearm, as defined in federal law, on school premises, after a hearing has been provided under Education Law Section 3214, will be suspended from school for a period of not less than one year, unless the Superintendent imposes a lesser penalty on a case-by-case basis.

In addition, any student who brings or possesses a firearm, as defined in federal law, on school property will be referred by the Superintendent to the appropriate agency or authority for a juvenile delinquency proceeding in accordance with Article 3 of the Family Court Act when the student is under the age of sixteen (16) except for a student fourteen (14) or fifteen (15) years of age who qualifies for juvenile offender status under the Criminal Procedure Law, and will be referred by the Superintendent to the appropriate law enforcement officials when the student is sixteen (16) years of age or older or when the student is fourteen (14) or fifteen (15) years of age and qualifies for juvenile offender status under the Criminal Procedure Law.

To implement the terms of District policy and the Gun-Free Schools Act of 1994, the following regulations shall apply:

- 1) In reviewing the one-year suspension, the Superintendent may modify the penalty based on factors set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law. Those factors may include, but are not limited to, the following:
 - a. The age of the student;
 - b. The student's grade in school;
 - c. The student's prior disciplinary record;
 - d. A decision that other forms of discipline may be more effective for this particular student;
 - e. Any other extenuating circumstances.
- 2) A student with a disability who is determined to have brought a firearm to school or possessed a firearm at school may be placed in an interim alternative educational setting, in accordance with state law, for not more than forty-five (45) calendar days. If the parent or guardian requests an impartial hearing, the student must remain in the interim alternative placement until the completion of all proceedings, unless the parent or guardian and District can agree on a different placement.

Students

SUBJECT: REGULATIONS REGARDING GUN-FREE SCHOOLS (Cont'd.)

- 3) A student with a disability may be given a long term suspension pursuant to the GFSA only if a group of persons knowledgeable about the student, as defined in federal regulations implementing the IDEA, determines that the bringing of a firearm to school or possessing a firearm at school was not a manifestation of the student's disability. Such long term suspension may only be imposed in accordance with applicable procedural safeguards. During the period of disciplinary exclusion from school, the student with a disability must continue to be provided a program of appropriate educational services that is individually designed to meet his/her unique learning needs.
- 4) If it is determined that the student's bringing of a firearm to school or possessing a firearm at school was a manifestation of the student's disability, the Superintendent must exercise his/her authority under the Gun-Free Schools Act to modify the long term suspension requirement, and determine that the student may not be given a long term suspension for the behavior. The Committee on Special Education may review the student's current educational placement and initiate change in placement proceedings, if appropriate, subject to applicable procedural safeguards.
- 5) If the parent/guardian of a child with a disability disagrees with the ultimate determination of the CSE concerning the student's placement, in accordance with Part 200 of the Commissioner's Regulations the parent/guardian shall have the right to request an impartial hearing.
- 6) In addition to the obligation under the IDEA to provide educational services to students with disabilities who are suspended pursuant to the Gun-Free Schools Act, the District will provide appropriate alternate instruction to non-disabled students of compulsory school age during the period of the student's suspension.

Students

SUBJECT: CHAPERONE GUIDELINES

The purpose of a chaperone is to keep order and see to the safety and conduct of those students involved in the event. Chaperones for all activities shall be recommended in advance to the building principal by the sponsoring advisor.

- 1) Chaperones shall follow the direction of the teacher(s)/advisor(s).
- 2) Chaperones shall be responsible for the safety and assistance of those students who are assigned to their charge and will be aware of their whereabouts at all times.
- 3) Chaperones will immediately advise the teacher in charge of the activity of any intervening circumstances which would prevent a student from being transported back to the District. Arrangements will then be made for a representative of the District to remain with the student until the student has been delivered to his/her parent or legal guardian.
- 4) Chaperones shall attend to the needs of students outside of their supervision assignment only in the event of an emergency, or if asked to do so by the teacher(s)/advisor(s). Emergencies are defined as those situations that involve potential and/or certain threat to a student's safety.
- 5) Chaperones shall at no time use corporal punishment to correct a student's behavior.
- 6) Chaperones shall model appropriate verbal and physical conduct (as measured by the school's standards) while serving as a chaperone and while present on school premises or at school activities.

SUBJECT: EXTRACURRICULAR ACTIVITIES GUIDELINES**Philosophy**

Education involves more than that which is learned from a book in a classroom. Interacting and working with others is as much a part of the learning process as is the classroom-related activities.

Goals of the Program

- a. To realize and learn the importance of working as a team for common good.
- b. To learn responsibility in the knowledge that effort will be keyed to the realization of a desired reward.
- c. To learn the responsibilities and procedures involved in effectively operating a group organization.

Eligibility for Participation in Class Activities

Specific members of a class/club organization may be denied participation in class activities by the principal on the basis of not paying class/club dues and/or not participating in organization fund raising activities. It is expected that all class/club organization members provide the necessary effort and time to support the needs and goals of their respective organization.

Election of Class/Club Officers

Each class/club organization will elect annually the following officers:

- 1) President
- 2) Vice President
- 3) Secretary
- 4) Treasurer

This election is to take place within two (2) school weeks from the time an advisor is elected. A list of the officers and advisor is to be submitted to the principal within three (3) school days of the respective class/club election.

(Continued)

SUBJECT: EXTRACURRICULAR ACTIVITIES GUIDELINES (Cont'd.)**Duties and Responsibilities of Class/Club Officers**

The following is a listing of the duties and responsibilities of a class/club officer:

- 1) President
 - a. To call meetings of the class/club organization.
 - b. To conduct meetings of the class/club organization.
 - c. To provide leadership in all class/club activities.
 - d. To plan and organize class/club activities in consultation with the class/club advisor.
- 2) Vice President

To assume all duties of the President in the event of his/her absence.
- 3) Secretary
 - a. To receive and appropriately distribute correspondence directed to the class/club organization.
 - b. To be responsible for preparing written correspondence and mail and/or distribute, as directed by President or class advisor.
 - c. To maintain all class/club records regarding membership, dues, planning, etc.
- 4) Treasurer
 - a. To be responsible for maintaining all financial records for the class/club organization with consultation from the class advisor and central treasurer.
 - b. To be responsible for following all extracurricular accounting procedures as specified.

Duties and Responsibilities of Class/Club Advisor

The following is a listing of the duties and responsibilities of a class/club advisor:

- 1) To provide direct supervision of student members at all times during class/club activities.
- 2) To provide student members with advice, consultation and leadership in class/club organization procedures and activities.
- 3) To provide student members with advice, consultation and leadership regarding class/club organization financial and fund raising procedures.
- 4) To be responsible for and provide supervision in regard to safeguarding all funds and monies associated with the respective class/club organization.

(Continued)

SUBJECT: EXTRACURRICULAR ACTIVITIES GUIDELINES (Cont'd.)**Application for Approval of Building Use**

It will be the responsibility of the principal to approve all class/club activities. The class/club advisor and/or class/club president will be responsible for obtaining and filling out a Use of Facilities Request Form (#3280F). This form must be signed by both the president of the organization and the respective advisor. The completed Use of Facilities Request Form must be submitted to the principal at least one week in advance of the activity being requested.

Student Activity Calendar

The Activity Calendar is posted in the Superintendent's, High School/Middle School and Elementary Offices. All class/club activities must be listed on this calendar, following approval. The first organization to have an activity listed on the activities calendar will have secured that date and time.

Student Supervision of Class/Club Activities

It is the responsibility of the respective class and/or club advisor to provide proper supervision of his/her members at all times. The following is a list of specific areas requiring definite supervision:

- 1) Direct supervision of members when being transported to and from activities/events on a school bus. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, a representative of the School District shall remain with the student until such student's parent or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical; and the student has been delivered to his/her parent or legal guardian.
- 2) Direct supervision of members at all class and/or club activities. The advisor must be physically present at these activities.
- 3) Members are not to be allowed in the school building at any time without direct supervision from the respective class/club advisor.
- 4) When an event or activity is held in the school building, students will not be allowed in the building without the physical presence of the advisor. When the event/activity is completed, the advisor is to be the last to leave the building. Upon leaving, it is the responsibility of the advisor to see that all lights are turned off and that windows and doors are locked.

(Continued)

SUBJECT: EXTRACURRICULAR ACTIVITIES GUIDELINES (Cont'd.)**Posters and Advertising**

All posters and/or advertising to announce fund raising activities or events must be approved by the advisor and principal. This approval is to be made by both the advisor and principal placing their initials on the respective posters or advertising. Both sets of the initials must appear on posters and advertising prior to being made public.

Clean Up Procedures Following Class/Club Activity

Following an activity/event, it will be the responsibility of the respective class advisor to see that the area utilized is properly cleaned up. This is to include: tables, chairs and/or desks replaced, with all papers, cans and other refuse disposed of properly. The areas utilized by any organization are to be left as they were found at the beginning of the activity.

Accident Reporting and Student Insurance Procedures

All accidents occurring during an extracurricular activity are to be reported to the school nurse. An accident of a serious nature is to be reported immediately to the Superintendent.

Fund Raising

To provide for the operation of class/club organizations, fund raising activities will be necessary. All class/club fund raising activities must be approved by the principal in advance. All funds raised through approved fund raising activities are to be deposited within two school days of the fund raising activity. The appropriate extracurricular accounting procedures are to be followed.

Starting a New Class/Club Organization

The following procedures have been established for the creation of a new class/club organization:

- 1) A complete description of the proposed class/club organization must be submitted to the Superintendent for approval. This description is to include:
 - a) Philosophy of Organization
 - b) Goals of Organization
 - c) Name of Faculty Advisor
 - d) Names of Officers

(Continued)

SUBJECT: EXTRACURRICULAR ACTIVITIES GUIDELINES (Cont'd.)

- 2) A faculty advisor is to be obtained who is willing to fulfill all responsibilities outlined in subheading "Duties and Responsibilities of Class/Club Advisor" of this Regulation.
- 3) Class/club officers are to be nominated and voted upon by the members of the proposed organizations.
- 4) A proposed class/club organization with less than six (6) members will not be approved.
- 5) The Superintendent reserves the right to accept or deny the creation of any proposed class/club organization.

Discontinuing Activities

Extraclassroom accounts that have been inactive for six (6) consecutive months will be declared closed by the Board of Education. Unused balances will be transferred to the general student organization.

Annual Organization Meeting

During the first two (2) weeks of each school year, an organization meeting will be held involving all co-curricular organizations. The agenda for this meeting will involve:

- 1) Review of District co-curricular guidelines.
- 2) Scheduling of annual class/club activities.
- 3) Questions and answers.

It will be expected that ALL class advisors and elected organization leaders will be present at the Annual Organization Meeting.

Co-curricular Eligibility Procedures

Participants listed as ineligible will not be allowed to participate in class or club activities until the posting of the next week's eligibility results if, at that time, they meet the eligibility standards.

SUBJECT: STUDENT ORGANIZATIONS: LIMITED OPEN FORUM

The Equal Access Act of 1984 states that:

It shall be unlawful for any public secondary school which receives Federal financial assistance and which has a limited open forum to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings (20 USC Section 4071[a]).

Definitions

- 1) Limited Open Forum – "A public secondary school has a limited open forum whenever such school grants an offering to or opportunity for one or more noncurriculum related student groups to meet on school premises" (20 USC Section 4071[b]).
- 2) Meeting – "meeting" includes "those activities of student groups which are permitted under a school's limited open forum and are not directly related to the school curriculum" (20 USC Section 4072[3]).
- 3) Noninstructional Time – "Noninstructional time" is defined as "time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends" (20 USC Section 4072[4]).
- 4) Curriculum Related Student Groups

Noncurriculum related student groups, interpreted by the United States Supreme Court in Westside Community Board of Education v. Mergens, means "any student group that does not directly relate to the body of courses offered by the school." The Court indicated that curriculum related student groups are those in which:

- a. Subject matter of the group is actually taught, or soon will be taught, in a regularly offered course;
- b. Subject matter of the group concerns the body of courses as a whole;
- c. Participation in the group is required for a particular course; or
- d. Participation in the group results in academic credit.

(Continued)

SUBJECT: STUDENT ORGANIZATIONS: LIMITED OPEN FORUM (Cont'd.)

At the secondary level, student groups protected under the Equal Access Act shall be permitted to meet on school premises during noninstructional time under the following conditions:

- 1) A meeting is student-initiated and open to all students. Student attendance at such a meeting must be voluntary.
- 2) School employees may be present only for custodial purposes; they may not participate or provide sponsorship.*
- 3) A meeting does not include any activity that materially and substantially interferes with the orderly conduct of educational activities within the school.
- 4) Unless otherwise allowed by current applicable law, membership shall not be restricted on the basis of race, sex, sexual orientation, national origin, disability or any other arbitrary criteria.
- 5) It is understood that the content of a student meeting is not sponsored by the School District.
- 6) While students may invite outside speakers to meetings, nonschool persons may not direct, conduct, control or regularly attend such meetings or activities of student groups.
- 7) A request to meet must be filed in advance with the Superintendent. Once approval is obtained, a student group may continue to meet for the remainder of the school year, unless such group fails to abide by the conditions stated within Board policy or administrative regulation. A hearing shall be provided, however, before a decision is reached to discipline or ban a student organization.

* Sponsorship is defined as "the act of promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting." (20 USC Section 4072[2]).

SUBJECT: STUDENT INQUIRY AND EXPRESSION**Speech**

The first amendment to the Constitution guarantees the right of freedom of speech to all Americans, including students.

It is the responsibility of students to realize that this does not give them the right to interfere with the orderly conduct of classes, coerce others, or to violate the rights of those who disagree with a given point of view. Student speech may be subject to disciplinary action by school officials if such speech is slanderous; clearly and immediately causes others to damage property or physically harm others, or materially and substantially interferes with the normal operation of the school.

Access to Communication Resources

It is the right of students to have access to the school public address system, bulletin boards, and duplicating equipment for school purposes.

It is the responsibility of students to uphold administrative regulations as to the manner, time, and place for using school communications facilities. Reasonable time and expense limitations must be established by the building principal. All material offered for communication must be approved by the principal or his/her designated representative.

Student Publications

It is the right of students, with the guidance of appropriate faculty advisors, to express their ideas and opinions concerning the school community and the world in which we live through school publications.

It is the responsibility of students to insure that such publications follow good journalistic practice, especially factual reporting and high standards of literacy. Further, such publications must be free from libel (untrue statements about an individual which harms his/her reputation) or obscenity, and they shall not advocate illegal principles or actions. Students must recognize that the principal and faculty sponsors may be held responsible for such publications and, thus, will exercise reasonable supervision in such matters.

Students

SUBJECT: SELECTION/CLASSIFICATION PROCESS FOR INTERSCHOLASTIC ATHLETICS

Students in grades no lower than seventh may compete on a senior high school team and senior high school students may compete on any team in grades no lower than seven.

Participating students shall be eligible to compete during five consecutive seasons of each sport after their entry into the eighth grade or six consecutive seasons of each sport after their entry into the seventh grade.

Only those students who do not meet the age and grade criteria need meet the Selection/Classification Standard.

Accurate school files must be kept on each student enrolled in the Selection/Classification Process. The Supervisor for Health, Physical Education, Recreation and Athletics must inform opponents (league, section) of those students who became eligible as participants using this process.

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

7th and 8th Grade

Students at the 7th and 8th grade level who meet the maturity and physical fitness standards for selection/classification will be eligible to participate in Varsity and Junior Varsity competition in the following manner:

- 1) 7th grade level students will participate on Junior Varsity teams only. If a particular sport does not field a Junior Varsity team, then 7th grade students would not be allowed to participate in that sport.
- 2) 8th grade students may participate in Varsity and Junior Varsity competition; however, the coach will make all reasonable effort to assure that Senior High students will be given ample opportunity for participation.
- 3) A special parental permission slip will be required for all 7th grade students playing on Junior Varsity teams, and a special parental permission slip will be required for all 8th grade students playing on Junior Varsity or Varsity teams.
- 4) The Supervisor for Health, Physical Education, Recreation and Athletics of the Kenmore-Town of Tonawanda Union Free School will review this regulation with his or her staff on an annual basis by October 1.

Students

SUBJECT: SELECTION/CLASSIFICATION PROCESS FOR INTERSCHOLASTIC ATHLETICS (Cont'd.)

The intent of the selection/classification program is to provide safe and suitable participation at an appropriate level of competition for students in grades 7 and 8.

The selection/classification process shall not be used to promote students to higher levels of competition on a routine basis for the sole purpose of filling positions on Varsity and Junior Varsity teams. Proper placement of students is important.

Physical fitness tests will be administered by the school Supervisor for Health, Physical Education, Recreation and Athletics, or a certified Physical Education teacher under his/her direction. All examinations will be signed by the Supervisor for Health, Physical Education, Recreation and Athletics and the Physical Education Teacher who administers the tests. The primary responsibility in this area rests with the Supervisor for Health, Physical Education, Recreation and Athletics and all testing must be supervised by him/her. Students must achieve the raw score for each physical fitness test item required under the New York State guidelines.

Physical fitness testing for Junior High School students will be administered once during each of the following months: September, February and June.

All students who pass the physical fitness test will be examined by the school doctor for the maturity evaluation. All students who pass both portions of these evaluations will be eligible for participation.

All records of testing and evaluation will be filed in the Supervisor for Health, Physical Education, Recreation and Athletics' file.

Students

SUBJECT: GUIDELINES FOR MIXED COMPETITION ON INTERSCHOLASTIC ATHLETIC TEAMS

Equal opportunity to participate in interscholastic competition, either on separate teams or in mixed competition on the same team, shall be provided to male and female students, except as enumerated in Commissioner's Regulations and as indicated below. Where separate competition is not provided for male and female students in a specific sport, no student shall be excluded from such competition solely by reason of sex, except in accordance with Commissioner's Regulations.

The Regulations of the Commissioner provide for students involved in mixed competition to be placed on teams at appropriate levels of competition based upon the individual's medical history, maturity, physical data, fitness scores, and skills. These guidelines are to be used for both junior high school and senior high school programs.

- 1) If a *team is organized primarily for one sex* and members of the opposite sex are also members, the team should still be classified as either a males' or females' team and continue playing in the same type league.
- 2) If a team was *formed originally for one sex* but is composed of a significant number of students of the opposite sex, it is recommended that separate teams be formed for that sport. This would allow for the greatest number of students to participate and not limit opportunities or have a disproportionate effect on any one sex.
- 3) When there are *separate teams for each sex* in a specific sport, a male may not tryout for a females' team. The Superintendent of Schools may permit a female to tryout for a male team. However, in the sports of baseball, basketball, boxing, field hockey, football, ice hockey, lacrosse, rugby, soccer, speedball, team handball, power volleyball where the height of the net is set at less than eight feet, and wrestling, the fitness of a given student to participate in mixed competition is subject to the review and approval of a panel as specified in paragraph (5). Where separate teams are provided, a female who wishes to tryout for a male team in these sports must have the approval of the Superintendent and the review panel. This type of crossover should be based upon that female's athletic ability to compete successfully.
- 4) The sport of boxing is identified in Commissioner's Regulations because it appears in the Title IX Federal Regulations. It is not an indication that the State Education Department considers boxing a desirable sport for secondary students.

Students

SUBJECT: GUIDELINES FOR MIXED COMPETITION ON INTERSCHOLASTIC ATHLETIC TEAMS (Cont'd.)

- 5) Mixed competition in a sport identified in paragraph (3) is subject to *review and approval by a panel*. This panel must include the school physician and a physical education teacher appointed by the principal and may include a physician chosen by the student's parent(s)/guardian(s). This panel is responsible for determining the readiness of the student in terms of the medical health, maturity, fitness, and skill of the individual in relationship to other members of the team. The intent of the Commissioner's Regulations is to match the student's readiness with an appropriate placement, as well as to provide the student with a successful competitive opportunity. When the physical abilities of the individual are deemed by the panel to be short of or exceed the physical abilities of other team members, thereby creating a hazardous condition or unfair advantage for that student or other members of the team, denial of participation would be appropriate.

These guidelines apply only to a student's eligibility to *tryout* for a team of the opposite sex. The coach must decide if the student is to remain on the team or be dropped from the team in the same manner as all other students trying out for the team. If a coach has a "no cut" policy, the student of opposite sex must be allowed to remain on the team the same as other students.

SUBJECT: REVIEW PANEL GUIDELINES

Upon a request to the school authorities for a student to participate in mixed competition, as provided in the Regulations of the Commissioner of Education, a review panel shall be formed. The Supervisor for Health, Physical Education, Recreation and Athletics should coordinate the activities of the review panel. The information reported on Form #7420F.2 -- *Individual Athletic Profile for Mixed Competition*, shall be used by the review panel in making a determination.

Completing the Athletic Profile**Part I: School Information**

Fill in the information as indicated.

Review Panel

- 1) A *school physician* and a *physical education teacher* (designated by the principal) shall serve on the review panel as school representatives. The parent(s)/guardian(s) of the student shall also be given the option of having a *physician of choice* serve on the panel. If the parent(s)/guardian(s) elects not to have a physician on the panel and a disagreement on the determination of participation by the student develops, the parent(s)/guardian(s) should be so advised. If the parent(s)/guardian(s) still opts not to select a physician for the panel, it is recommended that the school principal appoint another physician so there are two physicians and a physical education teacher on the panel as intended by Commissioner's Regulations.
- 2) The review panel should convene as soon as feasible in order to give the student a reasonable opportunity for an early tryout for the team, if approved to do so.

Part II: Student Information

The Supervisor for Health, Physical Education, Recreation and Athletics should be responsible for providing the panel with all available information.

Part III: Physical Education and Medical History

- 1) The information on the physical education history of the student should be obtained from the physical education teachers who have had the student in classes.
- 2) The school nurse should provide the information on the medical history of the student by reference to the available health records.

SUBJECT: REVIEW PANEL GUIDELINES (Cont'd.)Part IV: Physical Data

- 1) The school physician shall provide the information obtained as part of the normal health examination for participation in athletics.
- 2) The developmental age or maturity level of the student can be established by using the Developmental Screening Procedures used in the Selection/Classification Program.
- 3) A determination of general body type should be made by the physician during the health examination. Comments on joint structure would also be helpful.
- 4) If the school physician determines during the health examination that the student has a physical impairment which would make it unsafe for the student to participate in the sport, the review panel need not convene.

Part V: Athletic Performance Testing (Fitness)

- 1) The Athletic Performance Test used in the Selection/Classification Program should be used as a means of assessing the student's fitness level.
- 2) Scores achieved on this test shall be recorded on the profile form where indicated. The test should be administered by a physical education teacher.
- 3) When reviewing the test scores, the panel needs to be made aware that the relative importance of the test item to the demands of the sport in question is reflected in Selection/Classification Standards.
- 4) When reviewing the test scores, the panel should refer to the standards related to the sex of the team and the level of play at which the student wishes to play.
- 5) *The Athletic Performance Standards of the Selection/Classification Program are not intended as qualifying or disqualifying scores for mixed competition. The scores that appear in the chart are not absolute requirements for the panel to consider. The scores only provide a reference as to what could normally be found among the members of the team for that sex at that level of play. If the scores of the student differ from the standards, the panel should assess the significance of that difference for the student being considered. Known strengths and abilities of the team in question should also be considered.*

SUBJECT: REVIEW PANEL GUIDELINES (Cont'd.)Part VI: Panel Decision

- 1) Once the decision of the panel has been made, the student and parent(s)/guardian(s) shall be advised.
- 2) A "YES" decision means that the student may tryout for the team. The coach will then either allow the student to remain on the team or be dropped by using the normal tryout criteria used for all other students trying out for the team.
- 3) *The panel decision applies only to the sport and season for which the application was made. Subsequent seasons or sports will require another review.* Therefore, all students that have been previously approved to participate in a mixed competition situation *must* be reapproved each season for each sport in which he/she wishes to participate. This practice is predominantly a safety issue as it is evident that a student's athletic profile could change dramatically from one year to the next. Participation in mixed competition in any other sports or levels will again require panel approval.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
ATHLETIC PERMISSION FORM**

I, the parent/guardian of _____ (student) _____ (grade)

hereby grant him/her permission to be a candidate for the _____ (Level: V/JV/MOD/FROSH)

_____ at Kenmore-Town of Tonawanda Union Free School.
(team)

We recognize the necessity of a thorough conditioning period during the early part of the season to prepare athletes for competition, and to reduce possibilities of serious injuries.

We understand that he/she will be expected to attend practice sessions regularly as scheduled by the team coach. Transportation will not be provided by the school after these practices.

It is not the policy of the school to bar a student from an athletic squad for any reason which would not bar them from an academic class or other school activity except for recognized eligibility rules. While it is strongly recommended that athletes be covered for injuries by their own accident insurance policy, a student will not be barred from participation without it. The school does carry an accident insurance policy on athletes, which, in the event of medical costs resulting from a student's accident, will provide partial reimbursement or will supplement the family's insurance coverage.

Emergency Phone Number

Home Phone Number

In case of emergency **I do - do not** give permission for emergency treatment by a physician.
(circle one)

CHECK ONE: Coverage for injuries incurred in sports has been provided through a _____ policy.
(name of insurance)

Permission is granted to participate without separate accident insurance coverage.

Signature Parent/Guardian

Date

Signature School Nurse

Date

Signature Supervisor for Health, Physical Education, Recreation and Athletics Date

Copies: School Nurse
 Supervisor for Health, Physical Education, Recreation and Athletics
 Coach

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
ATHLETIC HEALTH QUESTIONNAIRE**

Name _____ Birthdate _____

Grade _____ Sport _____

42) Has the athlete ever had:

	Yes	No	Date		Yes	No	Date
1) Epilepsy, convulsions	_____	_____	_____	11) Concussion	_____	_____	_____
2) Fainting	_____	_____	_____	12) Sprain of any joint	_____	_____	_____
3) Heart or blood pressure problem	_____	_____	_____	13) Fractures	_____	_____	_____
4) Family history of sudden death	_____	_____	_____	14) Loss of eye, kidney, testicle	_____	_____	_____
5) Asthma, allergies, hay fever	_____	_____	_____	15) Dental braces or dentures	_____	_____	_____
6) Diabetes	_____	_____	_____	16) Bleeding tendency	_____	_____	_____
7) Hepatitis, Infectious Mono	_____	_____	_____	17) Corrective eyeglasses	_____	_____	_____
8) Kidney disease	_____	_____	_____	18) Hernia	_____	_____	_____
9) Enlarged liver or spleen	_____	_____	_____	19) Recent Surgery	_____	_____	_____
10) Anemia	_____	_____	_____	20) Drug allergies	_____	_____	_____

Please explain any YES answers. Use other side if necessary _____

Date _____ Parent/Guardian Signature _____

DO NOT FILL IN - SECTION TO BE COMPLETED BY PHYSICIAN

Height _____ Weight _____ BP _____ Scoliosis _____

This certifies that this student is qualified to participate during the school year in the categories of competition below which are checked.

- | | |
|---|----------------------------------|
| Contact or collision sports [] | Endurance Activities [] |
| baseball field hockey soccer volleyball | cheerleading swimming |
| basketball football softball wrestling | cross country tennis track/field |

Reason for disqualification _____

Date _____ Physician _____

This certificate is void if the student incurs a significant injury or is absent from school for five or more consecutive days because of illness. A new certificate must be issued for continued or renewed participation. The student must be seen by the family or school physician for this approval.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL ATHLETIC PROFILE FOR MIXED COMPETITION**
(Please type or print)

Part I: School Information

Date: _____

District _____

Superintendent _____

City _____

Supervisor for Health, Physical Education,
Recreation and Athletics _____

School Physician _____ Family Physician _____

Physical Education Teacher _____

Part II: Student Information

Previous mixed competition? ____ Yes ____ No

Name _____ What sport and level? _____

Age _____ Grade _____ Sport and level being requested? _____

Part III: Physical Education and Medical History

Is the student enrolled in regular physical education without restrictions? ____ Yes ____ No

If NO, explain _____

History of conditions, injuries or illness that would be restricting? ____ Yes ____ No

If YES, explain _____

Part IV: Physical Data

Weight _____ lbs. Height _____ Feet _____ Inches Maturity Level _____

Body Type (Y check): Mesomorph _____ Endomorph _____ Ectomorph _____

Comments: _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL ATHLETIC PROFILE FOR MIXED COMPETITION (Cont'd.)**

Part V: Athletic Performance Test Scores

Shuttle Run _____ Stomach Curls _____
Long Jump _____ 50 year dash _____
Flexed Arm Hang _____ 1.5 mile run _____

Part VI: Panel Decision

Approved for tryout: _____ Yes _____ No

Reason(s) _____

Panel Members:

School Physician (print or type name) _____

Signature _____

Physical Education Teacher (print or type name) _____

Signature _____

Family Physician or other appointee (print or type name) _____

Signature _____

INDIVIDUAL ATHLETIC PROFILE
(Selection/Classification Standards)

Part I: School Information for School Year 20__ to 20__ School Physician _____
 School _____ School Superintendent _____
 City _____
 Supervisor _____

Part II: Student Information and Evaluation for the sport of

1. Parental Approval [] (Check)	4. Prior Experience:								
2. Medical Approval [] (Check) Date of Health Examination _____ Adolescent Development: Female: Post-Menarch Years + Months _____ Developmental Years + Months _____ Males: Pubic Hair (1-5) _____	5. Physical Fitness Test Data Raw Scores: <table style="width: 100%; text-align: center;"> <tr> <td>Agility</td> <td>Strength</td> <td>Speed</td> <td>Endurance</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </table>	Agility	Strength	Speed	Endurance	_____	_____	_____	_____
Agility	Strength	Speed	Endurance						
_____	_____	_____	_____						
3. Height _____ inches Weight _____ lbs. Other significant information:	6. Placement Decision Approval for _____ at level: [] Frosh [] Mod [] J. V. [] Varsity								
7. Skill – Coaches Rating [] Below Average [] Average [] Above Average [] Superior									

Part III: Special Approval Request: (Mail to Bureau of Physical Education, State Education Department, Room 978 EBA, Albany, NY 12234)

This student does not meet the Selection Classification standards; however, we believe participation should be approved as a special case because:

_____.

Signature of Director of Athletics _____ **Date** _____

Students

SUBJECT: STUDENT AWARDS AND SCHOLARSHIPS

<u>Responsibility</u>	<u>Action</u>
Donor	1) a. Notifies the appropriate school official of intent to grant an award or scholarship at least three (3) months prior to awards or graduation program. b. Provides information regarding the criteria for selection of the recipient(s). c. Requests that cash awards or scholarships of \$50 or more be deposited in the school's Trust and Agency Fund Account. d. Provides in writing information regarding the criteria for selection of the recipient(s). e. Makes awards or scholarships available to the School District at least one (1) week prior to the appropriate award or graduation program.
Award and Scholarship Committee	2) a. Obtains as many appropriate awards or scholarships as possible. b. Supplies organizations that desire to make awards, lists of eligible candidates. c. Selects recipient(s) consistent with written criteria if requested. d. Reviews the Trust and Agency Fund Account.

Students

SUBJECT: FUND RAISING

- 1) Fund raising is defined as selling merchandise or services in school, on school grounds, or in the community which the school serves.
 - a. No fund raiser should be planned without permission of an administrator.
 - b. An agreement or contract should not be signed by a teacher or student; agreements and contracts must be signed by the building principal.
- 2) Requests for fund raisers or fund raising events should be submitted by June 1st for the first semester, and November 1st for the second semester. No fund raiser should go beyond the discussion stage without specific approval from an administrator.
 - a. Advance planning will allow adequate publicity of fund raising activities and prevent misrepresentation of our fund raising activities in the school community.

If an organization or group has a fund raising proposal rejected, they will receive written notice and be given the opportunity to request alternate fund raising times or events.

A tentative calendar of fund raising events will be published before the close of school each June.
 - b. To initiate a fund raising event, a written request should be presented to the School Office to reserve a tentative spot on the calendar.
 - c. When no conflict exists on the calendar, the request will then be forwarded to the principal who may sign the request and forward the request to the Superintendent. Either administrator may reject a request.
 - d. When the volume of requests results in conflicts for the same activity/event or overloading of the calendar, a committee composed of the advisors of the groups with conflicting requests, and an administrator, will meet and resolve the impasse.
 - e. Requests for fund raising requests/events will be acted upon by the administrator within a week.
 - f. Exceptions to the June 1/November 1 deadlines may be made upon request of an advisor and the approval of an administrator.

(Continued)

Students

SUBJECT: FUND RAISING (Cont'd.)

- 3) Fund raising should benefit students collectively or in recognized groups. Fund raisers/events should not be for the benefit of individual students.
- a. Property purchased as a result of a fund raiser/event is for the use of students when they are part of student groups and should not be used to purchase personal consumable items. The materials or supplies become the property of Kenmore-Town of Tonawanda Union Free School District and must be available for reasonable use by other student groups.
 - b. Certain services for students, such as training and entrance fees, may be paid for by funds derived from fund raisers/events, upon the recommendation of the advisor/coach and with the consent of an administrator.
 - c. Fund raising should be limited to educational purposes, either directly or indirectly. Fund raising for purposes of amusement will be given the least priority.
 - d. Approval of a fund raising activity/event is for that request only. Future fund raising requests will be approved based upon total criteria contained in this regulation. Preference will be given to groups who have previously put on activities/events judged satisfactory by the administration.
 - e. The approved organization or group sponsoring a fund raising activity will be responsible for:
 - (1) Security, if the need is determined by the administration.
 - (2) Prompt and reasonable clean-up of any indoor/outdoor area used by the group, or payment for custodial services rendered.
 - (3) Chaperones; however, teacher paid chaperones may be provided by the School District.
 - (4) Setting up an accountable ticket system, a system to securely handle all funds, adequate workers to put on the activity, the preparation of all report forms and the prompt payment of all bills in the prescribed manner.

Those groups which complete all of their responsibilities appropriately, in the opinion of the administration, may then apply for the same or similar activity in the following year.

(Continued)

SUBJECT: FUND RAISING (Cont'd.)

- 4) Fund raising within the school is preferable to door-to-door sales. No more than two door-to-door sales will be permitted in one month. However, seasonal adjustments may be made for traditional fund raising activities or for other valid reasons.
 - a. Door-to-door sales involve District residents and place students in a somewhat hazardous situation.
 - b. If a door-to-door fund raiser is approved, students should:
 - only call on residents whom they know.
 - avoid door-to-door activities after dark.
 - avoid door-to-door activities along hazardous highways.
 - have the permission of their parents/guardians.
 - call only upon residents of the District (except relatives or close friends).
 - c. Groups or organizations are responsible for the collection of any appropriate sales taxes and remission of the same to the New York State Division of Sales Tax.
- 5) When conflicts arise between groups/organizations for the same or similar fund raisers/events, the following criteria, in general, shall apply:
 - a. The past performance of a group/organization in carrying out their fund raising responsibilities as outlined in this regulation, will be considered.
 - b. The purpose for which the funds are being generated will be a factor.
 - c. Broader-based student groups shall be given consideration over groups of narrower student focus.
- 6) Fund raisers/events will not be approved by the administration without a very specific purpose for the use of the funds and as specified in the request form (Form #7410F).
 - a. Deviations for the spending of the funds must be approved by the administration.
 - b. Appropriate publicity must be given to any splitting of funds so that the public is fully aware of who will be receiving shares of the funds generated.

(Continued)

Students

SUBJECT: FUND RAISING (Cont'd.)

- c. Any equipment/materials and supplies purchased by the group must be approved by an administrator in advance of ordering. In the area of sports equipment or materials and supplies, the Supervisor for Health, Physical Education, Recreation and Athletics shall also agree to the appropriateness of a purchase prior to ordering.
- 7) When games of chance, such as bingo and raffles, are held in the District's school buildings, the following criteria shall apply:
- a. The organization conducting the game of chance must be domiciled in a municipality (including a city, town or village) that has passed local law allowing games of chance.
 - b. The organization must apply for and obtain a games of chance identification number from the New York State Racing and Wagering Board. However, a license does not need to be obtained if the organization conducting the game of chance, such as a raffle, shall derive proceeds of less than \$5,000.00 during the conduct of one game/raffle and less than \$20,000 in one calendar year.
 - c. The only types of outside groups that can use the school building for this purpose would be charitable or nonprofit organizations, such as parent-teacher associations, veterans, volunteer fire fighters or volunteer ambulance workers. Proceeds from the game would go to benefit these groups, and only after the city, town or village approved the games.
 - d. No person under the age of eighteen shall be permitted to play, operate or assist in any game/raffle conducted pursuant to the licensing exceptions under General Municipal Law § 190-a(3), from School Law, 31st Edition.

Students

SUBJECT: STUDENT FUND RAISING ACTIVITIES

<u>Responsibility</u>	<u>Action</u>
Teacher/Advisor	1) a. Establishes need for a fund raising activity. b. Makes tentative arrangements for the activity. c. Seeks approval of Superintendent/building principal.
Superintendent/ Building Principal	2) a. Approves or denies activity. b. If approves, logs in activity after checking possible conflicts. c. Confirms dates with the advisor.
	OR
Teacher/Advisor	d. Recommends change of dates.
Teacher/Advisor	3) Makes final arrangements for the fund raiser.
Board of Education	4) Approves activity if involves door to door sales.

Kenmore-Town of Tonawanda UFSD
Request for Approval of Fund Raising Activities

20__ to 20__
First Semester _____ Second Semester _____

School: Hoover Elementary

Approved: _____ Principal _____ Date _____

Teacher/ Organization	Grade # of Students	Start/ End Dates	Fund Raising Activity	Purpose	Estimated Amount to be Raised	For District Use	
						Approved	Disapproved

Students

SUBJECT: IMMUNIZATION GUIDELINES

- 1) As used in this regulation, unless the context requires otherwise:
 - a. The term "school" means and includes any public, private or parochial child caring center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate or secondary school.
 - b. The term "child" shall mean and include any child between the ages of two months and six years and every child entering school.
 - c. The term "person in parental relation to a child" shall mean and include his/her father or mother, by birth or adoption, his/her legally appointed guardian or his/her custodian. A person shall be regarded as the custodian of a child if he/she has assumed the charge and care of the child because the parents or legally appointed guardian of the minor have died, are imprisoned, are mentally ill, or have been committed to an institution, or because they have abandoned or deserted such child, or are living outside the state or their whereabouts are unknown.
- 2) Every person in parental relation to a child in this state shall have administered to such child an adequate dose or doses of an immunizing agent against poliomyelitis, mumps, measles, diphtheria, rubella, and, where applicable, varicella (chicken pox), Hemophilus influenza type b (Hib) and hepatitis B, which meets the standards approved by the United States Public Health Service for such biological products, and which is approved by the State Department of Health under such conditions as may be specified by the Public Health Council.
- 3) The person in parental relation to any such child who has not previously received such immunization shall present the child to a physician licensed to practice medicine in this state and request such physician to administer the necessary immunization against poliomyelitis, mumps, measles, diphtheria, rubella and, where applicable, varicella (chicken pox), Hemophilus influenza type b (Hib) and hepatitis B.
- 4) If any person in parental relation to such child is unable to pay for the services of a private physician, such person shall present such child to the county physician of the county in which the child resides or, if there be no such officer, to the public officer exercising corresponding functions who shall then administer the immunizing agent without charge.
- 5) The physician who administers such immunizing agent against poliomyelitis, mumps, measles, diphtheria, rubella and, where applicable, varicella (chicken pox), Hemophilus influenza type b (Hib) and hepatitis B, to any such child shall give a certificate of such immunization to the person in parental relation to such child.

(Continued)

Students

SUBJECT: IMMUNIZATION GUIDELINES (Cont'd.)

- 6) In the event that a person in parental relation to a child makes application for admission of such child to a school and there exists no certificate or other acceptable evidence of the child's immunization against poliomyelitis, mumps, measles, diphtheria, rubella, and, where applicable, varicella (chicken pox), Hemophilus influenza type b (Hib) and hepatitis B, the principal of the school shall inform such person of the necessity to have the child immunized, that such immunization may be administered by any physician licensed to practice medicine in this state, or that the child may be immunized without charge by the county physician where the child resides or the public officer exercising corresponding functions. If such person does not wish to select a physician to administer the immunization, he/she shall be provided with a form which shall give notice that as a prerequisite to processing the application for admission to the school, such person shall state a valid reason for withholding consent or consent shall be given for immunization to be administered by a health officer in the public employ, or by a school physician or nurse. The form shall provide for the execution of a consent by such person, and it shall also state that such person need not execute such consent if paragraphs eight or nine of this regulation apply to such child.
- 7) No principal of a school shall permit any child to be admitted to such school without the certificate provided for in paragraph five of this regulation or some other acceptable evidence of the immunization against poliomyelitis, mumps, measles, diphtheria, rubella and where applicable, varicella (chicken pox), Hemophilus influenza type b (Hib) and hepatitis B.
- 8) If any physician licensed to practice medicine in this state certifies that immunization may be detrimental to a child's health, the requirements of these regulations shall be inapplicable until such immunization is found no longer to be detrimental to the child's health.
- 9) These regulations shall not apply to children whose parent, parents, or guardian hold genuine and sincere religious beliefs which are contrary to the practices herein required, and no certificate shall be required as a prerequisite to such children being admitted or received into school or attending school.

SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS**Glossary**Licensed Practical Nurse

An individual licensed pursuant to Article 139 of the Education Law ("The Nurse Practice Act") performing tasks and responsibilities within the framework of case finding, health teaching, health counseling and the provision of supportive and restorative care under the direction of a registered professional nurse or licensed physician, dentist or other licensed health care provider.

Licensed Prescriber

Health care professionals who have authority to prescribe medications in their practice including physicians, dentists, podiatrists, nurse practitioners, physician assistants or specialist assistants, and optometrists.

Medication

As used in these guidelines will refer to both prescription and nonprescription drugs.

Nonprescription Drugs

Medications which may be obtained over the counter without a prescription. These medications are sometimes referred to as over-the-counter (OTC) drugs and include, but are not limited to, oral, inhalation, and topical forms.

Prescription Drugs

Drugs requiring a written order for dispensing signed by a licensed prescriber.

PRN

As needed.

Route of Administration

Route through the body whereby a medication is administered including oral, subcutaneous, intramuscular, intravenous, inhalant.

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS
(Cont'd.)**

School Nursing Personnel

Registered professional nurses licensed pursuant to Article 139 of the Education Law including school nurses, school nurse practitioners, or other specialty nurse practitioners.

Self-directed

An individual who is capable and competent to understand a personal care procedure, can correctly administer it to himself/herself each time it is required, has the ability to make choices about the activity, understands the impact of these choices, and assumes responsibility for the results of the choices. A self-directed individual may also include an individual who knows the correct procedure or method of administration but is unable to physically self-administer the medication.

Procedures

A program for the administration of medication to students in school must be managed and supervised by school nursing personnel.

- 1) Only those medications which are necessary to maintain the student in school and which must be given during school hours should be administered. Any student who is required to take medication during the regular school day or while participating in school-sponsored activities (e.g., field trips, athletics) should comply with all procedures.
- 2) 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 unlicensed persons.
- 3) Unlicensed persons 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. School nursing personnel should assure that the unlicensed person receives the training and supervision needed to perform these tasks in a safe and effective manner.

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATIONS IN SCHOOLS
(Cont'd.)**

Written Order From a Licensed Prescriber is Required

All medications, including nonprescription drugs, given in school shall be prescribed by a licensed prescriber on an individual basis as determined by the student's health status.

- 1) Written order for prescription and nonprescription medications should minimally include:
 - a. Student's name and date of birth.
 - b. Diagnosis.
 - c. Name of medication.
 - d. Dosage and route of administration.
 - e. Self-administration orders -- if indicated.
 - f. Frequency and time of administration.
 - g. For prn (as necessary) medications -- conditions under which medication should be administered.
 - h. Date written.
 - i. Prescriber's name, title, and signature.
 - j. Prescriber's phone number.
- 2) Special considerations
 - a. Medication orders must be renewed annually or when there is a change in medication or dosage.
 - b. The pharmacy label does not constitute a written order and *cannot* be used in lieu of a written order from a licensed prescriber.
 - c. When a properly labeled medication comes to the health office accompanied by a written request from the parent/guardian for administration of the medication, but without a written order from a licensed prescriber, the following procedure should be followed:
 - (1) Contact parent/guardian regarding need for written order from a licensed prescriber.
 - (2) Contact licensed prescriber to obtain verbal permission to administer medication.
 - (3) Request fax or written orders to be received within forty-eight (48) hours.
 - (4) Contact parent/guardian and discontinue medication if written orders are not received in forty-eight (48) hours.
 - (5) Document above steps.

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS
(Cont'd.)****Written Statement from Parent or Guardian Required**

A written statement from the parent or guardian requesting administration of the medication in school as ordered by the licensed prescriber is required. The parent or guardian must assume responsibility to have the medication delivered directly to the health office in a properly labeled original container.

1) *Prescription medications*

The pharmacy label must display:

- a. Student name.
- b. Name and phone number of pharmacy.
- c. Licensed prescriber's name.
- d. Date and number of refills.
- e. Name of medication/dosage.
- f. Frequency of administration.
- g. Route of administration and/or other directions.

2) *Over-the-counter 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) For certain medications, especially *controlled substances*, the school nurse should count the medication upon receipt from the parent/guardian and periodically thereafter. This is not a legal requirement but constitutes a sound practice when handling controlled substances. Discrepancies should be reported to the parent immediately. The school administration should be informed of any discrepancies when such discoveries occur. Close supervision of the taking of controlled medication is advised.

4) Medications should not be transported daily to and from school. Parents/guardians should be advised to ask the pharmacist for two (2) containers - one to remain at home and one at school.

Medication is to be stored in a locked cabinet or separate locked drawer in the health office. Medication requiring refrigeration should be refrigerated in a secure area.

All students requiring medication during school hours should receive their medication in the health office except in those instances where students are allowed to carry their own medication and self-administer.

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS
(Cont'd.)**

Carry and Self-Administer Medication

School nursing personnel may receive a request to permit a student to carry and self-administer his/her own medication. Under certain conditions this may be allowed. Such decisions should be made on an *individual basis*. The criteria for determining when a student can self-administer medication are:

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

Any student self-administering medication without proper authorization should be counseled by the school nursing personnel. In addition, the parents/guardians should be notified. In some instances school administration should also be informed. Periodic reevaluation of the effectiveness of procedure should be instituted.

Emergency Medication

The administration of emergency medication (injectable and/or oral) to a student for extreme hypersensitivity may be performed by any school staff member responding to the emergency. Such a response would fall under the "Good Samaritan Act" for rendering emergency care during a life threatening situation.

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS
(Cont'd.)**

Responsibilities of School Nursing Personnel

General

- 1) Facilitate policies and procedures regarding the administration of medication in schools.
- 2) Ensure proper and appropriate techniques for the administration of medication in schools.
- 3) Provide and/or document adequate in-service education for unlicensed persons assisting students with self-medication.
- 4) Maintain adequate and secure storage of all medications.
- 5) Document or assure documentation by other licensed or unlicensed persons for each dose of medication given or taken on a daily log and periodically summarize in each student's cumulative health record.
- 6) Perform intermittent evaluation of the practices and procedures related to the administration of medications and modify as needed.

Specific for each student

- 1) Inform appropriate school staff of potential benefits and side effects of student's medication if indicated.
- 2) Observe and evaluate the student's health status and response to medication, informing parents/guardians or prescriber as deemed necessary.
- 3) 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. If a student forgets, it is recommended that the school nurse call for the student to ensure that medication is not omitted. Parents/guardians should be advised if their child is not fully participating in the established school procedure.

Students

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS
(Cont'd.)****Procedures for Taking Oral, Topical or Inhalant Medications Off School Grounds or After School Hours While Participating in a *School-Sponsored Activity***

The school nursing personnel should assure:

- 1) Oversight of self-administration to
 - a. Student who is self-directed;
 - b. Voluntary staff member who has been appropriately instructed by the school nursing personnel to assist self-directed student. (Note: Consistent with good practice, the employee's willingness to perform the task should be considered in making the assignment.)
- 2) Preparation of medication

When oral medication is to be given off school grounds or after school hours, it should be placed in a single dose medication envelope by school nursing personnel and properly labeled with:

- a. Student's name
- b. Name of medication and dosage
- c. Date and time to be given
- d. Special instructions
- e. Possible side effects.

Administration of oral, topical or inhalant medications to non-self-directed students or *injectable medications* must remain the responsibility of the school nursing personnel, physician, or parent/guardian, except for Epi-Pen type injectables which can be administered by an LPN in the absence of an RN. Epi-pens must be pre-measured and self-inject in emergency situations.

Disposal of Medications

If a medication regimen is changed or discontinued, and/or at the end of each school year, the medication must be returned to the parent/guardian or disposed of. Parents/guardians should be notified of options such as:

- 1) Disposal of medication by flushing in presence of witness;
- 2) Parent/guardian or responsible designee picking up medication from health office; or
- 3) Medication being mailed to parent/guardian.

**SUBJECT: GUIDELINES FOR ADMINISTRATION OF MEDICATION IN SCHOOLS
(Cont'd.)**

Disposal of Needles and Syringes

Needles and syringes should be disposed of in a manner consistent with the following guidelines:

- 1) Needles should not be recapped and should not be purposely bent or broken.
- 2) Disposable syringes and needles (and other sharp items) should be placed in approved sharps' containers and labeled "**BIOHAZARD.**"
- 3) Arrangements should be made with custodial staff or other agent to dispose of containers at periodic intervals according to established procedures of the school regarding regulated medical waste.

Record Keeping

School nursing personnel should maintain accurate records of the medication administered, any special circumstances related to the procedure, and student's reactions/responses.

The following procedure for record keeping is recommended:

- 1) Retain the written order from the prescriber.
- 2) Retain the parent/guardian request letter.
- 3) Retain pertinent information about medication on cumulative health record.
- 4) Maintain an individual daily medication record for each student taking medication during time frame medication is being given.
- 5) Periodically summarize daily medication record on cumulative health record.

Student and Parent/Guardian Education

School nursing personnel can avoid many communication problems by widely circulating the requirements for administration of medication in school. Suggestions for publicizing the requirements for administration of medication in school include:

- 1) Student-parent handbook
- 2) School publications
- 3) Local newspapers
- 4) Insert with report cards
- 5) Mailing to physicians
- 6) Individual parent or guardian/student counseling.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
PARENT AND PRESCRIBER'S AUTHORIZATION FOR ADMINISTRATION OF
MEDICATION IN SCHOOL**

A. 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, or other assigned person, will administer the 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: _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
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 or to keep same in his/her locker or physical education locker, as we consider him/her responsible. He/she has been instructed in and understands the purpose and appropriate method and frequency or use.

Note: This form must be completed *in addition* to the routine District medication form for those students who request permission to carry their own medication on campus or keep this medication in a school or physical education locker.

Students

SUBJECT: LIFE THREATENING ALLERGIES

<u>Responsibility</u>	<u>Action</u>
Parent/Person in Parental Relation	1) a. Upon enrollment, or initial diagnosis, advises District of student's life threatening health condition. b. Notifies school or program of any health or activity related changes. (i.e., notify School Office and coach/advisor about allergy if starting a new after school sport or activity.)
Principal/Nurse/Building Secretary	2) Upon notice from parent/person in parental relation or other party of possible existence of a student's life threatening health condition, provides parent/person in parental relation with "Life Threatening Health Condition Parent/Person in Parental Relation Packet" which includes: Form #7000F - Parent/Person in Parental Relation Notice Regarding Life Threatening Health Conditions, Form #7000F.1 - Student Emergency Action Plan (SEAP), Form #7000F.2 - Parent/Person in Parental Relation and Prescriber's Authorization for Administration of Medication in School, Form #7000F.3 - Self-Medication Release, as well as informational materials
Principal/Nurse/Building Secretary	3) Immediately notifies Principal and/or Nurse regarding student with possible life threatening allergy.
Parent/Person in Parental Relation	4) Returns completed forms and other check list information to School Nurse.
Nurse	5) a. Reviews SEAP, medication, and other information; evaluates and clarifies as needed.

(Continued)

Students

SUBJECT: LIFE THREATENING ALLERGIES (Cont'd.)

- b. Copies all appropriate parties (at least: School Office, Principal, parent/person in parental relation, teacher, kitchen, nutrition services). Copy to transportation department if student rides the bus.
- c. Notifies CSE Chairperson or Section 504 Compliance Officer of potential need for evaluation.
- d. Personally introduces students with life threatening allergy to all kitchen staff prior to eating a meal with the breakfast and/or lunch program.
- e. Ensures that SEAPs are posted/held in standard locations: School Office, teachers substitute folder, in kitchen by phone and on hot box.
- f. Completes Substitute Teacher's Medical Alert for Life-Threatening Allergy (Form #7000F.4).
- g. Conducts Epi-Pen Training for all appropriate staff. Training/refresher covered annually.
- h. Completes Anaphylaxis Protocol for Non-Licensed School Staff Members (Form #7000F.5).

Teacher/School Office Staff

- 6) Participates in one emergency practice drill at least once and as early in the school year as possible. Uses School Nurse as a resource. Adjusts/improves plan if necessary.

Nurse/School Office/Principal/
Parent/Person in Parental Relation/Teacher

- 7) Requests modifications in SEAP and accommodations as needed.

(Continued)

Students

SUBJECT: LIFE THREATENING ALLERGIES (Cont'd.)

Teacher

- 8)
 - a. Notifies parent/person in parental relation if allergen is to be used in a classroom activity (art activity, science kits, etc.) Makes accommodations as necessary.
 - b. Completes Field Trip Checklist for Life-Threatening Conditions (Form #7000F.6) prior to leaving for field trip.

Principal/Nurse//Teacher

- 9) For student with peanut/tree nut allergy, sends letter to classmates' parent/person in parental relation Form #7000F.7.

IMPORTANT NOTICE TO PARENTS/PERSONS IN PARENTAL RELATION
OF STUDENTS WITH
LIFE THREATENING ALLERGIES

Our records indicate that your child may have a potentially life threatening health condition.

Definition of life-threatening health condition: A condition that will put the child in danger of death during the school day if a medication or treatment order is not in place.

If your child has a life threatening ALLERGY, please request a “Parent Resource Packet for Students with Severe Allergies” which includes specific information as well as forms listed below that will be needed at school. These packets are available at your School Office.

THE FOLLOWING MUST BE COMPLETED AND RETURNED TO SCHOOL:

(This information must also be reviewed/approved by the School Nurse before your child can attend).

- [] A current “medication request” form for each medication, if medication is needed at school (available from the School Office/School Nurse).
- [] A current “treatment request” form, if a medical treatment is needed at school (available from the School Office/School Nurse).
- [] A Student Emergency Action Plan (SEAP), reviewed by the School Nurse, based on information received from the parent/person in parental relation and physician.
- [] Please include any additional information that you or the licensed health provider would like to share.

Reminder:

- [] *It is the parent/person in parental relation’s responsibility to alert other school programs that their child has a health condition and/or a care plan in place.*
- [] *Please report immediately any changes needed in emergency contact information, medication, health status, etc. to the School Office.*

If you have any questions or concerns, please contact the Principal or the School Nurse assigned to your child’s school.

Thank you for your assistance in helping us to provide a safe school experience for your child.

This form should be given to all parents/persons in parental relation at the time of registration or when school staff is notified that a student has a life threatening health condition.

STUDENT EMERGENCY ACTION PLAN (SEAP)

Student's Name: _____ D.O.B: _____ Teacher: _____

Place
Child's
Picture
Here

ALLERGY TO: _____

Asthmatic Yes* No *Higher risk for severe reaction

◆ STEP 1: TREATMENT ◆

Symptoms:

Give Checked Medication:**

To be determined by physician authorizing treatment

- | | | | |
|--------------------------|--|---------------------------------|--|
| <input type="checkbox"/> | If a food allergen has been ingested, but <i>no symptoms</i> : | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Mouth Itching, tingling, or swelling of lips, tongue, mouth | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Skin Hives, itchy rash, swelling of the face or extremities | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Gut Nausea, abdominal cramps, vomiting, diarrhea | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Throat † Tightening of throat, hoarseness, hacking cough | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Lung † Shortness of breath, repetitive coughing, wheezing | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Heart † Thready pulse, low blood pressure, fainting, pale, blueness | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | Other † _____ | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |
| <input type="checkbox"/> | If reaction is progressing (several of the above areas affected), give | <input type="checkbox"/> EpiPen | <input type="checkbox"/> Antihistamine |

The severity of symptoms can quickly change. † Potentially life-threatening.

DOSAGE

Epinephrine: inject intramuscularly (circle one) EpiPen EpiPen Jr. (see reverse side for instructions)

Antihistamine: give _____
medication/dose/route

Other: give _____
medication/dose/route

◆ STEP 2: EMERGENCY CALLS ◆

1. Call 911 (or Rescue Squad: _____) . State that an allergic reaction has been treated, and additional epinephrine may be needed)

2. Dr. _____ at _____

3. Emergency contacts:

Name/Relationship	Phone Number(s)		
a. _____	1.) _____	2.) _____	
b. _____	1.) _____	2.) _____	
c. _____	1.) _____	2.) _____	

EVEN IF PARENT/PERSON IN PARENTAL RELATION CANNOT BE REACHED, DO NOT HESITATE TO CALL 911!

Parent/Person in Parental Relation _____ Date _____
 Doctor's Signature _____ Date _____
 (Required)

**Medication checklist adapted from the Authorization of Emergency Treatment form developed by the Mount Sinai School of Medicine. Use with permission.

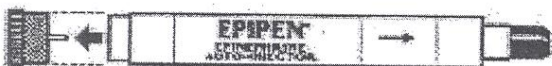
(Continued)

STUDENT EMERGENCY ACTION PLAN (SEAP) (Cont'd.)

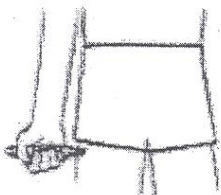
TRAINED STAFF MEMBERS	
1. _____	Room _____
2. _____	Room _____
3. _____	Room _____

EPIPEN® AND EPIPEN® JR. DIRECTIONS

- Pull off gray activation cap.



- Hold black tip near outer thigh (always apply to thigh).



- Swing and jab firmly into outer thigh until Auto-Injector mechanism functions. Hold in place and count to 10. Remove the EpiPen® unit and massage the injection area for 10 seconds.
- Once EpiPen® is used, call the Rescue Squad. State additional epinephrine may be needed.
- Take the used unit with you to the Emergency Room. Plan to stay for observation at the Emergency Room for at least 4 hours.

For children with multiple allergies, consider providing separate Action Plans for different foods/allergens.



**PARENT AND PRESCRIBER'S AUTHORIZATION FOR
ADMINISTRATION OF MEDICATION IN SCHOOL**

A. To be completed by the parent or person in parental relation:

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, or other assigned person, will administer the medication.

Signature (Parent or Person in Parental Relation): _____

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: _____

SELF-MEDICATION RELEASE FORM

Date: ____/____/____

Student's Name: _____

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

We (Physician's signature)

and (Parent or Person in Parental Relation's signature)

request that **(Student's name)** _____ ,

once the student's medication has been transported to the school by a parent/guardian, be permitted to carry the medication on his/her person or to keep same in his/her locker or physical education locker, as we consider him/her responsible. He/she has been instructed in and understands the purpose and appropriate method and frequency of use.

Note: This form must be completed *in addition* to the routine District medication form for those students who request permission to carry their own medication on campus or keep this medication in a school or physical education locker.

SUBSTITUTE TEACHER'S MEDICAL ALERT FOR LIFE-THREATENING ALLERGY *CONFIDENTIAL

Student: _____ **Date:** _____

This student has a life threatening allergy to: _____

This student has a "Student Emergency Action Plan" (SEAP) on file.

To ensure this student's safety please follow these instructions:

- If you have recently eaten, please wash your hands with soap and water.
- No food allergy causing foods are allowed in the classroom.
- Students are not allowed to share food.
- Staff and children are to wash with soap and water after eating.

EMERGENCY INSTRUCTIONS

- IF AN ALLERGIC REACTION OR INGESTION OF ALLERGEN IS SUSPECTED ---
CALL THE OFFICE IMMEDIATELY.**
- Trained school staff must administer emergency medications immediately.**

SIGNS AND SYMPTOMS OF AN ALLERGIC REACTION: MAY INCLUDE ANY OF THE FOLLOWING:

MILD SYMPTOMS*:

- MILD SKIN REACTIONS - Hives only in the areas of food/allergen contact, itching and swellings only around the face, lips or other point of contact.

SERIOUS SYMPTOMS:

- SKIN - widespread hives and flushing, widespread swellings.
- MOUTH - swelling of the tongue.
- THROAT - itching, tightness in the throat, hoarseness, hacking cough.
- GUT - vomiting, nausea, cramps, diarrhea.
- LUNGS - repetitive coughing, wheezing, trouble breathing.
- HEART - rapid heart rate, lightheadedness and dizziness.

CALL 911 IF ANY SERIOUS SYMPTOMS ARE NOTICED.

THE SEVERITY OF SYMPTOMS CAN QUICKLY CHANGE.

**ALL ABOVE SYMPTOMS CAN POTENTIALLY PROGRESS TO A LIFE
THREATENING SITUATION.**

***This medical information can be shared with staff "who need to know"**

ANAPHYLAXIS PROTOCOL
for
Non-Licensed School Staff Members

An unlicensed staff member may be trained to administer an Epi-Pen in anticipation of an Anaphylactic reaction under the following circumstances:

- The individual agrees to render emergency care to the student who may have a Life Threatening Hypersensitivity reaction to a previously encountered allergen (ANAPHYLAXIS). Such a response would fall under the “Good Samaritan Act” for rendering emergency care during a life-threatening situation.
- The individual has been given approval by a Registered Nurse/Nurse Practitioner to assist the student in the event of an Anaphylactic reaction.
- The individual receives proper in-service training for the procedure from a Registered Nurse/Nurse Practitioner.
- The training is documented by the health care professional who conducts the training.
- Ongoing assessment and supervision is conducted by the health care professional.

STUDENT’S EMERGENCY ACTION PLAN (SEAP)
and
EPI-PEN MUST ACCOMPANY THE STUDENT ON ALL FIELD TRIPS

Name of Student: _____ Allergy: _____

The following staff member successfully demonstrated proficiency in the use of the Epi-Pen Auto Injector Training Device:

Staff Member Trained: _____ Position: _____ Date: _____
Signature

Trainer: (Must be Registered Nurse/Nurse Practitioner) _____ Date: _____
Signature/Title

(Continued)

<p style="text-align: center;">ANAPHYLAXIS PROTOCOL</p>	<p style="text-align: center;">Explanation/Demonstration by Registered Nurse/Nurse Practitioner</p>	<p style="text-align: center;">Explanation /Return Demonstration by unlicensed Staff Member</p>
	<p>Date: RN/NP initials:</p>	<p>Date: Staff member's initials:</p>
<p>A. States Name and Purpose of Emergency Medication:</p> <ul style="list-style-type: none"> • The Epi -Pen Auto-Injector is a disposable, prefilled automatic injection device which is designed to deliver a single dose of 0.3 mg (or 0.1 mg for children) of epinephrine to an individual with a known Anaphylactic condition. 		
<p>B. Signs and Symptoms of Anaphylaxis:</p> <ul style="list-style-type: none"> • Itching and swelling of lips, tongue and mouth. • Tightness in throat, hoarseness, hacking cough. • HIVES, itchy rash, swelling about the face or extremities. • Nausea, stomach cramps, vomiting and/or diarrhea. • Shortness of breath, wheezing, repetitive coughing. • Passing out. 		
<p>C. EMERGENCY TREATMENT:</p> <p>(For Training Purposes, use Epi-Pen Trainer)</p> <ul style="list-style-type: none"> • Have someone call 911 immediately. • Administer emergency medication (Epi-Pen): <ul style="list-style-type: none"> • Pull off gray safety cap. • Place black tip on <u>thigh</u>, at right angle to leg. • Press hard into thigh (through clothing) until Auto-Injector mechanism functions. • Hold in place for 10 seconds!! • Remove Epi-Pen unit and discard. • Massage injection area. • Call parent or parent designee. • Call student's physician to inform of emergency. • Record administration of Epi-Pen on the <i>Emergency Medical Care Plan Anecdotal Record</i> (Send with student to hospital). • Student will be transported to hospital via ambulance. 		

**FIELD TRIP CHECK LIST FOR
LIFE THREATENING ALLERGIES**

KEY REMINDERS:

1. Plan Ahead. Use your plan.
2. Call 9-1-1 in an emergency. **When in doubt, CALL 911**

CHECK LIST:

- Student Emergency Action Plans (SEAP) for ALL students with plans.
- Emergency Medications.
- If District provided food is necessary, ensure appropriate food has been requested.
- Verify District provided food is received and appropriate for students with life threatening conditions.
- First Aid Trained Person.
- Trained DISTRICT staff must be available to administer student meds.
- Cell phone **MUST** be available (Confirm coverage area for trip).
- Determine how to contact emergency services to and from location.
- Call 9-1-1 if an emergency arises (confirm 9-1-1 is available).
- Verify ALL student health issues, and inform all participating teachers.

Remember: Parent volunteers should not be assigned responsibility for students with life threatening conditions or students needing medication.

Parent Letter Regarding Student with Peanut/Tree Nut Allergy
School District Letterhead

Date:

Dear Parents/Persons in Parental Relation,

This letter is to inform you that a student in your child's classroom has a severe peanut/nut allergy. Strict avoidance of peanut/nut products is the only way to prevent a life threatening allergic reaction. We are asking your assistance in providing the student with a safe learning environment.

If exposed to peanuts/nuts the student may develop a life threatening allergic reaction that requires emergency medical treatment. The greatest potential for exposure at school is to peanut products and nut products. To reduce the risk of exposure, the classroom will be peanut/nut free. Please do not send any peanut or nut containing products for your child to eat during snack in the classroom. Any exposure to peanuts or nuts through contact or ingestion can cause a severe reaction. If your child has eaten peanuts or nuts prior to coming to school, please be sure your child's hands have been thoroughly washed prior to entering the school.

Since lunch is eaten in the cafeteria, your child may bring peanut butter, peanut or nut products for lunch. In the cafeteria there will be a designated peanut-free table where any classmate without peanut or nut products can sit. If your child sits at this table with a peanut or nut product, she/he will be asked to move to another table. This plan will help to maintain safety in the school while allowing non-allergic classmates to enjoy peanut/nut products in a controlled environment. Following lunch, the children will wash their hands prior to going to recess or returning to the class. The tables will be cleaned with soap, water and paper towels after each lunch.

We appreciate your support of these procedures. Please complete and return this form so that we are certain that every family has received this information. If you have any questions, please contact me.

Signature of Principal/Teacher/Nurse

I have read and understand the peanut/nut free classroom procedures. I agree to do my part in keeping the classroom peanut and nut free.

Student's Name: _____

Parent's Signature: _____

Date: _____

For use by the school nurse during the “care team” planning meeting.

SECTION 504 INDIVIDUALIZED ACCOMMODATION PLAN:
LIFE THREATENING ALLERGY

Student Name: _____ DOB: ____/____/____

School: _____ Grade: _____

Building “504” Designee _____

Contact person: _____ Date of Meeting: ____/____/____

Disabling Condition that Affects Major Life Activity:

- This student has a potentially **life threatening allergy** to: _____
- The life system of breathing is affected which makes the child eligible for Section 504.
- The onset of the reaction can be sudden, and fatal within minutes/hrs.
- The reaction must be treated immediately.

Evaluation Criteria (basis for determining the disability):

- Documentation from Physician re: Medical Diagnosis
- Other:

Impact of Disability: Restricted opportunity to participate in the educational program due to a potentially life threatening condition.

NECESSARY ACCOMMODATIONS: (check all that apply)

1. Emergency Action:

- Completed Student Emergency Action Plan (SEAP) on file. Determine distribution.
- Doctor’s orders for medication/treatments on file.
- Medication/Equipment at school.
- Emergency “kit” (medication, SEAP and DR’s orders) located: _____
- “Medical Alert for Substitute teachers” given to _____ for placement in sub folder.
- Other:

2. Staff Training:

- General all staff training. Date: _____ by: _____
- Emergency medication training, i.e. Epi-pen (by School Nurse/Nurse Practitioner).
Date: _____
- SEAP review with staff working closely with student (by School Nurse/Nurse Practitioner).
Date: _____
- Other:

3. Classroom Management:

- “Severe Food Allergies: Teacher Recommendations” given to teacher.
- Parent/person in parental relation notification letter needed for classmates. Given to: _____
- Teacher will contact parent/person in parental relation regarding school projects involving food/allergen.
- Education of classmates requested and provided by: _____.
(Resource information available for varying grade levels from Nutrition Services/School Nurse/Nurse Practitioner).
- Hand washing after meals and classroom activities (science kits, working with food).

4. Snacks/Parties/Treats:

- The child will only consume food considered safe provided by the food allergic child's parent/person in parental relation.
- Parent/person in parental relation will provide a supply of safe snack/party foods to be kept on hand at school for their child.
- To avoid cross contamination, the safe snacks will be located: _____
- Parent will supply enough safe snacks for the entire classroom.
- Parents/persons in parental relation and teacher will be encouraged to communicate openly and in advance about classroom activities involving food.
- Birthdays, parties, celebrations will be encouraged to be non-food events.
- Food allergic student will not participate in classroom clean up activities involving food products.

5. Cafeteria/School Lunches

- Student will not eat school prepared lunches (only food brought from home).
- Parent/person in parental relation will monitor school menus and student will eat cafeteria prepared meals.
- "Diet prescription" substitution section of SEAP must be completed if student eats cafeteria prepared meals.
- Student needs to eat at allergen free lunch table.
- No food sharing, and no trading of food items or utensils.
- Other:

6. Field Trips

- Parent/person in parental relation will be notified of all field trips.
- Parent/person in parental relation requests to accompany class on all field trips.
- Teacher will know how emergency services are accessed throughout all field trips.
- Teacher will take "emergency kit" and cell phone on field trips.
- Other:

7. Bus Transportation

- Student rides the bus and transportation department has copy of SEAP.
- Specialized training for bus drivers is needed.
- Other:

8. Fire/Emergency drill procedures

- In the event of a fire drill or fire, _____ will take the emergency "kit" outdoors.
- School staff will conduct one emergency drill per school year utilizing an individualized emergency care plan.

9. Child currently participates in the following after school activity/program(s):

- SEAP, etc. will be distributed to after school activities/programs by: _____
- Training is needed for these staff and will be provided by: _____

*****PARENTS/PERSONS IN PARENTAL RELATION ARE RESPONSIBLE FOR ALERTING ANY SPECIAL ACTIVITIES/PROGRAMS THAT THE CHILD MAY PARTICIPATE IN (sports, clubs, trips, etc).**

10. Other:

When moving to a new school, PARENTS/PERSONS IN PARENTAL RELATION are responsible for providing the new school copies of all needed information. Parent/person in parental relation should keep a copy of all key forms for their records.

School Nurse's Signature: _____

Cc: Parent/person in parental relation
Teacher
School Office binder with SEAP
School Nurse

May be attached to District 504 Plan

Adopted: 1/13/09

Students

SUBJECT: HANDLING OF STUDENT ILLNESSES AND INJURIES

- 1) All accidents to students or teachers should be referred to the Health Office for first aid immediately.
- 2) Safety in the classroom should be emphasized and practiced continuously.
- 3) Any accident involving students, no matter how trivial it may seem at the time, should be reported to the Health Office.
- 4) School Athletics - The coach or instructor in charge will be responsible for the caring of the injured party and completing and submitting the accident report form and notifying the school nurse.
- 5) Teachers are responsible for the safety of the students they are supervising.

<u>Responsibility</u>	<u>Action</u>
Teacher	<ol style="list-style-type: none"> 1) a. Sends sick or injured student to nurse or has another person accompany student to nurse, or summons nurse, depending on extent of illness/injury. b. If nurse is unavailable, administers first aid.
School Nurse	<ol style="list-style-type: none"> 2) Notifies parent/guardian of illness where appropriate. If parent/guardian is unavailable, notifies person whom parent/guardian has designated to assume responsibility.
Nurse/Building Principal/Designee	<ol style="list-style-type: none"> 3) Requests parent/guardian to take student home. In extreme emergency where unable to reach parent/guardian or other person designated by parent/guardian, transports student to source of medical attention (doctor's office, hospital emergency room) or calls the local Emergency Ambulance Squad.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
ACCIDENT REPORT**

School _____

This accident report confirmed by _____, Supervising Adult.

Date _____ Reviewed by _____

Principal _____ Date _____

Name of injured _____ Grade _____ Age _____

Address _____ Telephone _____

Where did accident occur? _____ Date _____ Time _____

What is the extent of injury? (Give specific information as to exact location of injury on body)

Were parents/guardians notified? _____ How? _____ When? _____

Was physician or nurse called? _____ (Give names and details) _____

How did accident happen? (Include any defective or dangerous condition involved.) Use back of sheet if necessary.

Who was the adult in supervision at time of accident? _____

What are the names of witnesses who saw the accident? (If none, state so) _____

Was accident reported by the student to the adult in supervision? _____

What was group activity at time of accident? _____

Who gave first aid care? _____

What first-aid care was given? _____

Date of Report

Adult Reporting

Position of Reporter

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT

Pursuant to Board of Education Policy and Social Services Law, the School District staff should be on the alert for the purpose of identifying abused and neglected/maltreated children and reporting such findings as required. For the purpose of discerning whether or not a child is abused or neglected/maltreated the following definitions should be considered.

Definitions

An "abused child" means a child less than eighteen (18) years of age whose parent or other person legally responsible for care, 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, serious protracted disfigurement, protracted impairment of physical or emotional health or protracted loss of impairment of the function of any bodily organ. Child abuse also refers to the situation where the parent, or other person legally responsible, creates or allows to be created a substantial risk of physical injury to a child, by other than accidental means, which would be likely to cause death or serious protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ. Sex offenses against a child, as defined in the Penal Law, shall also constitute a basis for finding that a child has been abused.

A "maltreated child" includes a child under the age of eighteen (18) defined as a neglected child under the Family Court Act or who had serious physical injury inflicted upon him/her by other than accidental means. In general terms, a neglected child is one whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of neglect by a parent, or other person legally responsible for his/her care, to exercise a minimum degree of care in the areas of providing food, clothing, shelter, education, medical, dental, optometric or surgical care. Child neglect is also indicated where there has been the unreasonable infliction of harm, or substantial risk thereof, including the infliction of excessive corporal punishment, drug misuse or abuse, alcohol abuse or abandonment of the child.

1) Persons Obligated to Report Cases of Suspected Child Abuse or Neglect/Maltreatment

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

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

(Continued)

Students**SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)**2) Reporting Procedure

Reports of suspected child abuse, maltreatment or neglect shall be made immediately, by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. The oral report shall be made to the Statewide Central Register of Child Abuse. The telephone facsimile report shall be made to a special telephone facsimile number for use only by persons mandated by law to make reports, as set forth below. (Section 415, Social Services Law). The written report shall be made within forty-eight (48) hours after the oral report to the appropriate Local Child Protective Service on forms prescribed by and supplied by the Commissioner of Social Services. Forms are available on website:

<http://www.ocfs.state.ny.us/main/forms/cps/>

Oral Report to: New York State Central Register of Child Abuse and Maltreatment (1-800-635-1522).

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

Telephone Facsimile Report to: Special telephone facsimile number: Upon request.

3) Report Requirements

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

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

4) Taking Photographs

The law allows for the photographing at public expense of the areas of trauma visible on a child who has been abused or neglected/maltreated. All photographing should be conducted with the authorization of the Building Principal who shall, to the extent practicable, do so upon notification of the Superintendent or his/her designee. All photographs shall be sent to the Child Protective Service at the time that the written report, referenced in paragraph 3) of this regulation, is sent or as soon thereafter as possible.

(Continued)

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)

A digital camera may be used to photograph injuries related to suspected cases of abuse. In the event a court case ensued, the person taking the picture would have to sign an affidavit testifying to the contents of the picture. The nurse should ensure that his/her documentation reflects the physical findings evident in the photograph as well as any physical care given in relation to the injury.

5) Access to School Records by the Child Protective Services

The District may disclose personally identifiable information from the educational records of a student to Child Protective Services personnel when it is necessary to protect the health or safety of the student or other individuals. In deciding whether or not the disclosure should be made, the seriousness of the threat to the health or safety of the student or other individuals, the need for the information to meet the emergency and the extent to which time is of the essence should be considered. (Family Educational Rights and Privacy Act of 1974).

6) Student Interviews by Child Protective Services Personnel on School Property

The Building Principal may allow a Department of Social Services Child Protective Services employee to interview, in school, any student concerning whom a report of suspected abuse or maltreatment has been made regardless of the source of the report. A school official should be present during the interview unless it is decided that the presence of the school official is not essential to protect the interests of the student and that the Department of Social Services worker's job can best be accomplished by conducting the interview without the school official present.

7) Taking a Child Into Protective Custody

School officials and staff members do not have the power to take a child into protective custody under the Social Services Law or Education Law. A peace officer, police officer, law enforcement official, agent of a duly incorporated society for the prevention of cruelty to children or a designated employee of the County Department of Social Services may take a child into protective custody without the consent of a parent or guardian. The Building Principal shall cooperate with any of the officials referenced above who produces official documentation indicating that a student be taken into protective custody. Release of a child to such official(s) must be authorized by the Superintendent of Schools or his/her designee.

(Continued)

SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)8) Confidentiality of Reports

Reports of suspected child abuse and neglect/maltreatment are confidential and may only be made available to those individuals who are specified by law. Prior to the release of a report, the Freedom of Information Law Records Access Officer should consult with the Superintendent of Schools and the school attorney regarding the propriety of releasing the report even to one specified by law as being entitled to receive the report. The Commissioner of Social Services may intervene to prohibit the release of a report by determining that to do so would be detrimental to the safety interests of the reporter.

9) Reporting of a Child's Death

A post-mortem report for investigation must be made to the medical examiner or coroner in the event that a child dies as a result of abuse or maltreatment. If such death occurs at school, the report for investigation shall be made by the Superintendent of Schools to the appropriate medical authority. (Section 418, Social Services Law).

10) Immunity from Liability

The law provides school officials who act in good faith in the making of a report or the taking of photographs with immunity from liability. The immunity from liability extends to civil or criminal liability that might otherwise result from such actions. The law establishes a presumption of immunity from liability. (Section 419, Social Services Law).

11) Penalties for Failure to Report

Any mandated reporter who willfully fails to report a case of suspected child abuse, maltreatment and neglect shall be guilty of a Class A Misdemeanor. In addition, any mandated reporter who knowingly and willfully fails to make such a report shall be civilly liable for the damages proximately caused by such failure to report. (Section 420, Social Services Law).

12) Obligations for Provision of Services and Procedures to Safeguard Life and Health

If, during the course of an investigation of suspected child abuse or neglect/maltreatment, the Building Principal determines that a child's health or safety is threatened, the Building Principal shall immediately contact the Superintendent who will immediately contact the Child Protective Service and police to recommend having the child placed in protective custody pursuant to paragraph 7) of this regulation.

Students**SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)**13) Training Programs for Current and New School Officials

The Superintendent/designee shall establish and implement, on an ongoing basis, a training program for all current and new school officials concerning their reporting responsibilities for suspected child abuse and neglect/maltreatment and the District procedures described herein. (Section 3209-a, Education Law).

14) Training on Recognizing Unlawful Methamphetamine Laboratories

The Superintendent/designee shall provide information on recognizing the signs of a clandestine methamphetamine laboratory to all mandated reporters who visit children's homes as part of their usual professional responsibilities. If an employee suspects a methamphetamine laboratory, he/she should leave the premises immediately and contact local law enforcement.

Section 413(4) of the Social Services Law)

15) Distribution of Policy and Regulations

The Superintendent/designee shall distribute copies of the policy and regulations regarding child abuse and neglect/maltreatment reporting requirements to all current and new school officials (Section 3209-a, Education Law).

Prohibition of Retaliatory Personnel Action

The School District is prohibited from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law Section 413(1). Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

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

PHYSICAL AND BEHAVIORAL INDICATORS OF CHILD ABUSE AND NEGLECT 7530R.1

The finding of any of the "Physical or Behavioral Indicators" given in this table does not inescapably imply the presence of child abuse or neglect. Rather, these indicators represent behavioral patterns or features that are often found in abused and neglected children. The presence of one or more of these indicators should simply alert the clinician to the possibility that abuse or neglect have occurred.

TYPE	PHYSICAL INDICATORS	BEHAVIORAL INDICATORS	
Physical Abuse	Unexplained Bruises and Welts: <ul style="list-style-type: none"> - on face, lips, mouth - on torso, back, buttocks, thighs - in various stages of healing - clustered, forming regular patterns - reflecting shape of article used to inflict (electric cord, belt buckle) - on several different surface areas - regularly appear after absence, weekend or vacation 	- Wary of Adult Contacts Apprehensive When Other Children Cry	
	Frightened of Parents/Guardians		
	Unexplained Burns: <ul style="list-style-type: none"> - 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. - rope burns on arms, legs, neck or torso 	Behavioral Extremes: <ul style="list-style-type: none"> - aggressiveness, or - withdrawal 	
	Unexplained Fractures: <ul style="list-style-type: none"> - to skull, nose, facial structure - in various stages of healing - multiple or spiral fractures 	Afraid to go Home	
	Unexplained Lacerations or Abrasions: <ul style="list-style-type: none"> - to mouth, lips, gums, eyes - to external genitalia 	Reports Injury to Parents/Guardians	
	Physical Neglect	Consistent Hunger	- Begging, Stealing Food
	Poor Hygiene	Extended Stays at School (early arrival and late departure)	
	Inappropriate Dress	Constant Fatigue, Listlessness or Falling Asleep in Class	
	Consistent Lack of Supervision, Especially in Dangerous Activities or for Long Periods	Alcohol or Drug Abuse	
	Unattended Physical Problems or Medical Needs	Delinquency (e.g.; thefts)	
Abandonment	States There is no Caretaker		
Sexual Abuse	Difficulty in Walking or Sitting	- Unwilling to Change for Gym or Participate in Physical Education Class	
	Torn, Stained or Bloody Underclothing	Withdrawal	
	Pain or Itching in Genital Area	Fantasy or Infantile Behavior	
	Bruises or Bleeding in External Genitalia, Vaginal or Anal Areas	Bizarre, Sophisticated, or Unusual Sexual Behavior or Knowledge in Young Children	
	Venereal Disease, Especially in Pre-teens	Poor Peer Relationships	
	Pregnancy	Delinquent or Run Away	
		Reports Sexual Assault by Caretaker	
Emotional Maltreatment	Lags in Physical Development	- Speech Disorders	
	Failure to Thrive	Habit Disorders (Sucking, biting, rocking, etc.)	
		Conduct Disorders (Anti-social, destructive)	
		Neurotic Traits (Sleep disorders, inhibition of play)	
		Psychoneurotic Reactions (Hysteria, obsession, compulsion, phobias, hypochondria)	
		Behavior Extremes: <ul style="list-style-type: none"> - compliant, passive - aggressive, demanding 	
		Overly Adaptive Behavior: <ul style="list-style-type: none"> - inappropriately adult - inappropriately infant 	
		Development Lags (Cognitive, emotional)	
		Attempted Suicide	

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS

Pursuant to Board of Education policy and Education Law, Kenmore-Town of Tonawanda Union Free School District staff and school volunteers should be on the alert for the purpose of identifying abused and maltreated children, including abuse which occurs in an educational setting as enumerated in law; and reporting such findings as required. For the purpose of discerning whether or not child abuse has occurred, the following definitions should be considered.

Definitions

- 1) "Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:
 - a. Intentionally or recklessly inflicting physical injury, serious physical injury or death; or
 - b. Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death; or
- 43)
 - c. Any child sexual abuse, defined as conduct prohibited by Article 130 or 263 of the Penal Law; or
 - d. The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.
- 2) "Child" shall mean a person under the age of twenty-one (21) years enrolled in a school district in this state, other than a school district within a city having a population of one million or more.
- 3) "Employee" shall mean any person receiving compensation from the Kenmore-Town of Tonawanda Union Free School District or employee of a contracted service provider or worker placed within the school under a public assistance employment program pursuant to Title 9-B of Article 5 of the Social Services Law and, consistent with the requirements of such law for the provisions of services to the District, its students or employees, directly or through contract, whereby services performed by such person involve direct student contact.
- 4) "Volunteer" shall mean any person, other than employee, who provides services to the Kenmore-Town of Tonawanda Union Free School District or a school in the District which involve direct student contact.

(Continued)

Students

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)

- 5) "Educational setting" shall mean:
 - a. The building(s) and grounds of the Kenmore-Town of Tonawanda Union Free School District;
 - b. The vehicles provided by the Kenmore-Town of Tonawanda Union Free School District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off Kenmore-Town of Tonawanda Union Free School District grounds;
 - c. All co-curricular and extracurricular activities sites; and
 - d. Any other location where direct contact between an employee or volunteer and a child has allegedly occurred.
- 6) "Administrator" or "school administrator" shall mean a principal of a public school, charter school or board of cooperative educational services, or other chief school officer (e.g., Superintendent of Schools).
- 7) "Law enforcement authorities" shall mean a municipal police department, sheriff's department, the division of state police or any officer thereof. However, notwithstanding any other provision of law, law enforcement authorities shall not include any child protective service or any society for the prevention of cruelty to children as such terms are defined in Section 423 of the Social Services Law.
- 8) "Parent" shall mean either or both of a child's parents or other persons legally responsible for the child.
- 9) "Child sexual abuse" shall mean conduct prohibited by Article 130 or 263 of the Penal Law.

Employees Obligated to Report Cases of Suspected Child Abuse in an Educational Setting

Mandatory reporters pursuant to Education Law are teachers, school nurses, school guidance counselors, school psychologists, school social workers, Superintendents and other school administrators, School Board members, and other school personnel required to hold a teaching or administrative license or certificate.

(Continued)

Students

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)**Duties of Employees upon Receipt of an Allegation of Child Abuse in an Educational Setting**

In any case where an oral or written allegation is made to an employee specifically enumerated above that a child has been subjected to child abuse by an employee or volunteer in an educational setting, that person shall upon receipt of such allegation:

- 1) Promptly complete a written report of such allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. Such written report shall be completed on a form prescribed by the Commissioner of Education.
- 2) Except where the school administrator is the person receiving such oral or written allegation, the employee shall promptly *personally deliver* a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred.
- 3) In any case where it is alleged that a child was abused by an employee or volunteer of a school other than a school within the school district of the child's attendance, the report of such allegations shall be promptly forwarded to the Superintendent of Schools of the school district of the child's attendance and the school district where the abuse allegedly occurred; whereupon, both School Superintendents shall comply with the reporting/notification requirements as mandated by law and enumerated below.

Duties of School Administrators and Superintendents upon Receipt of a Written Report Alleging Child Abuse in an Educational Setting

Upon receipt of a written report as described above alleging that a child has been abused in an educational setting, a school administrator or the Superintendent must then determine whether there is "reasonable suspicion" to believe that an act of such child abuse has occurred. Upon a determination that there is such reasonable suspicion, the school administrator or Superintendent shall comply with the following procedures:

Where the Child Has Made the Allegation

- 1) Promptly notify the parent of such child that an allegation of child abuse in an educational setting has been made regarding such child and promptly provide the parent with a written statement prepared pursuant to Commissioner's Regulations setting forth parental rights, responsibilities and procedures under the law;

(Continued)

Students

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)

- 2) Where a school administrator receives a written report, promptly provide a copy of the report to the Superintendent; and
- 3) Promptly forward such report to appropriate law enforcement authorities.

In no event shall reporting to law enforcement authorities be delayed by reason of an inability to contact the Superintendent of Schools.

Where the Parent of the Child Has Made the Allegation

- 1) Promptly provide the parent of such child with a written statement prepared pursuant to Commissioner's Regulations setting forth parental rights, responsibilities and procedures under the law;
- 2) Where a school administrator receives a written report, promptly provide a copy of the report to the Superintendent; and
- 3) Promptly forward such report to appropriate law enforcement authorities.

In no event shall reporting to law enforcement authorities be delayed by reason of an inability to contact the Superintendent of Schools.

Where Someone Other Than the Child or the Parent of the Child Has Made the Allegation

- 1) Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made regarding his/her child and promptly provide the parent with a written statement prepared pursuant to Commissioner's Regulations setting forth parental rights, responsibilities and procedures under the law;
- 2) Ascertain from the person making the report the source and basis for such allegation;
- 3) Where a school administrator receives a written report, promptly provide a copy of the report to the Superintendent; and
- 4) Promptly forward such report to appropriate law enforcement authorities.

In no event shall reporting to law enforcement authorities be delayed by reason of an inability to contact the Superintendent of Schools.

(Continued)

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)

Additional Duties of the Superintendent

- 1) Where the Superintendent or school administrator forwards to law enforcement a report as mandated by law and enumerated above, the Superintendent must then forward such report to the Commissioner of Education where the employee or volunteer alleged to have committed an act of child abuse in an educational setting holds a certification or license issued by the State Education Department.
- 2) A report which is made pursuant to Education Law Article 23-B and does not, after investigation, result in a criminal conviction shall be expunged from any record which may be kept by a school or the School District with respect to the subject of such a report after a period of five (5) years from the date of the making of the report, or at such earlier time as the school or School District determines.

Immunity from Liability

Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting to a person and in the manner enumerated in law and described above will have immunity from civil liability which might otherwise result by reason of such actions. Similarly, any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting or reasonably and in good faith transmits such a report to a person or agency as required by the law will also have immunity from civil liability which might otherwise result by reason of such actions.

Confidentiality of Reports

Reports and other written material submitted pursuant to the law, and photographs taken concerning such reports in the possession of any person legally authorized to receive such information, *shall be confidential and shall not be redisclosed except* to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. The Superintendent and school administrators shall exercise reasonable care in preventing unauthorized disclosure of such records. Willful disclosure of a written record required to be kept confidential pursuant to the law to a person not authorized to receive or review such a record shall constitute a Class A misdemeanor.

Students

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)**Penalties for Failure to Report**

Willful failure of an employee to prepare and submit a written report of an allegation of child abuse as required in the law will be considered a Class A misdemeanor.

Willful failure of a school administrator or the Superintendent to submit a written report of child abuse to an appropriate law enforcement authority is also a Class A misdemeanor.

Any failure to submit a written report of child abuse to an appropriate law enforcement authority as required by law, *whether or not willful*, shall be punishable by a civil penalty (i.e., fine) of up to five thousand dollars (\$5000) upon an administrative determination by the Commissioner of Education.

Notification by District Attorney

Where a criminal investigation of an allegation of child abuse by an employee or volunteer is undertaken as a result of a written report forwarded by a school administrator or the Superintendent to law enforcement authorities, and where law enforcement authorities have provided such report to the District Attorney and have requested assistance, the District Attorney shall notify the Superintendent of Schools of the district where the acts of child abuse allegedly occurred and of the school district where the child is attending, if different, of an indictment or the filing of an accusatory instrument against the employee or volunteer against whom the allegation of child abuse in an educational setting was made.

The District Attorney shall notify the Superintendent of Schools of the district where the acts of child abuse allegedly occurred and of the school district, if different, where the child is attending of the disposition of the criminal case against such employee or volunteer or the suspension or termination of the criminal investigation of such employee or volunteer.

Actions upon Criminal Conviction of a Licensed or Certified School Employee

In the event that a licensed or certified school employee against whom an allegation of child abuse in an educational setting has been made is convicted of any crime involving child abuse in an educational setting, the District Attorney shall provide notice of such criminal conviction to the Commissioner, the Superintendent of Schools of the district where the acts of child abuse occurred and to the school district where the child is attending school, if different.

Upon receiving notice of a conviction from the District Attorney, the Commissioner shall determine whether the individual possesses "good moral character" in accordance with Part 83 of the New York Code of Rules and Regulations. However, Education Law 3020-a proceedings are still required.

(Continued)

Students

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)

An employee or volunteer who has adverse action taken against him/her because of any reports made against them pursuant to this law are entitled to receive a copy of such report and respond to the allegations of child abuse. Any employee or volunteer is also entitled to seek disclosure of such report pursuant to Article 6 of the Public Officers Law (Freedom of Information Law).

Responsibilities of the Commissioner of Education

The Commissioner shall prepare a form for the recording and transmitting of allegations of child abuse in an educational setting as mandated pursuant to law. Additionally, the Commissioner shall promulgate rules and regulations for training necessary for the implementation of this law.

Notification/Training for Teachers and Other School Officials

The Kenmore-Town of Tonawanda Union Free School District shall annually provide to all teachers and all other school officials a written explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions, as mandated pursuant to law and enumerated above. The District will implement, on an ongoing basis, a training program regarding the procedures set forth as enumerated in law and Commissioner's Regulations for all current and new teachers, school nurses, school counselors, school psychologists, school social workers, school administrators, other personnel required to hold a teaching or administrative certificate or license, and School Board members. Training programs and notification procedures implemented pursuant to this law shall not replace or negate other mandatory training/notification requirements addressing the reporting of child abuse pursuant to Education Law, the Family Court Act and the Social Services Law.

The Commissioner, with the assistance and cooperation of the Commissioner of Children and Family Services and the Commissioner of Criminal Justice Services, shall furnish the Kenmore-Town of Tonawanda Union Free School District with the required information. Such information shall be updated by the Commissioner at least once each school year.

Prohibition of "Silent" (Unreported) Resignations

The Superintendent and other school administrators shall not make any agreement to withhold from law enforcement authorities, the Superintendent or the Commissioner, where appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual's resignation or voluntary suspension from his/her position.

Superintendents (or a designated administrator) who reasonably and in good faith report to law enforcement officials information regarding allegations of child abuse or a resignation as required pursuant to law shall have immunity from any liability, civil or criminal, which might otherwise result by reason of such actions.

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Students

SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (Cont'd.)

If the Superintendent or a school administrator makes an agreement violative of this prohibition against "silent resignations," it shall constitute a Class E felony, and shall also be punishable by a civil penalty (i.e., fine) of up to twenty thousand dollars (\$20,000).

NOTE: Refer also to Regulation #7530R -- Child Abuse.

Students**SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT**ResponsibilityAction

- 44) Staff Member as a Mandated Reporter
- 1) When presented, while in their official capacity, with reasonable cause to suspect child abuse, neglect or maltreatment by a parent, guardian, custodian, or other person legally responsible for such child:
 - a. Immediately reports suspected child abuse, neglect or maltreatment to the New York State Central Register of Child Abuse and Maltreatment ("Hotline") by telephone (1-800-635-1522) or by a telephone facsimile machine (request number) to give oral report of suspected child abuse, neglect or maltreatment.
 - b. Notifies Building Principal or his/her designee of all incidents involving child abuse, neglect or maltreatment.
 - c. Provides the New York State Central Register the following information, if known:
 - (1) Name and address of the child, and child's parent's/guardian's age, sex, and race;
 - (2) Nature and extent of the child's injuries, abuse or maltreatment;
 - (3) Name of the person or persons responsible for causing the injury, abuse or maltreatment;
 - (4) Family composition;
 - (5) Source of the report;

(Continued)

Students**SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)**

<u>Responsibility</u>	<u>Action</u>
Staff Member as a Mandated Reporter (Cont'd.)	<ul style="list-style-type: none"> (6) Person making the report and where that person can be reached; (7) Any action taken by the reporting source; (8) Any additional information which may be helpful. <ul style="list-style-type: none"> d. The report shall include the name, title and contact information for every staff member believed to have direct knowledge of the allegations in the report. e. Requests and records Call ID number.
Building Principal	<ul style="list-style-type: none"> 2) Takes responsibility for all subsequent administration of the report. <ul style="list-style-type: none"> a. Ensures that a signed, written report is made within forty-eight (48) hours to the local County Department of Social Services Child Protective Unit on Form LDSS-2221A. The Form is available on the following website: http://www.ocfs.state.ny.us/main/forms/cps/ b. The written report shall include the name, title and contact information for every staff member believed to have direct knowledge of the allegations in the report. 3) Notifies Superintendent or his/her designee of all incidents of such child abuse, neglect or maltreatment.

**REPORT OF SUSPECTED
CHILD ABUSE OR MALTREATMENT**

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES

Oral Report Date	State Register No.	Local Register No.
Time [] AM [] PM	Local Case No.	Local District/Agency

Subjects of Report

List all children in household, adults responsible for household, and alleged perpetrators.

Line No.	Last Name	First Name	M.I.	Aliases	Sex (M, F, Unk.)	Birthdate or Age Mo. Day Yr.	Ethnic Code (*Over)	Susp. or Relation Code (**Over)	Check (✓) if Alleged Perpetrator
1									
2									
3									
4									
5									
6									
7									

MORE

LIST ADDRESSES AND TELEPHONE NUMBERS
HOUSEHOLD

TELEPHONE NO.

OTHERS
(Give Line Nos.)

TELEPHONE NO.

TELEPHONE NO.

Basis of Suspicions

Alleged consequences or evidence of abuse or maltreatment. Give child(ren)'s line number(s). If all children write "ALL."

- | | | |
|--|---------------------------------------|---------------------------------------|
| _____ DOA/Fatality | _____ Child's Drug/Alcohol Use | _____ Educational Neglect |
| _____ Fractures | _____ Drug Withdrawal | _____ Emotional Neglect |
| _____ Subdural Hematoma, Internal Injuries | _____ Lack of Medical Care | _____ Lack of Food, Clothing, Shelter |
| _____ Lacerations, Bruises, Welts | _____ Malnutrition, Failure to Thrive | _____ Lack of Supervision |
| _____ Burns, Scalding | _____ Sexual Abuse | _____ Abandonment |
| _____ Excessive Corporal Punishment | _____ Other (specify) _____ | |

State reasons for suspicion. Include the nature and extent of each child's injuries, abuse or maltreatment, any evidence of prior injuries, abuse or maltreatment to the child or his siblings and any evidence or suspicions of "Parental" behavior contributing to the problem.

(If known, give time and date of alleged incident):

Month	Day	Year	[] AM
			Time [] PM

Sources of This Report

PERSON MAKING THIS REPORT		SOURCE OF THIS REPORT IF DIFFERENT	
NAME	TELEPHONE NO.	NAME	TELEPHONE NO.
ADDRESS		ADDRESS	
AGENCY/INSTITUTION		AGENCY/INSTITUTION	

RELATIONSHIP (✓ for Reporter, X for Source)

- [] Med. Exam./Coroner [] Physician [] Hospital Staff [] Law Enforcement [] Neighbor [] Relative
 [] Social Services [] Public Health [] Mental Health [] School Staff [] Other (specify) _____

For Use By Physicians Only	Medical Diagnosis on Child	Signature of Physician Who Examined/Treated Child X	TELEPHONE NO.	
	HOSPITALIZATION REQUIRED: 0 [] None 1 [] Under One Week 2 [] One - Two Weeks 3 [] Over Two Weeks			
ACTIONS TAKEN OR	0 [] Medical Exam	2 [] X-ray	4 [] Removal/Keeping	6 [] Not. Med Exam./Coroner
ABOUT TO BE TAKEN	1 [] Photographs	3 [] Hospitalization	5 [] Returned Home	7 [] Notified DA
SIGNATURE OF PERSON MAKING THIS REPORT X	TITLE		DATE SUBMITTED Mo Day Yr. 	

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT 7530F.1
CHILD ABUSE IN AN EDUCATIONAL SETTING 1 of 2
CONFIDENTIAL REPORT OF ALLEGATION

SUBJECT CHILD	PARENT OF SUBJECT CHILD
Name _____ <div style="display: flex; justify-content: space-around; font-size: small;"> Last First MI </div>	Name _____
Address _____ _____	Address (if different) _____ _____ _____
School _____ Grade _____ Sex (M, F, Unknown) _____ Age or Birthday (Mo/Day/Yr) _____	

SOURCE OF ALLEGATION (Check as Appropriate)
 Child Parent Other – Name _____ Relationship to Child (if any) _____

ALLEGED PERPETRATOR (EMPLOYEE OR VOLUNTEER)
 Name _____ School District _____
 School Building _____ School Position _____

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

REPORTER INFORMATION
 Name _____ School District _____ School _____
 Address _____ School Telephone _____ Relationship to Child (if any) _____
 Teacher School Guidance Counselor School Nurse School Psychologist
 Administrator School Board Member School Social Worker
 School personnel required to hold teaching or administrator license or certification
 Date Submitted to Administrator ____/____/____ Signature _____

FOR ADMINISTRATOR USE ONLY	FOR SUPERINTENDENT OF SCHOOL USE ONLY
Reasonable Suspicion ____ Yes ____ No	Reasonable Suspicion ____ Yes ____ No
Date Submitted to Superintendent ____/____/____	Date Submitted to Law Enforcement ____/____/____
Name/Signature _____	Name/Signature _____
Date Submitted to Law Enforcement ____/____/____	Date Submitted to Commissioner ____/____/____
Name/Signature _____	Name/Signature _____

(Continued)

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT 7530F.1
CHILD ABUSE IN AN EDUCATIONAL SETTING 2 of 2
CONFIDENTIAL REPORT OF ALLEGATION (Cont'd.)

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

- 1) "Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:
 - a. Intentionally or recklessly inflicting physical injury, serious physical injury or death, or
 - b. Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death, or
 - c. Any child sexual abuse as defined in this section, or
 - d. The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.
- 2) "Child" shall mean a person under the age of twenty-one (21) years enrolled in a school district in this State, other than a school district within a city having a population of one million or more.
- 3) "Employee" shall mean any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to Title 9B of Article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.
- 4) "Volunteer" shall mean any person, other than an employee, who provide services to a school or school district, which involve direct student contact.
- 5) "Educational setting" shall mean the building and grounds of a public school district, the vehicles provided by the school district for the transportation of students to and from school buildings, field trips, co-curricular and extra-curricular activities, both on and off school district grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.
- 6) "Administrator" or "school administrator" shall mean a principal of a public school, charter school or board of cooperative educational services, or other chief school officer.
- 7) "Law enforcement authorities" shall mean a municipal police department, sheriff's department, the division of state police or any officer thereof. Notwithstanding any other provision of law, law enforcement authorities shall not include any child protective service or society for the prevention of cruelty to children as such terms are defined in Section 423 of the Social Services Law.
- 8) "Parent" shall mean either or both of a child's parents or other persons legally responsible for the child.
- 9) "Child sexual abuse" shall mean conduct prohibited by Article 130 or 263 of the Penal Law.

2004

7531R

Students

SUBJECT: SEXUAL HARASSMENT OF STUDENTS

Refer to Section #3190R, Anti-Harassment in the School District, for regulation and forms relating to Harassment

SUBJECT: SUICIDE

It cannot be emphasized strongly enough that children and adolescents, even those who appear physically mature, need support from those around them, particularly in helping them to develop positive self images and perceptions of their ability to handle problems.

Prevention:

The prevention aspect begins by educating students, staff members and people in the community to the threat of suicide and to the need for and means of prevention. The following lists warning signs of suicide:

- 1) Previous suicide attempts;
- 2) Threats of suicide or statements about the wish to die;
- 3) Sudden changes in behavior or personality;
- 4) Changes in eating or sleeping patterns;
- 5) Alcohol or drug abuse;
- 6) Accident proneness/risk-taking behavior;
- 7) Acting out behaviors (fighting, breaking and entering, drugs, running away, promiscuity);
- 8) Giving away prized possessions or making final arrangements;
- 9) Withdrawal from usual social or family activities;
- 10) Unwanted pregnancy: affects boys and girls.
- 11) School indicators:
 - Sudden drop in grades;
 - Short term absences due to somatic complaints;
 - Social isolation;
 - Depressive themes or suicidal ideation in writing or art work.

School personnel can introduce discussion about suicide into many high school subjects such as health, social studies, literature, psychology, sociology, home economics and through other activities in the school such as staff development workshops and Superintendent's day programs.

SUBJECT: SUICIDE (Cont'd.)Intervention:

The second step is the intervention phase. This is begun by alerting local helping professionals that the school is planning to institute a suicide education and prevention program and that they may be called upon to provide immediate treatment services to an individual at risk of suicide.

Mental health personnel should be informed of the school's efforts and the possibility of demands upon their services and should be asked to participate in local programs. Records should be maintained as a legal precaution indicating:

- 1) The suicidal risk is recognized;
- 2) Specific measures have been taken to deal with the risk.

Post-Intervention:

Coping with the aftermath of a suicide, the third step, is as critical as the other phases, yet few people are experienced and skilled in dealing with the effects of a suicide. Should a suicide occur, there must be an immediate local response to help the school through the aftermath by considering the following:

- 1) Eliminate the contagion effect;
- 2) Eliminate any modeling effect by others;
- 3) Prevent students' feelings of guilt or anxiety from overwhelming them.

It may be necessary, however, to go beyond the immediate locale to find someone skilled in helping an entire school population and surrounding community deal with the grief and shock of a student suicide.

If a suicide should occur, the entire school and community will find it difficult to deal with anything else for several days. Every effort should be made, however, to carry on with "business as usual."

Trained professionals are able to recognize significant signs of students at risk of suicide. Teachers, counselors and parents/guardians can learn to recognize them. When someone recognizes signs of potential suicide in the school building and District, such a suspicion should be reported to the DISTRICT INTERVENTION CRISIS TEAM. This team will consist of the school psychologist, school nurse, student's counselor and the building principal. All staff need to be aware of the system and its importance.

Students

SUBJECT: EMERGENCY MEMO TO TEACHERS REGARDING TRAGIC INCIDENTS

The following information will hopefully help you get through this most difficult day:

- 1) Don't expect to get your usual amount or quality of work done. Try to teach a lesson if you can, based on your feelings as well as those of your students. If this is not possible, a quiet class period is certainly appropriate.
- 2) It's okay for a teacher to feel uncomfortable about dealing with the situation. Call for help if you want it.
- 3) It is okay for teachers to show their feelings.
- 4) Both teachers and students need to support each other as much as possible.
- 5) Staff may be overwhelmingly upset, naturally, especially those who have had contact with the child, and so staff should have someone available to talk with. Of course there is much mutual support. The faculty lunchroom may be the most comfortable place to come for the faculty.
- 6) Get back to routines as soon as possible after children have had a chance to express their feelings.
- 7) Be aware of the facts regarding this situation to counteract rumors.
- 8) What may seem like inappropriate feelings expressed by some children reflect real feelings which we may not immediately understand. There is no inappropriate immediate response. Children can be helped to empathize with others and express honest feelings appropriately.

Expect the entire range of emotional reactions from hysterical behavior to joking. All reactions are normal.

Teachers may get the feeling that there are some students who are using this tragedy to avoid school responsibility. It is our experience, however, that these students are in the minority. We all need to be careful not to judge the feelings or motivations of others.

- 9) If a child expresses his/her feeling that he/she should have done something to prevent the death, listen to what he/she has to say, don't shut him/her off until he/she has expressed himself/herself, and let him/her know he/she was not responsible.

If there is a possibility of suicide, do not glamorize, or romanticize or speculate what might have happened. When children speculate, ask them if they know for sure what happened, listen, and point out gently and without criticism what we know and don't know.

(Continued)

Students

**SUBJECT: EMERGENCY MEMO TO TEACHERS REGARDING TRAGIC INCIDENTS
(Cont'd.)**

- 10) Think about who children can talk with, at home, at school.
- 11) For those students who are extremely upset, locations have been set up in various parts of the building where support staff are available to assist them. Students should not be in the corridors unsupervised, but rather sent to designated areas in the building. They will be returned to class when they are ready to do so. The names of these students will be kept in a confidential log and:
 - a. Their parents/guardians will be notified immediately;
 - b. Individual follow up sessions will be scheduled with them by members of the support staff.
- 12) What can the children do to express sympathy to the family? Write notes of sympathy. Some children may be attending the funeral with an adult.
- 13) All services available to students are available for staff as well!

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
STUDENT ALERT**

Teacher _____ Student Name _____

Date _____

The purpose of this form is to alert the School Office and Guidance of recent concerns you have developed about a particular student. This is a preliminary form, so brief information and reasonable estimates are acceptable.

AREA OF CONCERN (Check one)

[] Attendance

- 1) Estimated absences from your class for the year or a particular period.
(Example: Absent 6 times in the last 2 weeks)

- 2) Other Comments: _____

[] Grades

- 1) Description of significant change in student's grades for the year or a particular period.
(Example: Dropped _____ points in the last 3 weeks)

- 2) Other Comments: _____

[] Other Concerns: _____

OFFICE USE ONLY

Reviewed by: _____

Building Principal

Date

Guidance Counselor

Date

Students

SUBJECT: RACIAL HARASSMENT (STUDENTS)

The complaint officer is responsible for coordinating federal regulations concerning racial harassment.

A student who believes that he/she has been subjected to racial harassment is to report such conduct to the designated complaint officer. If the complaint officer is the alleged offender, the report shall be made to the next level of supervisory authority. Allegations of racial harassment may be reported through informal and/or formal complaint procedures.

Confidentiality of all reports of racial harassment will be maintained as much as possible. Subject to all applicable laws and regulations, appropriate collective bargaining agreements, and Student Disciplinary Codes, the following guidelines shall be utilized in the investigation and resolution of racial harassment complaints.

Step 1 - Informal Complaints

A student who believes that he/she has been subjected to racial harassment may file an informal complaint by requesting a meeting with the complaint officer and the building principal* in order to discuss the allegations and appropriate actions, if any. The complaint officer will discuss the complaint with the alleged offender. The complaint officer will then prepare a written report of the incident, detailing any corrective action being taken and/or resolution of the complaint, submit one copy of this report to the complainant for his/her information, and file one copy with the building principal and one copy with the Superintendent. If the complainant is satisfied with the response of the complaint officer, the complainant shall so indicate in writing and the matter shall be deemed closed. If the complainant is not satisfied with the complaint officer's response, the complainant may proceed to file a formal complaint. The Superintendent and building principal shall be kept informed of the complainant's response and course of action, if any.

* If the building principal is the alleged offender, then the complaint officer shall designate another school official to meet with him/her and the student; and this designated school official will take the place of the building principal in all applicable phases of the complaint process.

Step 2 - Formal Complaint

A student may file a formal written complaint of racial harassment as an initial step or as a result of an unsatisfactory resolution of an informal complaint. The formal complaint should include:

- 1) The name, address and phone number of the complainant;
- 2) The name of the alleged offender;
- 3) The specific nature of the harassment and corresponding dates; and
- 4) The names of any and all witnesses.

(Continued)

Students

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

The formal complaint will be filed with the complaint officer who will submit a copy of the complaint to the building principal and the Superintendent of Schools. The complaint officer will, in accordance with applicable federal guidelines and regulations, conduct a prompt and thorough investigation, issue a written report of the results of the investigation, and notify the complainant in writing of the outcome.

Step 3 - Corrective Action/Resolution

The complaint officer will inform the Superintendent and the building principal of the outcome of his/her investigation. If the Superintendent of Schools issues a finding that no racial harassment has occurred, the complainant, if not satisfied with this resolution, may appeal the decision to the Board of Education. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing and the matter will be deemed closed.

Should the Superintendent determine that corrective action is necessary, the Superintendent of Schools shall follow all applicable laws and regulations, appropriate collective bargaining agreements, and Student Disciplinary Codes in the resolution of the complaint.

The complainant shall receive a copy of any and all reports issues by the Superintendent pertaining to the investigation/outcome of the formal complaint.

Scope of Legal Action

The filing and/or the rendering of a decision regarding the complaint shall in no way prohibit, prevent or limit the complainant from taking appropriate legal action in accordance with state and federal law.

Step 4 - Appeal to the Board of Education

In the event that a complainant files an appeal with the Board of Education, following an investigation by the Superintendent of Schools, the Board of Education will conduct a hearing and issue a written response to the complainant following completion of the hearing.

The complaint officer will make follow-up inquiries to ensure that the harassment has not resumed and that the victim and any witnesses have not suffered retaliation.

The District shall take all appropriate measures to prevent the occurrence or continuation of any type of racial harassment and shall implement remedial or corrective action where necessary. Regardless of whether a complaint has been filed, if the District knows or has reason to know of the existence of any alleged racial harassment, the District shall require a prompt and thorough investigation by appropriate personnel.

NOTE: Refer also to Regulation #3190R -- Anti-Harassment in the School District.

Students

SUBJECT: NOTIFICATION OF SEX OFFENDERS

When the School District receives information from local police authorities in accordance with New York State's Sex Offender Registration Act ("Megan's Law") regarding the presence of sex offenders in our school community, it will be District regulation to inform those designated staff members who may have contact with the sex offender in the course of their School District responsibilities of data received regarding such offenders. To ensure uniformity in complying with this regulation, the following guidelines will apply:

- 1) Each school principal/supervisor shall make certain designated staff members aware of the information provided by local police authorities to the School District in accordance with the Sex Offender Registration Act. Such staff members may include, but are not limited to, teachers, office personnel, custodians, bus drivers, coaches, security personnel, and other staff as deemed appropriate by the applicable building principal/supervisor.
- 2) Such designated staff members will be allowed to view all information provided.
- 3) All other School District employees will be notified of the availability of this information, and written requests for information received by the District pursuant to "Megan's Law" are to be directed to the appropriate building principal/supervisor.
- 4) Such information which may be disseminated to the School District from local law enforcement agencies may include, *at such agencies' discretion*, the name of the sex offender, name of the sex offender, the offender's zip code or exact address, a photograph, background information including the offender's crime of conviction, modus of operation, type of victim targeted, and the description of special conditions imposed on the offender to any entity with vulnerable populations related to the nature of the offense committed by such sex offender.
- 5) Each principal/supervisor shall maintain a file in his/her office that includes all information received from local law enforcement agencies regarding the presence of such sex offenders in the school community.
- 6) If an employee believes that he/she has seen such an offender within the school building, on school property, at school activities, on or near District bus routes, or believes the offender has come in contact with children, the employee is required to report such sightings to his/her building principal/supervisor. The building principal/supervisor shall then immediately inform the Superintendent who will contact local law enforcement authorities.

(Continued)

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

- 7) If for some reason the building principal/supervisor is not able to immediately contact the Superintendent, the building principal/supervisor shall be authorized to then inform the local law enforcement agency regarding this possible sighting of such paroled/released sex offender.
- 8) Employees will not be allowed to automatically make personal copies of such information disseminated by local police. If an employee wants a personal copy of this information, he/she must file a written request with his/her building principal/supervisor.
- 9)
 - a. All non-school groups which regularly use District facilities and have children in attendance shall be identified by the administration, and the notification information shall be disseminated to the adult who has been identified as the supervisor of each such group. District administration will also forward such notification information to the Chief School Officer of each private and parochial school within the geographic boundaries of the School District; or, in the alternative,
 - b. School District administration may, in their discretion, provide applicable law enforcement officials with a list of the names and addresses of all non-school groups which regularly use District facilities and have children in attendance, and request that such law enforcement officials disseminate to such groups the information that has been released to the District in accordance with Megan's Law.
- 10) Parents/guardians of District students and other community residents will also be notified by administration of the availability of information provided by law enforcement officials to the District, pursuant to Megan's Law, concerning the presence of a sex offender in the school community. Community residents who desire such information are to direct their written requests to the District Office. District residents may also be advised to contact the appropriate local law enforcement agency if they wish to learn additional information.
- 11) Administration shall refer all questions for further specifics concerning information on the paroled/released sex offender to the appropriate law enforcement agency and/or parole officer.

Dissemination of Information to the Public

In addition to the guidelines enumerated in this Regulation, all information contained within the Sex Offender Registry that is disseminated to the District pursuant to Megan's Law *may be disclosed by the District in its discretion*. Records acquired by the District from a source other than the Registry are subject to the provisions of the Freedom of Information Law, and written requests for such information are to be directed to the District Records Access Officer.

Students

SUBJECT: STATE SEX OFFENDER REGISTRY COMMUNITY NOTIFICATION PROCESS

Community Notification Method	Decision-maker	Risk Level 1	Risk Level 2	Risk Level 3
Individual police or sheriff submissions.	Police or sheriff.	No.	Yes. Can provide The name of the sex offender and ZIP code of residence. Cannot provide complete address.	Yes. Can provide the name of the sex offender. Complete address can be provided.
Subdirectory of high-risk (Level 3) sex offenders.	Statutorily limited to police or sheriff.	N/A.	N/A.	Yes. Available on DCJS* website.
900 Number (1-900-288-3838)	DCJS*. Based on information provided by the caller.	Yes. Can confirm registry status and risk is low.	Yes. Can provide ZIP code of residence. Cannot provide complete address.	Yes. Complete address can be provided.

Risk level 1: Risk level determined to be low. Officials are not allowed to release information about the offender to the public.

Risk level 2: Risk level has been determined to be moderate. Officials may release relevant information about the offender, which may include the offender's name, ZIP code of residence, a photograph, Internet accounts and Internet screen names, and background information - including the offender's crime of conviction, type of victim targeted and the description of special conditions imposed on the offender - to any entity with vulnerable populations related to the offender's offense. Anyone receiving this information may release it at their own discretion. Police may not release the offender's exact address.

Risk level 3: Risk level has been determined to be high and there exists a threat to public safety. Officials may release relevant information about the offender, which may include the offender's name, exact address, a photograph, Internet accounts and Internet screen names, background information - including the crime the offender was convicted of, type of victim targeted and the description of special conditions imposed on the offender - to any entity with vulnerable populations related to the offender's offense. Anyone receiving this information may release it at their discretion.

*Department of Criminal Justice System

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

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

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

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

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

Continued

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Students

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM (Cont'd)

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

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

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

- 1) Positive social-emotional skills (including social relationships): Children who achieve this outcome at a level that is comparable to same-aged non-disabled children show a variety of behaviors related to having social relationships. For example, they:
 - a. Demonstrate attachment with the significant caregivers in their lives;
 - b. Initiate and maintain social interactions;
 - c. Behave in a way that allows them to participate in a variety of settings and situations (e.g., on a playground, at dinner, at the grocery store, in child care, etc.);
 - d. Communicate wants and needs effectively;
 - e. Build and maintain relationships with children and adults;
 - f. Regulate their emotions;
 - g. Understand and follow rules; and
 - h. Solve social problems.

2) Acquisition and Use of Knowledge and Skills: Children who achieve this outcome at a level that is comparable to same-aged non-disabled children show a variety of behaviors related to having knowledge and skills. For example, they:

a. Display an eagerness for learning;

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Students

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

b. Explore their environment;

c. Attend to people and objects;

d. Engage in daily learning opportunities;

e. Use knowledge and skills (e.g., vocabulary, complexity of language, problem-solving skills, general knowledge, etc) in a variety of everyday routines and activities;

f. Acquire and use the precursor skills that will allow them to learn reading and mathematics in kindergarten; and

g. Show imagination and creativity in play.

3) Use of Appropriate Behaviors to meet his/her needs: Children who achieve this outcome at a level that is comparable to same-aged non-disabled children show a variety of appropriate behaviors to meet their needs. For example, the:

a. Meet their self-care needs (e.g., feeding, dressing toileting, etc.);

b. Use objects (e.g., spoons, pencils, crayons, clay, scissors, other devices, etc.) as tools;

c. Move from place to place to participate in everyday activities and routines;

d. Seek help when necessary to move from place to place;

e. Seek help when necessary to assist with basic care or other needs; and

f. Follow rules related to health and safety.

Adopted: June 10, 2008

Students

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

<u>Responsibility</u>	<u>Action</u>
45) Committee on Preschool Special Education (CPSE)	1) a. Receives referrals. b. Notifies parents/guardians immediately upon receipt of referral providing information about: <ol style="list-style-type: none"> (1) A list of approved evaluators; (2) A request for consent; (3) Due process rights.
46)	
47) Parents/Guardians	2) Give written consent for evaluation/re-evaluation.
48) CPSE	3) a. If consent is not provided, implements the District's procedures to ensure that parents/guardians have received and understand the request for consent. If consent is still not provided, no evaluation is conducted and the process ends. b. If consent to evaluate is provided, arranges for evaluation/assessment. c. Gathers additional evaluative information.
Evaluator	4) Conducts individual evaluation and sends results, including recommendation, to all members of the CPSE and to the municipality designee.
CPSE	5) a. Within 30 days from receipt of consent to recommendation,

(Continued)

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Students

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM (Cont'd)

Responsibility

Action

CPSE (Cont'd)

holds meeting and reviews information.

- b. Provides at no cost, parents/guardians with a copy of evaluation report and documentation of determination of eligibility.
- c. If child is determined Ineligible for special education provides notice to parents/guardians and Board of Education;

or

- d. If child is determined ineligible for special education, develops, in conjunction with the parents/guardians and the child's teacher the Individualized Education Program (IEP) and provides written notice to the parents/guardians and the Board of Education

The notice shall indicate that if the parent does not provide consent for initial provision of special education services, no further action will be taken by the CPSE until consent is obtained.

Board of Education

- 6) a. The Board of Education arranges for the appropriate special education programs and services to be provided to a

(Continued)

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Students

SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM (Cont'd)

Responsibility

Action

Board of Education (Cont'd)

student with a disability as recommended by the CPSE within thirty (30) school days of the CPSE recommendation..

b. If the Board disagrees with the recommendation of the CPSE, it shall set forth in writing a statement of its reasons and send the recommendation back to the Committee, with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board shall provide to the student's parent/guardians a copy of the statement and notice required in accordance with Commissioner's Regulations.

c. Within thirty (30) calendar days, notifies parents/guardians, municipality and the Commissioner of its determination.

Child

7) Upon parental/guardian consent, enters recommended setting for continued assessment and development.

CPSE

8) a. Within thirty (30) days, provides special education personnel with any other relevant information.

b. Five (5) calendar days prior, in writing, informs appropriate personnel of planning conference.

c. Annually reviews and/or revises the IEP as appropriate.

Students

SUBJECT: LEAST RESTRICTIVE ENVIRONMENT

"Least restrictive environment" is the legal mandate of the Individuals with Disabilities Education Act (IDEA) and begins with the premise that students with disabilities should participate in the general education curriculum as appropriate, with transfer to more restrictive educational settings taking place only where such removal is necessary to carry out the student's education program.

Removal from the regular educational environment will occur only when the nature or severity of a student's disability is such that even with the use of supplementary aids and services, education in a regular classroom setting cannot be satisfactorily achieved.

To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class. Such services may include, but are not limited to, consultant teacher services and other group or individual supplemental or direct special education instruction.

"*Related services*" means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech-language pathology, audiology services, psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling services, orientation and mobility services, medical services as defined in Commissioner's Regulations, parent counseling and training, school health services, school social work, assistive technology services, other appropriate developmental or corrective support services, appropriate access to recreation and other support services.

"*Specially-designed instruction*" means adapting, as appropriate to the needs of an eligible student with disabilities, the content, methodology, or delivery of instruction to address the unique needs that result from the student's disabilities; and to ensure access of the student to the general curriculum, so that he/she can meet the educational standards that apply to all students.

"*Supplementary aids and services*" means aids, services, and other supports that are provided in regular education classes or other education-related settings to enable students which disabilities to be educated with nondisabled students to the maximum extent appropriate in accordance with the least restrictive environment.

Accordingly, the Committee on Special Education (CSE) and/or Committee on Preschool Special Education (CPSE), as applicable, shall determine, and the School District shall provide, the accommodations, modifications, supports, and supplementary aids and services needed by each student with a disability to successfully be involved in and progress in the general curriculum, achieve the goals of the IEP, and successfully demonstrate his or her competencies in State and District-wide assessments.

(Continued)

Students

SUBJECT: LEAST RESTRICTIVE ENVIRONMENT (Cont'd.)

In developing the recommendations for an Individualized Education Program (IEP) for a student eligible for special education services, the CSE or CPSE, as may be applicable, shall indicate, among other considerations/factors, a statement of the program modifications or supports for school personnel that will be provided for the student:

- 1) To advance appropriately toward attaining the annual goals;
- 2) To be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities; or, for preschool students, as appropriate, participation in appropriate activities;
- 3) To be educated and participate with other students with disabilities and nondisabled students in such activities.

The IEP shall also indicate the regular education classes in which the student will receive consultant teacher services.

In conformity with the least restrictive environment provisions of law and regulations:

- 1) Placement shall be based on the student's IEP and determined at least annually;
- 2) Placement shall be as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student shall be educated in the school he/she would have attended if not disabled;
- 3) In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that he/she needs;
- 4) A student with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

The District will ensure that each regular education teacher, special education teacher, related services provider, and other service provider who is responsible for the implementation of the student's IEP shall have access to a copy of the IEP. The District shall further ensure that each teacher and provider is informed of his/her specific responsibilities related to implementing the student's IEP and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP. A copy of the IEP shall be provided to the student's parents at no cost to the student's parents.

(Continued)

SUBJECT: LEAST RESTRICTIVE ENVIRONMENT (Cont'd.)

Additionally, the IEP shall provide:

- 1) An explanation of the extent, if any, to which the student will not participate in regular education programs; or
- 2) For preschool students, an explanation of the extent, if any, to which the student will not participate in appropriate activities with age-appropriate nondisabled peers; and
- 3) If the student is not participating in a regular physical education program, the extent to which the student will participate in specially-designed instruction in physical education, including adapted physical education.

Annual Review

The annual review of each student with a disability shall be based upon a review of the student's IEP and other current information pertaining to the student's performance. The review shall include consideration of the educational progress and achievement of the student with a disability and the student's ability to participate in instructional programs in regular education and in the least restrictive environment. Further, such annual review shall revise the IEP as appropriate to address:

- 1) Any lack of expected progress toward the annual goals and in the general curriculum, if appropriate;
- 2) The results of any reevaluation and any information about the student provided to, or by, the parents;
- 3) The student's anticipated needs;
- 4) Or other matters, including a student's need for test accommodations and/or modifications.

Students

**SUBJECT: PREVENTION AND PREREFERRAL STRATEGIES IN GENERAL
EDUCATION: APPROACHES TO INSTRUCTION AND BEHAVIORAL
SUPPORT**

Prereferral Strategies

49) General education support services, instructional modifications, alternative instructional approaches, or alternative program options are developed to address the student's performance prior to a referral to special education.

- 1) A system is established to support the delivery of prevention and prereferral supports, services and modifications.
- 2) Appropriate opportunities exist for collaboration between general educators and special educators (e.g., time is set aside for this purpose).
- 3) It is based on a collaborative model and provides consultation and support to teachers and other school personnel, to assist parents/persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education. The student's strengths, environment, social history, language, and cultural diversity are considered in addition to the teacher's concerns.
- 4) Innovative ways to utilize existing resources to implement prevention and prereferral supports and services are used.

Classroom Instructional Approach

- 1) Set standards are consistent with school-wide proactive approach (positive behavioral supports/discipline, curriculum, and instruction).
- 2) Teach and reinforce positive pro-social behaviors and skills.
- 3) Provide immediate feedback, academically and socially.
- 4) Be proactive to prevent discipline problems.
- 5) Provide engaging instruction and positive behavioral supports to prevent academic and discipline problems *before* they can escalate.
- 6) Increase home-school communication.

(Continued)

Students

**SUBJECT: PREVENTION AND PREREFERRAL STRATEGIES IN GENERAL
EDUCATION: APPROACHES TO INSTRUCTION AND BEHAVIORAL
SUPPORT (Cont'd.)**

Formal Instructional Support Services Teams or Other School Based Teams are Formed and Operational.

- 1) Criteria is established for the selection of Instructional Support Services Team members. Staff have been involved and agree to the selection process.
- 2) Instructional Support Services Teams include representatives from general and special education as well as other disciplines and include individuals with classroom experience.
- 3) Meetings of the Instructional Support Services Team establish a statement of purpose.
- 4) Instructional Support Services Teams establish goals for meetings and progress is assessed.
- 5) Members of the Instructional Support Services Team are knowledgeable about students who are in need of educational supports/intervention and/or remediation, and students with disabilities.

Instructional Support Team Approach

- 1) Define the problem.
- 2) Collect academic, achievement, and behavioral data.
- 3) Develop a hypothesis concerning the function of the academic or behavioral difficulty.
- 4) Design a plan using research-validated interventions.
- 5) Implement the plan.
- 6) Evaluate the interventions.
- 7) Modify the support plan as needed.

(Continued)

**SUBJECT: PREVENTION AND PREREFERRAL STRATEGIES IN GENERAL
EDUCATION: APPROACHES TO INSTRUCTION AND BEHAVIORAL
SUPPORT (Cont'd.)**

Administration Facilitates the Process as Necessary.

- 1) A mentoring and consultative system is in place and supported by administration.
- 2) There is accountability to ensure that the recommendations of the Instructional Support Services Teams are implemented in a timely and quality manner.
- 3) District-wide training for general and special educators is provided.

Parents/Persons in Parental Relation to Students are Involved in the Development of Prereferral Strategies.

- 1) Parents/persons in parental relation to students are informed of their rights regarding special education.
- 2) Parents/persons in parental relation to students are notified regarding the purpose of the meeting.
- 3) Meetings are convenient and language is appropriate so that parents/persons in parental relation to students can contribute.

General and Special Education Staff have Knowledge and Skills in Understanding the Distinction between Students Who Require General Education Support Services versus Students with Disabilities.

- 1) Staff have a competent understanding of the Least Restrictive Environment.
- 2) Staff have a competent understanding of the referral process.

There is Collaboration between Outside Agencies and the School.

- 1) Provide wrap-around services.
- 2) Take advantage of agency cooperation.
- 3) Increase the use of specialized and individualized approaches in special education.

Students

SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA)

The purpose of these procedures is to carry out the policy of the Kenmore-Tonawanda Union Free School District Board of Education to provide a free and appropriate public education to all students with disabilities, regardless of the type of disability or its severity. The Kenmore-Tonawanda Union Free School District does not discriminate against persons with disabilities in accordance with Section 504 of the Rehabilitation Act (hereinafter referred to as §504).

50) Students who have disabilities consistent with the definitions set forth in §504 will be identified, evaluated, and provided with appropriate instruction, educational services, and accommodations. The Act defines a person with a disability as anyone who “has a mental or physical impairment which SUBSTANTIALLY LIMITS one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Major life activities include activities such as caring for one's self, performing manual tasks, but are not limited to walking, seeing, hearing, speaking, breathing, learning, and working.”

It should be clearly understood by all parties that evaluating and providing specialized education, related services or aids to students under §504 is a separate and distinct process from when a student is suspected of having a disability under the Individuals with Disabilities Education Act (IDEA). When it is suspected that a student has a disability and is in need of special education and related services under IDEA, that student should be referred directly to the Committee on Special Education. However, some students who are ineligible for special education and related services under IDEA may be eligible to receive accommodations under §504. These students should be referred to the principal of the building and Instructional Support Team facilitator (IST).

Section 504 Team

The building Instructional Support Team will act as the §504 team which shall consist of a group of persons knowledgeable about the child.

Compliance Officer

The Kenmore-Tonawanda Union Free School District will appoint §504 and ADA Compliance Officers who will have overall responsibility for ensuring compliance with §504 and ADA regulations. The Compliance Officer for student issues is the Director of Student Services and the Compliance Officer for ADA staff/guest issues is the Assistant Superintendent for Human Resources. They may be reached by phone at 716-874-8400, and their offices are located in the Ken-Ton Administration Building, 1500 Colvin Blvd., Buffalo NY 14223.

(Continued)

Students**SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) (Cont'd.)**

The Compliance Officer will appoint each building principal as a "lead person" for carrying out these procedures to ensure that students are appropriately identified, evaluated, and receive necessary accommodations when eligible under §504 regulations.

Identification And Referral

- 1) If a student is experiencing academic or behavioral struggles and attempts at intervention by the classroom teacher have not been successful, a referral should be made to the building principal or Instructional Support Team (IST) facilitator. The IST will then determine appropriate action which could result in consideration of a §504 referral.
- 2) The §504 referral should be made in writing.
- 3) Upon receipt of a referral for §504 consideration, the principal will notify the parent in writing of the receipt of the referral. The notification will include a copy of the Parent/Student Rights under Section 504 and Consent to Evaluate #7621F.2. (Refer to Regulation #7621F.1 -- Parent/Student Rights Under Section 504.)
- 4) If the parent (or student over age 18, if applicable) does not give consent for evaluation within ten (10) days of notice, the principal will ensure that the appropriate due process notices have been received by the parents. If consent is not received, the district may enlist the services of a mediator or commence an impartial hearing to override the failure to obtain consent.
- 5) If consent is received the principal will direct the 504 Team to conduct an evaluation to determine whether the student has a disability and qualifies for accommodations under Section 504 and/or Free Appropriate Public Education (FAPE).

Evaluation and Determination

- 1) A student referred under the regulations of §504 will receive a multidisciplinary evaluation through the 504 Team.
- 2) Tests selected for use in evaluation will have been validated for the purposes for which they are to be used. Tests and other assessment instruments and materials will include those tailored to assess educational need, rather than a single intelligence quotient or a medical diagnostic label. Evaluation methods shall seek to accommodate disabilities that may impair the student's capacity to be evaluated.

(Continued)

Students

SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) (Cont'd.)

- 3) Upon completion of the assessment, the 504 Team will meet to consider the results of the assessment and make a determination based upon the applicable regulations (34 Code of Federal Regulations Pt. 104).
- 4) The parent/legal guardian and student (when appropriate) will be invited to participate in the 504 Team meeting. Other parties who are knowledgeable about the student's educational needs may participate in the meeting at the request of the parent/student or the school. If the parent/legal guardian and/or student do not attend the meeting, the team may proceed with necessary deliberations and decisions.
- 5) The evaluation, findings, and determinations of the 504 Team will be completed within thirty (30) days from the date of consent for evaluation. This time requirement may be extended by written agreement of both parties.
- 6) The 504 Team will document the results of the meeting on the Notice of Determination form (Form #7621F.3). If the student has a disability and is in need of accommodations, these accommodations will be noted on the 504 Accommodation Plan (Form #7621F.4).

The 504 Student Accommodation Plan And Implementation

- 1) The 504 Team will develop the Accommodation Plan. The 504 Student Accommodation Plan (Form #7621F.4) is the vehicle used to document the modifications and/or a FAPE to meet the needs of the student. The Plan will include the following components:
 - a. A description of specialized equipment, architectural, instructional, non-academic, extracurricular, or physical plan modifications, and/or other supplementary aids and services;
 - b. The beginning and ending dates of accommodations, services, and/or adaptations;
 - c. Assurances that all accommodations, services, and/or adaptations are provided with non-disabled students to the maximum extent appropriate;
 - d. Set the date when the Plan will be reviewed;

(Continued)

Students

SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) (Cont'd.)

- e. Written consent of the parent, guardian, and/or student, if appropriate, is required prior to initial implementation of the 504 Plan. If consent is not received, the District may enlist the services of a mediator or commence an impartial hearing to override the failure to obtain consent or may refer the student to the building's IST for consideration;
 - f. Names and titles of the participants in development of the 504 Plan.
- 2) The 504 Accommodation Plan will be sent to the District's 504 Compliance Officer who will assure that the plan is consistent with the District's obligation pursuant to Section 504. The 504 Compliance Officer will reconvene the 504 Team within five (5) days to develop a new plan with the Compliance Officer in attendance if the initially submitted 504 Plan is not consistent with these obligations. In addition, the 504 Compliance Officer may refer the student to the CSE if it is believed that the student requires special education and related services in order to receive an appropriate education.
 - 3) The 504 Accommodation Plan will be implemented within thirty (30) days following submission to the 504 Compliance Officer.
 - 4) The principal will ensure that the determinations of the 504 Team, including the 504 Accommodation Plan, are communicated to the parent/guardian/student and that a copy is mailed to the parent/guardian/student. The principal will ensure that the services outlined in the 504 Accommodation Plan are provided to the student including: securing specialized equipment or assistance, making available flexible settings, and to cause appropriate teachers/staff to be aware of their responsibilities under the Plan. The principal will ensure that all policies and procedures to pursue mediation or respond to impartial hearing requests are followed in the event that the parent/student disagrees with or does not give consent for the plan. In such cases, the principal will notify the 504 Compliance Officer of these proceedings in writing.

Review And Re-Evaluation

- 1) Accommodation Plans will be reviewed when a student is moving from elementary to middle school, middle school to high school, and in the final semester of anticipated completion of diploma requirements. Other review requests may be submitted in writing to the building principal or the 504 Compliance Officer by persons defined in Section 200.4 of the New York State Commissioner's Regulations. The 504 Compliance Officer will notify the 504 Team of the need to reconvene within twenty (20) days of the receipt of request for review.
- 2) A student identified under §504 will be periodically re-evaluated as determined on the Accommodation Plan, and prior to any significant change of placement.

(Continued)

Students

SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) (Cont'd.)

Parent/Student Rights Under Section 504

- 1) The principal will be familiar with all due process rights of the parent/student. These are clearly stated in the Parent/Student Rights Notice (refer to Regulation #7621F.1).
- 2) The due process rights referred to in the document above will include:
 - a. Parent/student receives notice before the school identifies, assesses, or places a student requiring accommodations due to a disability; changes in identification, assessment or placement that have been made; or rejects a parent/student request that these actions be taken.
 - b. Written consent will be sought from the parent or the student if over age 18 before the school will conduct an evaluation. If consent for the initial evaluation is not received, the District may initiate an impartial hearing to override the failure to obtain consent. Written consent also will be sought before the implementation of a 504 Accommodation Plan.
 - c. An individualized evaluation will be conducted before the student can receive specialized instructional services and/or accommodations.
 - d. The student will be educated, to the maximum extent appropriate, with students who are not disabled.
 - e. The student's placement must be reviewed consistent with the date specified on the 504 Accommodation Plan.
 - f. Parent/student has the right to inspect and review the student's records; receive, upon request, a list of the types of education records kept on the student, where they are maintained, and how to gain access to them.
 - g. Protect the confidentiality of the student's education records in accordance with the Family Education Rights and Privacy Act (FERPA).

(Continued)

SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) (Cont'd.)

- h. The right to mediation and/or an impartial hearing before an impartial hearing officer regarding any matter related to the identification, evaluation or placement of the student or the provision of “Free, Appropriate Public Education” (FAPE). This right includes the opportunity for participation by the student's parents and representation by counsel. The District will appoint the mediator or hearing officer who may not be an employee of the District or anyone who has a personal or professional interest which would conflict with objectivity in the mediation and/or hearing.

Mediation And Impartial Hearing

If, for any reason, the District and parent and/or student are in disagreement in regards to the identification, evaluation or placement of the student under §504, the parent and/or student has the right to request mediation and/or an impartial hearing under the following procedures.

- 1) Mediation
 - a. The 504 Compliance Officer (or designee) will offer informal mediation within twenty-one (21) days of written notice of known disagreement.
 - b. If informal mediation does not bring resolution to the disagreement within fifteen (15) days following its initiation, the 504 Compliance Officer (or designee) will offer formal mediation to the disagreeing party. Formal mediation offers will be accepted or rejected by the parent and/or student in writing within ten (10) days following the date of offer to mediate. An offer of third party formal mediation in no way implies either party has surrendered rights to an impartial hearing as a consequence of mediation attempts.
 - c. When both parties have agreed to formal mediation, the 504 Compliance Officer (or designee) will arrange for mediation and provide the mediator with documents requested after securing appropriate releases from the parent and/or student. Confidentiality procedures set forth by the District consistent with IDEA and FERPA provisions will apply. The 504 Compliance Officer (or designee) will ensure the notification of parent and/or students, in writing, of the date, time and location for the mediation proceedings along with the name and address of the mediator.

(Continued)

Students

SUBJECT: PROGRAM ACCESSIBILITY: GUIDELINES FOR THE IMPLEMENTATION OF REQUIREMENTS OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT (ADA) (Cont'd.)

- d. After reviewing all pertinent information, considering the concerns and differences between the parties and other exploratory inquiries, the mediator will engage the parties in an attempt to resolve the disagreement. If an agreement is reached, the substance of the agreement will be put in writing and signed by both parties. The District will provide copies of the agreement to the parent and/or student and maintain the original agreement in the student's file. Any unresolved matters may still be the subject of an impartial hearing.
- e. While formal mediation efforts are employed, the parties may agree that all references to time for the initiation of an impartial hearing will be suspended; that is, the time references will not apply when the issues in dispute are in the process of formal mediation. All formal mediation efforts will be completed within thirty (30) days following the date of agreement by both parties to pursue formal mediation.
- f. If formal mediation does not bring resolution to the disagreement, either party may ask for an impartial hearing.

2) Impartial Hearing

- a. A parent and/or student, or District representative if appropriate must make a written request to the Board of Education for an impartial hearing. If the District representative makes the request, the parent and/or student will be notified in writing immediately.
- b. The Board of Education will appoint immediately an impartial hearing officer who will hear both sides of the case and render a written decision within forty-five (45) calendar days of the date that the Board of Education received the initial hearing request.

3) Review

If either party disagrees with the impartial hearing officer's decision, the party has the right, as provided by law, to appeal to the Office of Civil Rights and/or federal court.

NOTE: Refer also to Regulation #7621F.1 -- Parent/Student Rights Under Section 504



7621F

SECTION 504 REFERRAL FORM

Student's Name _____ Date _____
 Date of Birth _____ School _____ Grade _____
 Parent(s)/Guardian(s) _____
 Address _____ Phone _____
 Teacher _____ Referred By _____

The above named student is being referred because it is believed that he/she may be qualified as an individual with disabilities under §504 of the Rehabilitation Act.

“Individual with disabilities” means any person who (i) has a physical or mental impairment which substantially limits one or more of such person’s major life activities, such as breathing, walking, seeing, hearing, working, and learning, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

Reasons for referral _____

Accommodations/Interventions Attempted (attach appropriate documentation) _____

Has the student ever been referred to, evaluated for, and/or received services through the Committee on Special Education? Yes No

If Yes, explain _____

Signature of person requesting §504 review _____

PARENT/STUDENT RIGHTS UNDER SECTION 504

These are your due process rights. As a parent you have the right to:

1. Take part in, have access to, and receive benefits from public education programs without discrimination because of disability;
2. Be advised of your rights under federal law by the School District;
3. Be notified before the school: (a) identifies, assesses, or places the student on grounds of having a disability; (b) changes a student's identification, assessment, or placement; or (c) rejects your requests that these actions be taken. Your written consent will be necessary prior to administering any individual evaluations;
4. To receive all notices in writing and in the language you speak and understand best. If your native language is not a written language, the school officials will ensure that the notice is explained orally or in a mode of communication you understand and that you understand the information given. There must be evidence that this requirement has been met;
5. Have educational and placement decisions made based upon information from a variety of sources, and by persons knowledgeable about the student, the evaluation data, and placement options;
6. Have your child be given an equal opportunity to participate in nonacademic and extra curricular activities offered by the District;
7. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.

These are your due process rights. As a student you have the right to:

1. Take part in, have access to, and receive benefits from public education programs without discrimination because of disability;
2. Be advised of your rights under federal law by the School District;
3. Be evaluated and periodically re-evaluated by a multidisciplinary team if you need or are believed to need appropriate regular or special education and related aids and services, including the right to a re-evaluation before any significant change in placement;
4. Receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate and the right to have the School District make reasonable accommodations to allow an equal opportunity to participate in school and school-related activities;
5. Be educated in facilities and receive services comparable to those provided non-disabled students;
6. Receive appropriate regular or special education and related aids and services if you are found to be eligible under §504 of the Rehabilitation Act/ADA;
7. Have educational and placement decisions made based upon information from a variety of sources; and by persons knowledgeable about the student, the evaluation data, and placement options.



**SECTION 504 ACCOMMODATION TEAM
CONSENT TO EVALUATE**

I am aware that my child has been referred to the Section 504 Accommodation Team of the Kenmore-Town of Tonawanda Union Free School District.

Permission is granted to the Team to evaluate _____.

I understand that the evaluation may include comprehensive educational and psychological testing, a parent interview, and that the results will be shared with me.

Signature _____ Date: _____

Administration Building
1500 Colvin Boulevard
Buffalo NY 14223
Telephone: (716) 874-8400 Fax: (716) 874-8615



KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
Buffalo, New York

SECTION 504 NOTICE OF DETERMINATION

Re: _____
(Student Name)

Dear _____:

As you know, on _____, we met to discuss your child's eligibility for services under §504. Based on the materials before us, we determined that:

- Your child has a disability under §504 of the Rehabilitation Act that requires an accommodation plan to ensure his/her full access to all school activities. A copy of the plan is enclosed for your review.
- Your child is not disabled and does not require an accommodation plan to address his/her deficiencies.

If you disagree with our determination, I would be happy to meet with you to discuss your concerns. If you wish, you also have the right to request an impartial hearing and to bring an attorney to represent you. If you wish to proceed to an informal hearing, please send a written request to:

Thomas A. Wolff
Director of Student Services
1500 Colvin Boulevard
Buffalo NY 14223

If you have any questions or would like to schedule a meeting, please do not hesitate to contact me at:
_____.

Sincerely,

Building Principal

cc: Student's Confidential File
504 Officer



7621F.4

**KENMORE-TOWN OF TONAWANDA UFSD
504 Student Accommodation Plan**

Student Services
1500 Colvin Blvd.
Buffalo, New York 14223
Thomas Wolff, Director of Student Services

Student _____ Birth Date _____ Grade _____

School _____ Date of Meeting _____

1. Describe the nature of the concern:

2. Describe the basis for the determination of disability (if any):

3. Describe how the disability affects a major life activity:

4. Describe the reasonable accommodations that are necessary:

Review Date: _____ Reassessment Date: _____

Participants:	(Name)	(Title)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

District 504 Officer Approval

Copy:

Students's Confidential File
District 504 office
Team participants

(Section 594 of the Rehabilitation Act of 1973 information to be attached)

6/03



KENMORE-TOWN OF TONAWANDA UFSD
BUFFALO, NY

STUDENT SERVICES

CONSENT FOR PROVISION OF SERVICES UNDER §504

Building: _____

Student Name: _____ Grade: _____ DOB: _____

Address: _____

Parent's Names: _____

Telephone Number: _____

Please sign below to indicate your agreement or disagreement with the recommendation of the §504 Accommodation Team.

I am in agreement with the services outlined in the §504 Accommodation Plan which accompanies this consent form.

Yes

No Reason: _____

Signed: _____

Date: _____

Please return to the building principal within 10 days of receipt. Your consent is required prior to initial implementation of services under this plan.

SUBJECT: GUIDELINES FOR REFERRAL TO COMMITTEE ON SPECIAL EDUCATION (CSE)

- 1) Teacher, parent/guardian, licensed physician, counselor, administrator, etc. suspects that a student may have a disability that would adversely affect his/her educational performance.
 - a. Autistic
 - b. Emotionally Disturbed
 - c. Learning Disabled
 - d. Mentally Retarded
 - e. Deaf
 - f. Deaf-Blindness
 - g. Hard of Hearing
 - h. Speech Impaired
 - i. Visually Impaired
 - j. Orthopedically Impaired
 - k. Other Health Impaired
 - l. Multiply Disabled
 - m. Traumatic Brain Injury
- 2) A referral is made to the Chairperson of the Committee on Special Education (CSE) in writing.
- 3) The CSE Chairperson notifies building administrator of referral and sends parent/guardian notice that evaluative information is being sought. Such advice shall include a description of the proposed evaluation, and information regarding all applicable due process rights. The notice shall also include a request for parental consent to the proposed evaluation of a student not previously identified as having a disability.
- 4) A Comprehensive Evaluation consists of at least:
 - a. Individual Psychological
 - b. Physical Examination
 - c. Social History
 - d. Observation in the current educational setting
 - e. Other appropriate assessments or evaluations as necessary to ascertain the physical, mental and emotional factors which contribute to the suspected disability.
- 5) When evaluations are complete, the CSE meets to determine if the student is eligible or ineligible for Special Education and to develop a recommendation.

The student's parent/guardian and, where appropriate, the student shall be given an opportunity to attend the meeting.

(Continued)

SUBJECT: GUIDELINES FOR REFERRAL TO COMMITTEE ON SPECIAL EDUCATION (CSE) (Cont'd.)

- 6) If the student has been determined to be eligible for special education services.
 - a. CSE develops, in conjunction with the child's parent/guardian and student (if appropriate) the Individualized Education Program (IEP). This becomes the student's program.
 - b. Parent/guardian consents in writing to placement (of a student who has not previously been identified as having a disability).
- 7) Board of Education notifies the parent/guardian of its approval of the CSE recommendation and arranges for appropriate special programs and services.
- 8) The IEP of each student with a disability is reviewed and if appropriate, revised at least annually, or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

Students

SUBJECT: TRANSITION SERVICES**Participating Agency**

In accordance with Commissioner's Regulations, a "participating agency" means a State or local agency, other than the School District, financially and legally responsible for providing transition services to the student.

Addressing Transition Services in the Individualized Education Program (IEP)

The IEP shall provide for those students age fourteen (14), and be updated annually, a statement of the transition service needs of the student under applicable components of the student's IEP that focuses on the student's courses of study, such as participation in advanced-placement courses or a vocational education program.

The IEP shall also provide for those students age 15 (and at a younger age, if determined appropriate) a statement of the necessary transition services as defined in Commissioner's Regulations including, if applicable, a statement of the responsibilities of the District and participating agency for the provision of such services and activities that promote movement from school to post-school opportunities, or both, before the student leaves the school setting. Activities shall be provided in the areas of instruction, related services, community experiences, and the development of employment and other post-school adult living objectives.

If appropriate, the IEP should also include activities directed toward the acquisition of daily living skills and functional vocational evaluation. This determination should also be based upon the individual needs of each student.

The IEP for a student age 15 or older should take into consideration desired long-term adult outcomes as the basis for determining the coordinated activities to promote the student's movement from school to post-school opportunities. These activities in the areas of instruction, related services, community experiences and the development of employment and other post-school adult living objectives may include, but are not limited to, general and special education class instruction, occupational education, supported employment, work-study programs, and leisure/recreational learning experiences.

When such activities are considered special education services and/or programs, the IEP will also include annual goals and short-term instructional objectives to guide the provision of special education.

(Continued)

SUBJECT: TRANSITION SERVICES (Cont'd.)**Participants at IEP Meetings**

In accordance with Commissioner's Regulations, if the purpose of the IEP meeting is to consider the need for transition services, the District shall invite the student and a representative of the agency(ies) likely to be responsible for providing or paying for transition services. If the student does not attend, the District shall take steps to ensure that the student's preferences and interests are considered. If an agency invited to send a representative to the IEP meeting does not do so, the District shall take other steps to involve that agency in the planning of any transition services. If the agency(ies) representative(s) is unable to attend, the CSE must provide an alternative opportunity for the agency's input in the planning process.

Agency Responsibilities

In accordance with Education Law Section 4401, the School District is authorized to enter into formal agreements with participating agencies for the provision of transition services such as vocational training programs approved by the State Education Department or by another State agency.

Consistent with federal and State law, if a participating agency fails to provide agreed upon transition services contained in the student's IEP, the District shall, as soon as possible, initiate a meeting of the CSE to identify alternative strategies to meet the transition objectives and, if necessary, revise the student's IEP. If the annual goals and short-term instructional objectives of the student's IEP remain appropriate, then alternative activities must be arranged to foster the desired outcomes. The participating agency is not relieved of its responsibility to provide or pay for those transition services for a student with a disability who meets the agency's eligibility criteria simply because the services are included on the student's IEP.

Due Process Procedures

Notice of IEP meetings scheduled to consider transition services must, in addition to other required information, also include:

- 1) The purpose of the meeting;
- 2) An indication that the student has been invited to attend; and
- 3) Identification of any other agency invited to send a representative to the meeting.

Students

SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS**Rotational Selection List of Impartial Hearing Officers**

51) The Board of Education shall maintain an alphabetical list of the name of each IHO who is certified by the Commissioner of Education and available to serve in the District. This list shall also include a statement of the qualifications of each IHO; specifically that each IHO on the District's rotational list is currently certified by SED. Any newly certified IHO available to serve in the District shall be inserted into the list in alphabetical order.

Selection shall be made on a rotational basis beginning with the first name after the IHO who last served the District. If no IHO on the list has previously served the District, the first IHO on the list must be contacted.

Impartial Hearing ProcessInitiation

Either the parent or the School District may request an impartial hearing.

If the parent makes the request it must be made in writing to the Board of Education describing the nature of the dispute and a proposed resolution of the problem. The District will provide a form for this purpose (Request for Due Process Proceedings -- Form #7670F).

The District may not deny or delay a parent's right to an impartial hearing if the written request is not complete. However, if the parent or attorney does not provide such information, a court may reduce any award of attorney's fees.

Any District representative who receives a written request from a parent for an impartial hearing will immediately forward it to the Superintendent's Secretary/District Clerk who will record receipt and begin the process for selection of an IHO. A written request is considered "received" and will be date stamped and logged on the first business day it is delivered to the district.

If the District is the party initiating an impartial hearing, the District will provide a prior written notice to the parent including a statement of the action proposed and any explanation of why the District proposes to take such action.

Upon receipt of or initiation of a request for an impartial hearing, the Superintendent's Secretary/District Clerk will immediately inform the parent of the availability of mediation, of any free or low-cost legal and other relevant services available in the area, and provide them with a copy of the District's Procedural Safeguards Notice.

(Continued)

Students

SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Cont'd.)Selection of IHO

52) The Superintendent's Secretary/District Clerk must immediately [but not later than two (2) business days after receipt of the written request] initiate the process to select an IHO. The District selects the IHO through a rotational selection process in accordance with regulatory timelines.

The IHO may only accept appointment if he/she is available to initiate the hearing within the first fourteen (14) calendar days of being contacted by the School District.

53) The Superintendent's Secretary/District Clerk will contact the first IHO per the District's rotational list and ask him/her if he/she is available for appointment, able to convene the hearing within fourteen (14) days of being contacted by the District and able to conclude the hearing within forty-five (45) calendar days of the initiation of the request [thirty (30) calendar days for preschool hearings or fifteen (15) business days for expedited hearings]. If the first IHO selected from the rotational list declines appointment, or within twenty-four (24) hours of the District's documented attempt to contact him/her fails to respond, or is unreachable despite reasonable efforts by the District, the next IHO on the list shall be offered appointment until the appointment is accepted by an IHO.

54)

IHOs may respond to the District via facsimile, electronic mail, certified overnight mail or telephone contact that is recorded and confirmed in writing.

Appointment of IHO

When the selected IHO indicates availability, the Board of Education must immediately appoint the IHO. To expedite this process the Board may designate one (1) or more of its members to appoint the IHO on behalf of the Board. Along with the appointment letter, the Board will forward a copy of its policy regarding compensation rates for IHOs and reimbursement of hearing related expenses including travel; a copy of the date-stamped written request for the hearing or copy of the written notice to the parent that the district is initiating the request; the name, address and telephone number of the individual representing the School District at the impartial hearing; the name, address and telephone number of the individual representing the parent of the student, if available; and any other information that will facilitate contact between representatives of the parties.

Impartial Hearing Locations

Impartial hearings will be conducted at a location reasonably convenient to the parent and the student involved. Preferred locations are the school the student attends or the District Office.

(Continued)

Students

SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Cont'd.)Proceeding

The hearing shall be closed to the public unless the parent requests an open hearing. The parents determine whether the student will attend the hearing.

Where required, the District will provide interpreters of the deaf or interpreters fluent in the native language of the student's parent at all stages of the proceeding.

The IHO presides over the hearing at which the parties have an opportunity to present evidence and testimony. The IHO is authorized to administer oaths and issue subpoenas relating to the proceedings.

The parties may be accompanied and advised by legal counsel and by individuals with special knowledge or training regarding students with disabilities.

The parties will have an opportunity to present evidence, compel the attendance of witnesses and confront and question all witnesses at the hearing.

At least five (5) business days before the hearing [three (3) business days for an expedited hearing], each party shall disclose evidence that will be presented at the hearing, including all evaluations completed by that date and recommendations based on such evaluations. The IHO may bar any party that fails to comply with such requirement from introducing the relevant evaluation or recommendation if not disclosed to the other party prior to the hearing, unless the other party consents.

The student remains in his/her current placement during the pendency of the impartial hearing unless both parties agree and except as otherwise provided for expedited impartial hearings for certain disciplinary suspensions or removals of a student.

Guardians ad Litem at Impartial Hearings

Unless a surrogate parent has been previously appointed, the IHO must appoint a guardian ad litem when he/she determines that the interests of the parent(s) are opposed to or inconsistent with those of the student or whenever the interests of the student would be best protected by such appointment.

Extensions

55) An IHO may grant specific extensions of time at the request of either the School District or the parent.

(Continued)

Students

IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Cont'd.)Decision and Appeal

The IHO renders and mails the finding of fact and decision to the parties and to VESID not later than forty-five (45) calendar days [thirty (30) calendar days in the case of preschool students] after the date of receipt of the request from the parent by the Board of Education or the initiation of the hearing by the Board. The parents may opt to receive this information in electronic form. The record and findings will be provided at no cost to the parents.

The IHO may grant specific extensions of time at the request of either the District or the parents. In this case the decision must be rendered and provided to the parties no later than fourteen (14) calendar days from the date the record is closed and the transcript is received by the IHO.

The decision of the IHO shall be based solely upon the record of the proceeding before him/her. The decision shall set forth the reasons and factual basis of the determination and include a statement advising the parties of the right of any party involved in the hearing to obtain a review by the State Review Officer (SRO).

The decision of the IHO is final and binding upon both parties unless appealed to the SRO.

Confidentiality

56) All issues relating to a request for and conduct of an Impartial Hearing must be kept confidential by all District staff.

Compensation of Impartial Hearing Officers

57) The District will be responsible for compensating the IHO for pre-hearing, hearing and post-hearing activities at the rate agreed upon at the time of the IHO's appointment. The rate of compensation may not exceed the maximum rate approved by the Director of the Division of the Budget. The current maximum rate is one hundred dollars (\$100) per hour with no maximum per diem. The District will also reimburse the IHO for travel and other hearing-related expenses (e.g., duplication and telephone costs) pursuant to an annually determined schedule.

At the completion of the hearing, the IHO should submit an itemized bill of hourly charges and expenses which will be promptly paid by the District.

On an annual basis the District will forward a copy of its compensation rates to each IHO on the District's rotational list.

(Continued)

IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Cont'd.)

Mediation

Mediation is voluntary and does not deny or delay a parent's right to an impartial hearing. If mediation is initiated after a request for an impartial hearing has been received, the impartial hearing must continue unless the request for the impartial hearing is withdrawn. However, a party may request an extension to an impartial hearing in order to pursue mediation.

Expedited Due Process Hearings

58) Expedited due process hearings shall be conducted at the request:

By the District

- 1) To place a student with a disability in an interim alternative educational setting (IAES) where school personnel maintain it is dangerous for the student to remain in his/her current education placement; or
- 2) To place a student with a disability in an IAES during the pendency of due process hearings where school personnel maintain it is dangerous for the student to remain in his/her current education placement; or

By the Parent

- 1) From a determination that the student's behavior was not a manifestation of the student's disability; or
- 2) Relating to any decision regarding a disciplinary change including but not limited to a decision to place the student in an IAES.

An expedited due process hearing must be completed within fifteen (15) business days of receipt of request for the hearing, unless specific extensions are granted. If an extension has been granted, the IHO renders and mails the finding of fact and decision to the parties and to VESID within five (5) business days after the last hearing date, but not later than forty-five (45) calendar days after the date of receipt of the request from the parent by the Board of Education or the initiation of the hearing by the Board. The parents may opt to receive this information in electronic form.

Recordkeeping and Reporting

The District will record and report to the State Education Department required information relating to impartial hearings according to the manner and schedule specified by the State Education Department.

(Continued)

Students

IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Cont'd.)

Web-based Reporting System

The Superintendent will designate a staff member(s) to be responsible for reporting such information as required relating to the impartial hearing process into the State Education Department's web-based reporting system.

Pursuant to this requirement, the School District must enter certain enumerated data into the web-based reporting system beginning as soon as a request for an impartial hearing is received by the Board of Education. The District will also need to enter information on the progress of each case until the case is either decided, settled, withdrawn, or dismissed.

District Rotational List

The District will assure that its established IHO list remains current by reflecting name additions and deletions which may occur during the year. The District will use as its base the most recently updated rotational selection list of certified IHOs issued by SED. All IHOs on this list designated to serve in the county in which the District is situated will be included on the District's list unless the IHO notifies the District in writing that he/she is unavailable or unwilling to remain on the District's rotational list. In addition, the District must insert into the list in alphabetical order the name of any certified IHO who contacts the District directly to indicate his/her availability to serve.

The District IHO list will indicate the date of appointment of each IHO to a District hearing.

Initiation of Request for Hearing

59) The Superintendent's Secretary/District Clerk will date stamp and record on Impartial Hearing Record Sheet (Form #7670F.1) the receipt of the written request for an impartial hearing. The Superintendent's Secretary/District Clerk will also record on Impartial Hearing Record Sheet (Form #7670F.1) the date the parent is sent the procedural safeguards notice and information about mediation and legal representation.

IHO Selection and Appointment

The Superintendent's Secretary/District Clerk will document on Impartial Hearing Record Sheet (Form #7670F.1) each contact of and response by each potential IHO from the rotational list, the date of the appointment letter and the actual dates of the hearing.

(Continued)

**IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING
OFFICERS (Cont'd.)**Conduct and Result of Hearing

Additional information to be recorded on Impartial Hearing Record Sheet (Form #7670F.1) is as follows:

- 1) Anticipated date the IHO will render a decision;
- 2) Dates for any requests for extensions of the required timelines of 45/30/15 days;
- 3) Which party requested the extension(s);
- 4) Whether the extension(s) was granted or denied;
- 5) The reason for the grant or denial;
- 6) The new decision date if an extension was granted;
- 7) The date the finding of fact and decision was rendered; and
- 8) The date the decision was implemented.

(Continued)

Students

IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (Cont'd.)

Timelines

Appeals For School Age Children With Disabilities (not including extensions)

District 60)	District begins initiates/ begins process	IHO IHO selection renders	BOE accepts IHO	Parties Hearing evidence	IHO appoints	disclose decision
parent requests						
1	2	3	4	5	6	7
	within 2 business days of 1	within 24 hours of 2	immediately	5 business days prior to hearing 6	14 calendar days after IHO contacted	45 calendar days from 1

Appeals for Preschool Children with Disabilities (not including extensions)

District 61)	District begins initiates/ begins process	IHO IHO selection renders	BOE accepts IHO	Parties Hearing evidence	IHO appoints	disclose decision
parent requests						
1	2	3	4	5	6	7
	within 2 business days of 1	within 24 hours of 2	immediately	5 business days prior to hearing 6	14 calendar days after IHO contacted	30 calendar days from 1

Appeals involving Expedited Due Process Hearings (not including extensions)

District 62)	District begins initiates/ begins process	IHO IHO selection renders	BOE accepts IHO	Parties Hearing evidence	IHO appoints	disclose decision
parent requests						
1	2	3	4	5	6	7
	within 2 business	within 24 hours of 2	immediately	3 business days prior to	14 calendar days after	15 calendar days from 1

days of **1**

hearing **6**

IHO contacted

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
REQUEST FOR DUE PROCESS PROCEEDINGS**

Federal law requires that a parent or attorney representing a child provide notice to the school district if the parents have a disagreement regarding the referral, evaluation, or placement of their child or regarding the provision of special education services. This notice will remain confidential. This form has been developed to assist you in describing your disagreement and accessing the due process procedures to which you are entitled. **Please complete the entire form. Failure to do so may result in it being returned for additional information.** According to Federal law, the failure to provide information may result in a reduction in the award of any attorneys' fees. Submit form to the Superintendent's Secretary/District Clerk.

Student's Name: _____ Date of Birth: _____

Parent or Legal Guardian: _____

Legal Residence: Street: _____

City or Town: _____ Zip Code _____

Telephone: () _____

Current School: _____

Address: Street: _____

City or Town: _____ Zip Code _____

School district of attendance, if different from district of residence:

Fully describe the nature of the problem including all specific facts relating to the disagreement. (Attach additional pages or documents as necessary):

State your proposed solution to the problem or the reason why you are unable to suggest a solution at this time. (Attach additional pages or documents as necessary):

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
REQUEST FOR DUE PROCESS PROCEEDINGS (Cont'd.)**

Upon receipt of this form, you will be contacted to establish a mutually agreeable time to participate in mediation with an outside mediator and representative(s) of the district to attempt to resolve this disagreement. If mediation is unsuccessful, an impartial hearing will be conducted unless you inform the district in writing that you do not wish to proceed with a hearing. Participation in mediation will not delay or preclude your right to a due process hearing.

If you do not wish to attempt to resolve this problem through mediation prior to a hearing, please check the box below:

- I do not wish to participate in mediation and request that the district schedule an impartial hearing at this time. (Please note: You may be requested to participate in a meeting to discuss the benefits of mediation.)

Name of Person Completing this Form: _____

Signature: _____

Relationship to Student: Parent Legal Guardian Surrogate Parent Attorney

Date of Receipt of Form: _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
 IMPARTIAL HEARING RECORD SHEET**

Student: _____

Type of Hearing:

Parent/Guardian: _____

School Age ____

Preschool ____

Impartial Hearing Officer: _____

Expedited ____

Written request for hearing received from parent/
 Hearing request initiated by District _____/____/____

Procedural Safeguards Notice sent to parents _____/____/____

1st Impartial Hearing Officer contacted from District's rotational list _____/____/____

1st IHO accepts ____, declines ____, no response ____ within 24 hours _____/____/____

2nd Impartial Hearing Officer contacted from District's rotational list _____/____/____

2nd IHO accepts ____, declines ____, no response ____ within 24 hours _____/____/____

63) 3rd Impartial Hearing Officer contacted from District's rotational list
 _____/____/____

3rd IHO accepts ____, declines ____, no response ____ within 24 hours _____/____/____

IHO appointed by Board of Education _____/____/____

Appointment letter with rates sent to IHO _____/____/____

Hearing begins _____/____/____

Additional hearing dates _____/____/____ _____/____/____ _____/____/____

Anticipated Decision Date _____/____/____

Extension requested by _____/____/____

Reason _____

Granted _____ Reason _____

Denied _____ **Reason** _____

New anticipated decision date due to extension _____/____/____

Finding of Fact and Decision rendered _____/____/____

Decision implemented

___/___/___

Students

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

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

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

Generally, if a parent/guardian disagrees with an evaluation conducted by the District, the parent/guardian has a right to request an independent educational evaluation at public expense. The District may initiate an impartial hearing to show that its evaluation is appropriate, and if the hearing officer determines that the District's evaluation is appropriate, the parent/guardian would have the right to an IEE, but not at public expense.

Procedures

- 1) If a parent/guardian wishes to obtain District agreement to pay for an independent educational evaluation prior to the independent evaluation actually being conducted, he/she must submit a written request that the District fund the IEE, within thirty (30) calendar days from the date of receipt of the District's evaluation. The District may request that the parent/guardian specify the areas of disagreement with the District's evaluation. However, the District may not refuse to reimburse a parent/guardian for the reasonable costs of an IEE that the parent/guardian has already obtained, solely because the parent/guardian did not notify the District prior to obtaining the IEE. Requests for reimbursement for the costs of an IEE already obtained by the parent/guardian must be submitted within thirty (30) calendar days from the date of receipt of the results of the IEE, in order to be considered.
- 2) In response to a request for funding of, or reimbursement for, an IEE, the District may initiate an impartial due process hearing to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, the parent/guardian still has the right to an IEE, but not at public expense.
- 3) The District reserves the right to refuse to pay for, or provide reimbursement for, any individual assessment the cost of which exceeds the competitive rate for applicable services within the immediate geographic area. However, a parent/guardian will be provided the opportunity to demonstrate that their child's unique circumstances justify an IEE which exceeds the District's cost criteria. If the total cost of an IEE obtained by the parent/guardian exceeds the District's cost criteria and there is no justification for the excess cost, the IEE will be publicly funded only to the extent of the District's maximum allowable charge.

(Continued)

Students

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS (Cont'd.)

- 4) When an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria used by the District when it initiates an evaluation. In light of this requirement, the District will pay for, or provide reimbursement for, only those IEE's that are conducted by individuals who possess a current license or certification from the New York State Education Department in the area of the evaluation. In addition, the District wishes to restrict its payment of, or reimbursement for, IEE's to those conducted by qualified individuals located within the county in which this School District is located, or in neighboring counties as determined by administration. The District has established a comprehensive list of qualified professionals in private practice or employees of other public agencies who meet the District's location and qualification criteria to whom parents/guardians may go to secure an independent evaluation. This list will be provided to parents/guardians upon request.

If the District's list is not exhaustive in terms of those minimally qualified to evaluate the specific needs of all students in the District, parents/guardians are free to select an evaluator of their own choosing, as long as the evaluator meets the District's geographic, qualification and reasonable cost criteria.

- 5) The District, upon receiving a request for payment of, or reimbursement for, an IEE, will forward a letter acknowledging the request to the parent/guardian. Any additional information needed by the District in reaching a decision regarding payment/reimbursement will be requested at this time.

If payment/reimbursement is denied, the reason(s) for the denial (along with notice of intent to initiate an impartial hearing, if applicable) will be provided to the parent/guardian in writing. If the District agrees to pay for, or reimburse the cost of, an IEE, the parents/guardians (along with the independent evaluator) will be notified by letter.

- 6) Whenever an independent educational evaluation has been obtained by the parent/guardian, the results of the evaluation must be considered by the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) when making any decision with respect to the provision of a free, appropriate, public education to the child. In addition, the results of an IEE may be presented as evidence at an impartial hearing.
- 7) Parents/guardians, in selecting an independent evaluator, should request that the evaluator contact school officials to make arrangements for payment, classroom observations and/or discussion with the child's teachers.
- 8) If an impartial hearing officer requests an IEE as part of an impartial hearing, the cost of the evaluation must be at public expense.

(Continued)

Students

SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS (Cont'd.)**Further Information**

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

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

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE

Any District student who is the victim of a violent criminal offense that occurred on the grounds of the District elementary or secondary school that the student attends, shall be allowed to attend a safe public school within the School District to the extent required by the Federal No Child Left Behind Act (NCLB) and state law and regulations.

Definitions

- 1) "Safe public school" shall mean a public school that has not been designated by the Commissioner of Education as a persistently dangerous public elementary or secondary school.
- 2) "Violent criminal offense" means a crime that:
 - a. Involves infliction of a serious physical injury upon another as defined in New York State Penal Law; or
 - b. A sex offense that involves forcible compulsion; or
 - c. Any other offense defined in the Penal Law that involves the use or threatened use of a deadly weapon.
- 3) "Serious physical injury," as defined in Penal Law Section 10.00(10), shall mean a "physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ."
- 4) "Deadly weapon," as defined in Penal Law Section 10.00(12), shall mean "any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, gravity knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, or metal knuckles."

Determination Whether Student is the Victim of a Violent Criminal Offense on School Grounds of the School the Student Attends

It shall be the responsibility of the Superintendent to determine whether a student is the victim of a violent criminal offense that occurred on school grounds of the school the student attends.

- 1) The Superintendent shall, prior to making any such determination, consult with any law enforcement agency investigating the alleged violent criminal incident and consider any reports or records provided by such agency.

(Continued)

Students

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE (Cont'd.)

Further, in accordance with the Safe Schools Against Violence in Education Act ("Project SAVE") the District's Code of Conduct, procedures shall be followed for notifying law enforcement agencies of Code violations that may constitute crimes.

- 2) A criminal conviction is not required prior to the Superintendent's determination that the student has been a victim of a violent criminal offense.
- 3) The Superintendent may also consult with the School District's attorney prior to making such a determination.
- 4) The Superintendent shall maintain written records of his/her investigation of the alleged criminal offense, while maintaining confidentiality to the extent possible in accordance with law.

The Superintendent's determination may be appealed to the Board of Education. However, this determination will not preclude any student disciplinary proceedings brought against the alleged victim or perpetrator of such violent criminal offense.

Notice to Parents/Persons in Parental Relation

The School District, to the extent that it is required to provide school choice in accordance with applicable provisions of law and regulations, shall notify parents of, or persons in parental relation to, students who are victims of violent criminal offenses on school grounds of the school the student attends of the student's right to transfer to a safe public school within the District and the procedures for such transfer.

Such notice shall be, to the extent practicable, provided in the dominant language or mode of communication used by the parents or persons in parental relation to such student. **The District shall provide this notice within twenty-four (24) hours of the determination that the student has been the victim of a violent criminal offense on school grounds at the school he/she attends.**

- 1) Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within twenty-four (24) hours of such determination at the last known address or addresses of the parents/persons in parental relation to the student.
- 2) Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation.

(Continued)

Students

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE (Cont'd.)

- 3) However, **such notification shall not be required** where there are no other public schools within the District at the same grade level or a transfer to a safe public school within the School District is otherwise impossible.
- 4) Similarly, **procedures for such notification** of parents/persons in parental relation to students who are victims of violent criminal offenses **shall not be required** where the School District has only one public school within the District or only one public school at each grade level.

Designation of Safe Public School

It shall be the responsibility of the School District to designate a safe public school or schools within the District to which students may transfer. This designation is to be based upon objective criteria which may include a review of the data submitted through the Uniform Violent and Disruptive Incident Report ("VADIR").

- 1) However, the District *is not required to designate a safe public school* where there are no public schools within the District at the same grade level or when transfer to a safe public school within the District is otherwise impossible.
- 2) Similarly, if the District has only one public school within the School System or only one public school at each grade level, the *School District shall not be required to designate a safe public school.*
- 3) While the receiving school shall be identified by the School District, administration may take into account the needs and preferences of the affected students and parents/persons in parental relation.
- 4) The District should offer the parents/persons in parental relation to a student determined to be a victim of a violent criminal offense an opportunity to transfer their child to a safe public school within the District within ten (10) calendar days of such determination by the District.
- 5) While the parents/persons in parental relation to the student must be offered the opportunity to transfer their child, they may elect to have their child remain at the school he/she currently attends.
- 6) Any student who transfers to a safe public school shall be enrolled in the classes and other activities of the public school to which such student transfers in the same manner as all other students at the public school.

(Continued)

Students

SUBJECT: SAFE PUBLIC SCHOOL CHOICE OPTION TO STUDENTS WHO ARE VICTIMS OF A VIOLENT CRIMINAL OFFENSE (Cont'd.)

- 7) Such student transfer to the receiving school must be at the same grade level as the school from which the student is transferring.
- 8) To the extent possible, the District shall allow transferring students to transfer to a school that is making adequate yearly progress and has not been identified as requiring school improvement, corrective action, or restructuring.

Duration of Safe School Choice

Any student who transfers to a safe public school shall be permitted to remain in such safe public school until the student has completed the highest grade level in the school transferred to, or for such other period prescribed by the U.S. Department of Education, whichever is less.

Transportation

The District shall provide transportation for any student permitted to transfer to a safe public school within the District designated by the School System within the transportation limits established pursuant to Education Law Sections 3635 and 4401(4).

2003 8000

Instruction

Kenmore-Town of Tonawanda Union Free School District

NUMBER

INSTRUCTION

(Section 8000)

**THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET
CONTENT FILTERING/SAFETY GUIDELINES**

Regulation..... 8000R
Form: Internet Content Filtering – Authorized "Override" Option Form 8000F

**REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM
WAIVER FROM COMMISSIONER'S REGULATIONS**

Regulation..... 8120R
Form: Application for Variance/Innovative Waiver..... 8120F

SAFETY CONDITIONS AND PROGRAMS

Regulation: Eye Safety Devices 8210R

PREVENTION INSTRUCTION

Regulation: Human Immunodeficiency Virus (HIV) Related Instruction in
the Classroom..... 8211R

FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS

Regulation: Bomb Threat Response Guidelines..... 8212R
Form: Bomb Threat Call Checklist 8212F
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Instruction

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(Section 8000)

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Instruction

**SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET
CONTENT
FILTERING/SAFETY GUIDELINES**

Internet access on the District's computer system is provided for staff and students as a means to enhance the educational mission and instructional programs of the School System, to further District goals and objectives, and to conduct research and communicate with others. In accordance with such educational mission and the instructional goals and objectives of the District, technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) will be utilized on all District computers with Internet access to ensure the integrity of educational services and to address safety concerns regarding the online activities of minors. In accordance with The Children's Internet Protection Act (CIPA), the term "minor" shall mean any individual who has not attained the age of seventeen (17) years.

Consequently, the District, unless an authorized "override" (i.e., disabling of the blocking or filtering measure) is permitted as enumerated below, will block or filter Internet access for **both minors and adults** to visual depictions that are:

- 1) Obscene (as defined pursuant to CIPA and other applicable laws/regulations as may be appropriate);
- 2) Child pornography (as defined pursuant to CIPA and other applicable laws/regulations as may be appropriate);
- 3) For computers used by minors with Internet access, are harmful to minors. The term "harmful to minors" is defined, pursuant to CIPA, as any picture, image, graphic image file, or other visual depiction that:
 - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

In addition, the District will monitor, as deemed appropriate by the applicable building/program administrator and/or classroom teacher, access by minors to "inappropriate matter" on the Internet and World Wide Web. Per CIPA, the District is authorized to filter or block Internet access to other material determined to be inappropriate for minors. The determination of what is "inappropriate" for

(Continued)

Instruction

**SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET
CONTENT
FILTERING/SAFETY GUIDELINES (Cont'd.)**

minors shall be made in accordance with District guidelines and, as appropriate, on a case-by-case determination depending upon the factors such as the age of the student, the material involved, and the educational purpose/research for which such material is utilized.

Further, in order to help ensure the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications, appropriate supervision will be provided by a classroom teacher and/or other appropriate District personnel; and notification will be given to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal information regarding such students. Students will also be informed regarding unauthorized access to District computers and the Internet, including so-called "hacking," and other unlawful activities by minors online.

Parental and/or student consent, as may be applicable, shall be required prior to authorization for student use of District computers as a means to help ensure awareness/compliance with District rules and standards of acceptable behavior.

In furtherance of the District's educational mission to enact safety measures to protect students when online, the District has adopted and will enforce its Internet Safety Policy that includes the operation of technology protection measure(s) with respect to any of its computers with Internet access as mandated by CIPA and also in accordance with the District's Acceptable Use Policies and Regulations. The District shall enforce the operation of such technology protection measure(s) during any use of District computers in accordance with CIPA and applicable Board policies and building procedures.

Furthermore, in accordance with law, the District Technology Coordinator may access all staff and student files, e-mail, and electronic storage areas to ensure system integrity and that users are complying with the requirements of CIPA and District policy and procedures. Additionally, dissemination and/or publication of the District's Acceptable Use Policy and Regulation will be utilized as one means to further ensure the implementation of safety measures and appropriate notification to staff and students as to acceptable, as well as prohibited, conduct when using District computers or accessing the Internet on such computers. The standards of acceptable use as well as prohibited conduct by staff and students when accessing District computers and the Internet, as outlined in the District's technology policies, are not intended to be all-inclusive. Staff and students who commit an act of misconduct which is not specifically addressed in District policy and/or regulation may also be subject to disciplinary action in accordance with law, the District Code of Conduct, and/or the applicable collective bargaining agreement. Legal action may also be initiated as deemed necessary by the Superintendent/designee.

(Continued)

Instruction

**SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET
CONTENT
FILTERING/SAFETY GUIDELINES (Cont'd.)**

However, no filtering or blocking technology has a one hundred percent (100%) guarantee that all sites accessed by staff and students are immediately filtered in compliance with law and District procedures. Consequently, if District personnel and/or students find an accessed site that is questionable, the procedure is to contact the appropriate supervisor/teacher who will notify the Superintendent/designee. The Superintendent/designee will contact, as appropriate, the service/software provider and/or the District Technology Coordinator.

**However, under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor or other person authorized by the School District.*

**District Option*

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INTERNET CONTENT FILTERING - AUTHORIZED "OVERRIDE" OPTION FORM**

In accordance with The Children's Internet Protection Act, authorization may be granted by the designated school official(s) to disable blocking or filtering measures on District computers to enable access by **adults** engaged in bonafide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the District. There may be special projects/research done on the Internet where, for a limited period of time, filtering needs to be "turned off" to allow access to particular web sites. The capability of setting the time period to be "unfiltered," as well as the changing of the password, will reside with the person authorized to possess this user ID.

Only the designated authorized person will have the use of the user ID and password and will not share this information with the staff. Please provide the information below to the authorized designated person for approved "override" (i.e., disabling of technology protection measures). This form must be completed and submitted at least five (5) school days in advance.

AUTHORIZED OVERRIDE CAPABILITY WILL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF THE SCHOOL DISTRICT'S INTERNET CONTENT FILTERING/SAFETY POLICY.

Please fill out the form below to request the authorized override option.

Staff Member's Name: _____

Date of Application: _____

Date(s)/Times/Location of Override: _____

Purpose for Override Request (be specific): _____

Staff Person's Signature: _____

Staff Person's Internet Address: _____

Title of Authorized Staff Member _____

Signature of Authorized Staff Member: _____

Instruction

SUBJECT: REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM WAIVER FROM COMMISSIONER'S REGULATIONS**Application Procedures**

Each application for a variance or waiver from Commissioner's Regulations must be approved by the Board of Education and signed by the Superintendent of Schools. An application may also be submitted by several Districts, or a combination of Districts, BOCES and/or private schools, applying as a consortium. Consortium applications must be approved by each participating Board of Education and Superintendent of Schools.

Subsequent to Board of Education approval, all applications must be forwarded to the District Superintendent of Schools for review, consultation, and recommendation prior to submission to the State Education Department. The District Superintendent may provide technical assistance to the applicant and make recommendations to the State Education Department. Interested applicants may also request technical assistance through their Regional Education Coordinator.

After review by the District Superintendent, the application is submitted by the School District to the State Education Department at least 60 days in advance of the proposed starting date of the program. All applications must include a narrative (described below) and Attachments I, II, and III (Form #8120F).

Upon review of the completed application, the State Education Department will issue a decision to the District, with a copy to the District Superintendent, within 60 working days. If approved, the variance or waiver will be granted for a period not to exceed three years. An annual report (see below) must be filed at the end of each full year that the variance/waiver is in effect. The State Education Department reserves the right to rescind a variance or waiver at any point during this period if it is determined that the variance or waiver is not in accord with the requirements of the variance/waiver procedures and the approved application. When a variance or waiver has resulted in improved student results for three years, the Commissioner may approve a continuation of the variance or waiver without the annual report requirement.

Review Criteria

Final approval of variance and waiver requests will be based primarily on:

- 1) The likelihood that the variance or waiver will improve student outcomes;
- 2) The extent to which the request identifies and benefits the target population;
- 3) The potential that the request will create new teaching and learning structures leading to improvement in educational programs and practices;

(Continued)

Instruction

SUBJECT: REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM WAIVER FROM COMMISSIONER'S REGULATIONS (Cont'd.)

- 4) The extent to which the request demonstrates an effective evaluation design to measure achievement of the desired learning outcomes;
- 5) The degree to which the request confirms consultation with and support by school staff (including employee unions), parents/guardians, students, and others affected by the request; and additionally for special education innovative waiver requests;
- 6) The degree to which the program will enhance opportunities for students with disabilities to be placed in general education classes and programs.

Appeal Process

If an application for a variance or waiver is disapproved by the State Education Department, the Superintendent of Schools may submit an appeal in writing to the Office for Regional Field Services and/or request to appear in person for direct appeal.

Reports

If the application is approved, the District must submit an annual report at the end of the first full school year and subsequent years. The report should contain a detailed summary of the program in place and an assessment of progress toward the achievement of the desired learning outcomes as described in the variance/waiver application (that is, the report should evaluate the effectiveness of the variance or waiver in meeting the original requirement for which it is an alternative). The report should be submitted to the State Education Department through the District Superintendent of Schools. A report format for this purpose is included in Attachment IV (Form 8120F).

Termination

If a variance or waiver is judged not to be achieving the student outcomes or the objectives established in the application, or is no longer consistent with State or federal law or regulation, the variance or waiver may be terminated by the Commissioner. The Commissioner shall provide at least 30 days notice of a proposed termination. A District, school, or agency which receives notice of proposed termination may submit a written response no later than five days prior to the date of termination.

(Continued)

Instruction

SUBJECT: REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM WAIVER FROM COMMISSIONER'S REGULATIONS (Cont'd.)**Application Narrative**

The application narrative should be a concise statement which describes the major elements of the Part 100 variance or Part 200 innovative program waiver request. The narrative should be no more than eight (8) single-space, typewritten pages and should provide the reader with a clear sense of how the variance or waiver will lead to improved student outcomes. The narrative must include at least the following information:

- 1) School/School District Description: Provide a brief summary statement which describes the major characteristics of the School/School District, i.e., school size and type (elementary/middle/high school), school and community demographics, and any unique characteristics.
- 2) Program Description: Provide a concise description of the proposed program (e.g., changes in current approaches, practices, and programs). Describe the relationship between the proposed program and the Compact for Learning. Consortia applications should clearly describe responsibilities and expectations.
- 3) Student Achievement: Identify the area of student performance targeted and explain why the District seeks to make improvement in this area.
- 4) Accountability Data: Describe the present level of student achievement, the desired learning outcomes, and any other related or expected outcomes, such as new methods of operation; uses of technology; linkages with higher education, community institutions, and business; and cost savings.
- 5) Regulatory Impact: Indicate the proposed length of the variance or waiver (one to three years) and describe what type of relief from Commissioner's Regulations is requested. With respect to variances, the description might include, for example: use of time (CR 100.1(a); course offerings (CR 100.2); course requirements for elementary, middle, or secondary schools (CR 100.3, 100.4, or 100.5); new sequences for high schools (CR 100.2(q); assessment (CR 100.2(f), 100.4(d), 100.5); physical education (CR 135); or length of school day (CR 175.5). With respect to innovative program waivers, the specific requirements of Sections 200.1 and/or 200.6 from which the waiver is requested must be stated. That statement must include both a regulatory citation and a brief descriptor (e.g., 200.6(d), "consultant teacher services for resource room students").

(Continued)

Instruction

SUBJECT: REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM WAIVER FROM COMMISSIONER'S REGULATIONS (Cont'd.)

- 6) Consultations: Describe how information about the variance or waiver was shared with parents/guardians, administrators, teachers, collective bargaining units, the Committee on Special Education, and others affected by the request. If any of the groups affected by the variance or waiver opposed it, please provide reasons and complete the appropriate section of Attachment II.
- 7) Evaluation: Describe the method that will be used to evaluate, monitor, and assess progress in achieving the desired learning outcomes and, where appropriate, the overall effectiveness of the variance or waiver in improving the school environment in such areas as communication, parent/guardian and teacher participation, and school practices and organization and/or enhanced opportunities for placement of students with disabilities in general education classes or programs.
- 8) Reporting Procedures: Describe how the progress and results of the variance or waiver will be reported to the District and community.

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For SED Use Only

ATTACHMENT I
COVER PAGE

<p>APPLICATION FOR VARIANCE/INNOVATIVE WAIVER FROM COMMISSIONER'S REGULATIONS</p>

School Name _____

School District Name _____

Address _____

Name of Person Completing This Form _____

Title _____

Address _____

Telephone Number (____)_____

The Kenmore-Town of Tonawanda Union Free School District hereby requests consideration of the attached variance(s)/waiver(s) to Regulations of the Commissioner. This request is based on the District's efforts to improve student learning outcomes in the pursuit of excellence in education. The attached application has been completed in accordance with the accompanying instructions, and includes an assurance that the District has shared information about the variance request with representatives of parents/guardians, teachers, students, administrators, and the collective bargaining organizations of the District.

Date of Board of Education Approval: _____

Name of Superintendent of Schools

Signature of Superintendent of Schools

District Superintendent Recommendation (Attach statement explaining recommendation made):

_____ YES

_____ NO

_____ Further Work

Name of District Superintendent

Signature of District Superintendent

Please forward the application to:

Timothy Ott
Office for Regional Field Services
State Education Department
Room 779 EBA
Albany, New York 12234

ATTACHMENT II

STATEMENT OF CONSULTATION

**APPLICATION FOR VARIANCE/INNOVATIVE WAIVER
FROM COMMISSIONER'S REGULATIONS**

Please identify below the name and telephone numbers of representatives from the following groups who were consulted in the development of the variance application:

Building Administrator's Name: _____
Signature: _____
Telephone Number: _____

Teacher's Name: _____
Signature: _____
Telephone Number: _____

Parent's/Guardian's Name: _____
Signature: _____
Telephone Number: _____

Student's Name: _____
Signature: _____
Telephone Number: _____

Committee on Special Education Chair: _____
Signature: _____
Telephone Number: _____

Collective Bargaining Organization(s) (Phone #: _____)
Representative's Name: _____
Signature: _____
Affiliation: _____

(Phone #: _____)
Representative's Name: _____
Signature: _____
Affiliation: _____

Others as appropriate (i.e., Business, College or University)
(Phone #: _____)
Name: _____
Signature: _____
Affiliation: _____

Were any of the above groups opposed to the application? YES [] NO []

64) If yes, please include the following information:

1. The name of the representative group(s) which was opposed; and
2. A summary statement (no more than one page) from the representative group(s) describing the reasons for its opposition.

Superintendent's Name - (Print or Type)

Superintendent's Signature

Date

ATTACHMENT III

STATEMENT OF ASSURANCE

**APPLICATION FOR VARIANCE/INNOVATIVE WAIVER
FROM COMMISSIONER'S REGULATIONS**

SCHOOL DISTRICT: _____

SCHOOL NAME: _____

SCHOOL ADDRESS: _____

TELEPHONE NUMBER: (_____) _____

I understand that the Kenmore-Town of Tonawanda Union Free School District will provide support and technical assistance to the school and/or District staff who will undertake this variance/waiver. The District will appropriately allocate resources to support the planned activities. The District will ensure the periodic assessment of the impact of planned activities and report its progress on achieving improved student outcomes to the State Education Department and the local community as appropriate.

Superintendent's Name: _____
(Print or Type)

65) Superintendent's Signature: _____
(Date)

ATTACHMENT IV
VARIANCE/INNOVATIVE WAIVER ANNUAL EVALUATION REPORT
Report Format

The revised variance process includes a provision for an Annual Evaluation Report. Each District must submit an annual report within two (2) months after the end of each school year to the State Education Department. The report is to be submitted through the District Superintendent of Schools or the Chancellor of the New York City School District.

- 1) Program Description Summary - Provides a brief summary statement which describes the program that was implemented and identifies the regulations that were waived along with the number of students, grades and/or courses impacted by the variance. The intended objectives (i.e., expected improvements or outcomes) of this variance will be concisely and specifically stated. Any changes from the original application will be noted.
- 2) Evaluation Design - Describes the method and provides copies of assessment tools that were used to evaluate, monitor and document the progress of the program. Indicates the criteria used to measure success.
- 3) Evaluation Results - Documents the specific outcomes that were achieved and the overall effectiveness of the variance. Also, identifies related or expected outcomes, such as new methods of operation, uses of new technology, cost savings, or linkages with higher education, community institutions, and business. Where data on student performance is collected, summary tables of results will be provided. Indicates how the results were shared with the community.
- 4) Report Summary - Indicates any request for modification or extension that may be necessary to improve or to continue the program. Provides a clear statement of rationale for any changes that are requested.

SUBJECT: EYE SAFETY DEVICES

Every teacher, student and visitor is required to wear industrial quality eye protective devices whenever he or she is participating or observing in an instructional or experimental program in a shop or laboratory involving:

- 1) Hot solids, liquids, or molten metals;
- 2) Milling, sawing, turning, shaping, cutting, or stamping any solid materials;
- 3) Heat treatment, tempering, or kiln firing of any metal or other materials;
- 4) Gas or electric arc welding;
- 5) Repair or servicing of any vehicle;
- 6) Caustic or explosive chemicals or materials.

Eye safety devices within the meaning of this regulation shall include face shields, goggles, safety glasses, welding helmets, hoods and other specialized equipment meeting the standards of the American National Standard Practice for Occupational and Educational Eye and Face Protection, Z87.1-1968, promulgated by the American National Standards Institute, Inc.

All safety devices are to be properly repaired, cleaned and stored. Also, said devices must be sterilized or otherwise treated to prevent the spread of germs or diseases when the user changes.

Regulations for Specific AreasTechnology Classes

An eye protective device as supplied by the school shall be worn over the eyes at all times by students, teachers, and visitors except for the following situations:

- 1) During chalkboard lessons.
- 2) While student is drawing or planning at an approved planning station.
- 3) While welding, brazing, or torch cutting at which times other special eye and face protection is mandated.

(Continued)

SUBJECT: EYE SAFETY DEVICES (Cont'd.)Elementary Schools

Teachers and students must wear an eye protective device during lessons and demonstrations involving any situation coming under those listed in the general regulations.

Science Department

- 1) The eye protective device will be worn at all times by students in chemistry labs.
- 2) The eye protective device will be worn by all students in all other laboratory situations where:
 - a. The heating of solutions is part of the lab.
 - b. The handling of acids or caustic solutions is part of the lab.
 - c. Cutting, bending, or breaking of glass tubing or plate is part of the lab.
- 3) All teachers will wear eye protective devices in any situation where:
 - a. Any of the above situations are being demonstrated by a teacher for a class.
 - b. A teacher is supervising a class participating in any of the above activities.

Any exceptions to the Regulations for Specific Areas will require approval of the building principal.

Instruction

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED INSTRUCTION
IN THE CLASSROOM**

- 1) Instruction concerning HIV/AIDS shall provide accurate information to students concerning the nature of the disease, methods of transmission and methods of prevention.
- 2) No student shall be required to receive instruction concerning "the methods of prevention" of HIV/AIDS if the parent or guardian makes such request.
- 3) The parent or guardian who wishes to have a student excluded from instruction concerning the methods of prevention of HIV/AIDS must file such request in writing with the building principal of the school which the student attends.
- 4) The written request for exclusion from instruction in "methods of prevention" of HIV/AIDS must include an assurance that the student will receive such instruction at home.
- 5) The principal shall provide instructional material on "methods of prevention" of HIV/AIDS to parents/guardians who request exclusion from instruction. These materials shall be appropriate for home instruction.
- 6) Excluded students will be provided with alternative curriculum by the teacher during the period of exclusion from instruction on the "methods of prevention" of HIV/AIDS but will not be exempt from testing on all aspects of HIV/AIDS instruction, including "methods of prevention."

SUBJECT: BOMB THREAT RESPONSE GUIDELINES**Introduction**

Recent bomb threats and other acts of violence in schools have increased awareness concerning the importance of response actions and coordination among school officials, law enforcement officials, and local emergency management officials. This guideline provides clarification regarding the roles of educators, staff, and law enforcement officials related to bomb threats in schools. This document should be used as a guide in the development of the section of the building-level school safety plan which addresses bomb threats.

Proper planning and prudent actions are necessary to protect the safety of students and staff. Therefore, it is critically important that school officials have a consistent, unified plan of action to deal with the threat of bombs and explosive materials in schools. Section 155.17 of the Commissioner's Regulations requires schools to maintain school safety plans to ensure the safety and health of children and staff and to ensure the integration and coordination with similar emergency planning at the municipal, county, and State levels. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed by July 1 in accordance with Commissioner's Regulations. Planning for a bomb threat is clearly an emergency, which must be included within the building-level school safety plan(s).

School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal action. No bomb threat should be treated as a hoax when it is first received. The school has an obligation and responsibility to ensure the safety and protection of the students and other occupants upon the receipt of any bomb threat. This obligation must take precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat - location, if any; time of detonation; etc. If the bomb threat is targeted at the school parking lot or the front of the school, building evacuation may not be an appropriate response. If the bomb threat indicates that a bomb is in the school, then building evacuation is necessary unless the building has been previously inspected and secured as described in these guidelines (see page 7).

The decision to evacuate a building or to take shelter is dependent upon information about where the bomb is placed and how much time you have to reach a place of safety. Prudent action dictates that students and other occupants be moved from a place of danger to a place of safety. Routes of egress and evacuation or sheltering areas must be thoroughly searched for suspicious objects before ordering an evacuation. Failure to properly search evacuation routes before an evacuation takes place can expose students and staff to more danger than remaining in place until the search has taken place. Assistance is available from local police agencies and the New York State Police to train staff to check evacuation routes.

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**Police Notification and Investigation**

A bomb threat to a school is a criminal act, which is within the domain and responsibility of law enforcement officials. Appropriate State, county, and/or local law enforcement agencies must be notified of any bomb threat as soon as possible after the receipt of the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Police agencies, provided they have the proper resources available, may conduct building searches with the permission of the school official responsible for the building. It is not unusual during a bomb threat for police officers, when present, to request volunteer assistance from school employees. People who can be the most helpful in looking for suspicious objects are the school employees themselves. This is due to the fact that employees may be able to quickly recognize objects which do and do not belong in the building. A stranger to the building does not have the advantage of the employee in conducting this type of building search.

It should be noted that the search for something unusual does not involve touching or handling the suspect object. Only specified and highly trained law enforcement officials are authorized to handle the suspect object when located. School officials and/or employees are not trained or authorized to touch, handle, or move any suspected explosive device. Law enforcement officers, upon finding suspicious objects, will call for appropriate bomb technicians.

School officials should be aware that law enforcement agencies generally do not initially send out bomb sniffing dogs and/or trained bomb technicians until a suspect device is located. It should also be noted that bomb-sniffing dogs have a limited time of efficiency so that their use is carefully considered.

Receiving Threatening Information

Anyone receiving information about a bomb threat - by way of telephone, written note, or through observing a suspicious object, must immediately notify the school building administrator or his/her designee, as described in the applicable building-level school safety plan(s). School personnel should not try to determine if a telephoned bomb threat or suspicious package or letter is a hoax. School personnel must proceed as if the threat is real. Bombs can be constructed to look like almost anything. Most bombs are homemade and the probability of finding a bomb that looks like a stereotypical bomb is almost nonexistent. Therefore, the administrator or designee is to notify local law enforcement officials and initiate the planned actions to move all occupants out of harm's way. Bomb threat information is **not** to be treated as a hoax and an official search must be conducted.

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)Written Bomb Threats

If a written bomb threat is received, the handling of the note and its envelope should be kept to an absolute minimum since it will be used as evidence in the criminal investigation. Fingerprints will be taken from the note to help determine its source. If the note is contaminated with the fingerprints of the recipients, the value of this evidence will be significantly compromised.

Mail Bombs/Suspicious Packages

Mail bombs have been contained in letters, books, and parcels of varying sizes, shapes, and colors. The New York State Police and the Federal Bureau of Alcohol, Tobacco, and Firearms have provided the following characteristics and instructions regarding mail bombs.

- 1) Letter bombs may feel rigid, appear uneven or lopsided, or are bulkier than normal.
- 2) The container is irregularly shaped, asymmetrical, and has soft spots and bulges.
- 3) There may be oil stains on the wrapper. The wrapper may emit a peculiar odor.
- 4) The package may be unprofessionally wrapped and be endorsed with phrases such as "Fragile -- Handle with Care", "Rush -- Do Not Delay", "To Be Opened in the Privacy of _____", "Prize Enclosed", or "Your Lucky Day is Here."
- 5) There may be cut and paste lettering on the address label.
- 6) The package may have no postage or non-cancelled postage.
- 7) The package may exhibit protruding wires, foil, string, or tape.
- 8) The package may emit a buzzing or ticking noise.
- 9) A suspect letter or package may arrive immediately before or after a telephone call from an unknown person asking if the item was received.

If you suspect a letter or package of being a bomb:

- 1) **Do not open or squeeze** the envelope or package.
- 2) **Do not pull** or release any wire, string, or hook.
- 3) **Do not** turn or shake the letter or package.
- 4) **Do not** put the letter or package in water or near heat.
- 5) **Do not** touch the letter or package, thereby compromising fingerprint evidence.
- 6) **Do** move people away from the suspected envelope or package.
- 7) **Do** notify the State and/or local police, depending on which law enforcement agency covers your geographic area.
- 8) **Do activate your building-level school safety plan(s) for dealing with bombs.**

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)Telephone Bomb Threats

Handling a telephone bomb threat requires training and preparation for the person answering the call. The bomb threat caller is the best source of information about the bomb. Therefore, it is important to remain calm and try to get as much information as possible about the bomb from the person on the telephone. If possible, the person answering the call should signal co-workers of the threatening call while the call is still in progress. It is also desirable that more than one person listen in on the call.

Persons receiving threatening calls in a school should have a list of emergency agency telephone numbers available, as well as the telephone numbers of school officials to be immediately contacted. Individuals who are likely to be the first to respond to a threatening telephone call should receive training offered by the New York State Police or local law enforcement agencies. The local BOCES Health and Safety Office may be contacted for assistance in coordinating this training.

The New York State Police recommend that, if possible, the telephone threat be taped. Caller identification or other types of tracing devices should also be considered. The *New York State Police Bomb Threat Instruction Card* should be placed next to telephones that are most likely to receive such calls. Information to be asked of the caller includes:

- 1) Where is the bomb located?
- 2) When will the bomb go off?
- 3) What does the bomb look like?
- 4) What kind of explosive is involved?
- 5) Why was the bomb placed?
- 6) What is your name? (Sometimes the caller may be caught off guard and will give you his/her name.)

Other information which should be noted includes: the time of the call; language used by the caller; gender and approximate age of the caller (child or adult); speech characteristics (slow, fast, loud, soft, disguised, intoxicated, accented, etc.); and any noticeable background noises such as music, motors running or street traffic.

Bomb Threat Response Actions

The following three (3) actions may be used by school administrators when coping with a bomb threat in a school building. These actions require planning, preparation, and training.

- 1) Evacuation of the building after searching exit routes and evacuation areas;

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

- 2) Sheltering students in an area which has been "sanitized and cleared"; and
- 3) Preclearance of the building and maintenance of security to ensure no suspicious objects have been brought into the building by students, visitors, or staff.

1) Building Evacuation

When school officials receive information that a bomb threat has been received and the building has not been precleared and kept secure, the school bomb threat procedures are to be immediately activated. This may or may not warrant immediate building evacuation. If the bomb threat indicates that an explosive has been placed outside the building, sheltering may be the most appropriate course of action. (See page 9, "Sheltering in the School -- Potential Explosive Device Outside the Building.") If the threat indicates that the device is in the building or is non-descript in nature, building evacuation procedures are to be immediately activated.

The building-level school safety plan(s) for bomb threats should establish a process for determining who will be responsible for performing an initial search of the stairwells, lobby, entrances, exits, and evacuation areas for suspicious objects. The immediate checking of these areas prior to evacuation is necessary so that a safe and expeditious evacuation may proceed. Simultaneously, all school employees should take a quick look around their work areas for any suspicious items. Such school safety plans should make it clear that any suspicious items found must be left alone and must be immediately reported to the school administrator. Under no circumstances are school personnel to touch or move any suspect items.

Based upon information known or not known about a bomb threat, and after it has been determined that reasonably safe passage of students and other occupants can be made to exit the building, an immediate evacuation signal must be given. The building-level school safety plan(s) should identify the type of signal(s) used to denote a building evacuation in case of a bomb threat. Staff, teachers, and students are to be familiar with such signals so they can respond without hesitation or confusion. Local law enforcement officials should be consulted as to options for signals during a bomb threat.

- a. Persons evacuating the building should remain calm and orderly in order to prevent panic and confusion, which may result in an increased evacuation time, endangering lives, and increasing the chances of injuries occurring.
- b. The building-level school safety plan(s) shall identify volunteer floor wardens and alternate volunteer floor wardens to ensure an orderly process for clearing each floor, including restrooms. When floor wardens have cleared their areas of responsibility, they should report to the command area in the evacuation assembly area.

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

- 66) c. Elevators are not to be used for evacuation purposes.
- d. Occupants are to proceed to the designated safe evacuation assembly area. After accounting for all students and staff, the principal will determine next steps, as the situation requires. Designated evacuation areas should not be located near areas of incoming emergency responders. Open play fields, removed from the activity, are suitable evacuation assembly areas.
- e. The Superintendent/principal should designate an easily accessible location and known position as a command post for coordination with emergency responders and receiving information and communications related to the incident

Evacuation of Students, Staff and Teachers with Disabilities

School safety plans must provide evacuation procedures for all persons with disabilities. Assigned responsibilities and procedures to assist those individuals with disabilities should be identified in the school safety plan(s). Local emergency responders must be familiar with the school's plan for persons with disabilities and the school safety plans as a whole.

Evacuation Areas

Evacuation areas must be identified in the school safety plans. School safety plans should address procedures for informing parents and/or guardians of actions to protect and provide safety for their children. Teachers and staff should know the location of evacuation areas where students will be taken, if necessary, during emergencies until dismissal time and/or parental/guardian pick-up. Students and parents should only be notified of that location, as needed, due to security considerations and confidentiality,

Weather Conditions and Evacuation

The possibility always exists that students, faculty and staff may have to evacuate a school during inclement weather conditions. School safety plans should address procedures for prolonged outdoor exposure. Students must not be permitted to access their lockers to obtain their coats. Therefore, administrators at each school must determine how best to provide temporary shelter should the time outside be prolonged.

(Continued)

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**Reoccupancy of a School Building**

After a bomb search has been concluded, by or with law enforcement, the school administrator is the person responsible for making the decision to reenter the school building. Unlike fire chiefs during a fire, police officials have no legal authority to declare the building safe for reoccupancy. They will not be able to conclusively state that there is no bomb, only that the search did not reveal any.

Based upon information received from the building search, one of three (3) decisions may be considered by the school administrator:

- a. Reoccupy the building and resume classes,
- b. Relocate the building occupants to another facility (sheltering); or
- c. Activate the plan for early dismissal.

2) Sheltering in Sanitized and Cleared Areas

School administrators have the option of "sanitizing and clearing" an area in the school building, such as a gymnasium, to subsequently shelter students, faculty and staff while a full building search is conducted. This option is most appropriate in the following circumstances:

- a. An assembly space, such as a gymnasium, is thoroughly searched by volunteer school personnel and law enforcement personnel for suspect objects. This includes searching areas such as bleachers, locker rooms (including lavatory facilities), equipment storage areas, etc.
- b. Inclement weather conditions are such that a full-scale building evacuation may endanger students, faculty, and staff. Severe cold weather is an example of such a condition.

It is strongly recommended that school officials carefully coordinate this option in cooperation with local law enforcement officials.

3) PreClearance and Security Screening in Lieu of Evacuation

This option may only be implemented prior to the receipt of an actual bomb threat. This option is appropriate when a school reasonably anticipates the receipt of a bomb threat or if there is a particular concern over the possibility of a bomb threat. An example of this may be during the administration of Regents examinations or during other school-wide events, such as dances, homecoming events, etc. This option may not be reasonable during other times. If the school

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

administrator chooses to enact the prudent procedures outlined below, and there is reasonable accountability for ensuring the safety of students and other building occupants, then evacuation is not required. This approach may also be particularly helpful in the event of multiple bomb threats or bomb threats directed at all schools in a county, BOCES, or School District.

School administrators who choose this option must ensure that all steps for ensuring the security of the building are followed completely. Local law enforcement officials and the New York State Police are available for consultation in preparing such a plan and for training school staff on screening techniques.

- a. Staff must be assigned to do a "walk-through" of the buildings and grounds prior to the arrival of students in the morning to assure that there are no suspicious objects in the building.
- b. Staff who complete the "walk-through" must report findings to the school principal. Monitors must also be assigned to walk around the outside of the building if State examinations are being administered.
- c. A single point of entry to each building for students and staff must be established, and monitored by a school official.
- d. School staff must monitor all exits.
- e. In the case of State examinations, students must not be admitted to the building for a State examination more than thirty (30) minutes before the start of that examination.
- f. Students may only be admitted to the building after passing through a checkpoint to ensure that they are bringing with them only lunch/snacks and other preapproved items. This includes items such as inhalers (for medical purposes), pens, pencils, and specific materials appropriate to the exam, such as a calculator or a compass. Student book-bags and knapsacks must be inspected. It may be appropriate to send a notice home prior to the event to clearly state that book-bags will not be permitted for that particular event.
- g. During State examinations, exam locations are to be clearly marked. Except in those schools where regular interaction is occurring during the exam period, students must be allowed only in the specific areas of the building where the exams are being administered.
- h. All lockers, including unassigned lockers, must have locks.

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

- i. A reporting procedure must be in effect for sighting any unusual object or behavior.
- j. Parking adjacent to buildings is not permitted.
- k. In the event it is necessary to evacuate the building, the steps outlined in the preceding sections must be followed.

In summary, evacuation is not required provided the building and grounds have been "cleared" at the start of the day and continually monitored throughout the day. Please note that if the procedures are not completely and correctly put into effect, then the building must be evacuated to a "sanitized and cleared" area or completely evacuated upon the receipt of a bomb threat.

State Examinations

If it is necessary to evacuate the building during State examinations, the students must not be allowed to talk to each other and they must be given extra time when they return to the examination to compensate for the time lost during the evacuation process. School personnel are advised to refer to page 16, item 7 - Emergency Evacuation of a School Building, in the booklet entitled, "Regents Examinations, Regents Competency Tests, and Proficiency Examinations, School Administrator's Manual (Spring 1996 edition)."

Sheltering in the School -- Potential Explosive Device Outside the Building

A bomb threat which indicates that an explosive device is in a car, in the school parking lot, or somewhere else outside of the building, requires that building occupants remain inside the building. Building occupants should be moved to areas within the school which are free of glass, such as gymnasiums and auditoriums. Persons outside the building in parking lots, playgrounds, etc. should be moved further away or to a location that takes students out of harm's way. The New York State Police advise that there be at least one thousand (1,000) feet between individuals and the suspected area of a bomb.

Preventive Measures Checklist

Depending upon the needs of a School District, policies, procedures, and informational materials should be developed to discourage the reporting of any incident designed to threaten life and property, such as a bomb threat. Preventive measures may include the following:

- 1) Install a Caller ID System on school telephone lines and/or tape record incoming calls. Arrange to have the local telephone company provide for the immediate tap and trace of a telephoned bomb threat. (Cell phones are traceable.)

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

- 2) Install a video camera in places where public telephones are located.
- 3) Make all employees responsible for scanning their areas of work for suspicious objects.
- 4) Establish an immediate reporting system for students and staff to report the presence of "strangers" in the building and/or unusual or suspicious objects.
- 5) Establish a policy whereby all "lost time" due to disruptive hoaxes will be made up.
- 6) To ensure testing integrity, develop contingency plans for bomb scares during times of academic examinations.
- 7) Train all persons in a school who would generally be the first recipient of a telephone bomb threat. Training should include the procedures established by the New York State Police. Law enforcement agencies are a good training source.
- 8) Conduct assembly programs on school safety plan procedures.
- 9) Invite law enforcement personnel to discuss the legal implications of calling in false alarms and bomb threats with students and staff.
- 10) Use trash receptacles of the wire basket type with clear plastic bags as liners.
- 11) Lock unassigned lockers with school locks turned backwards to identify those not occupied by students.
- 12) Lock custodial closets and rooms that are not occupied in order to limit access.
- 13) Keep lobby areas free of trash receptacles (other than wire mesh) and furniture that would allow for placing objects out of view.
- 14) Replace telephone booths with wall telephones.
- 15) Reconfigure display cases so as to prevent easy placement of explosive devices above or beneath them.
- 16) Place fire extinguishers in recessed areas with extinguishers in glass containers that require breakage to be used.

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

- 17) Eliminate parking areas immediately adjacent to the building, except for official school vehicles.
- 18) Have school health and safety committees discuss with the State Police or the local law enforcement agency other measures to ensure the building security.

School Employee Involvement

To prepare for school emergencies such as a bomb threat, schools may form teams of volunteers from administration, faculty and staff to assist in looking or sweeping a building or grounds for suspect objects. Volunteer school teams familiar with the building would shorten the time needed to look for suspect items. Prior to an emergency incident, school officials should make certain volunteer personnel are trained and aware of their responsibilities and are willing to carry out such activities. School employees who volunteer or by job duty are assigned to assist should have access to building keys, floor plans, and information about shut-off valves for heat, electricity, and water.

Reporting Bomb Threats

School officials must inform parents and guardians as soon as possible of an incident that results in the activation of the applicable school safety plan(s), along with actions taken to protect the safety and well-being of students, staff, and property.

Section 155.17(h) of the Commissioner's Regulations requires that Superintendents not in a Supervisory District are to notify the State Education Department as soon as possible whenever the District-wide school safety plan or building-level school safety plan is activated and results in the closure of a school building in the District. A Superintendent of a school within a Supervisory District is to notify the BOCES District Superintendent as soon as possible whenever such school safety plans are activated and result in the closure of a school building. The BOCES District Superintendent is to notify the State Education Department of all school building closures not related to routine snow emergencies.

Schools receiving bomb threats should send the following information to the State Education Department Office of Facilities Planning at fax (518) 486-5918 or send an e-mail to lsahr@mail.nysed.gov when it is safe to do so:

- 1) Name of school;
- 2) Time and nature of the threat;

(Continued)

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

- 3) Action taken; and
- 4) School contact person's name, telephone number, and e-mail address.

(NOTE: Refer also to Form #8212F.1 -- *New York State School Bomb Threat and Serious Incident Reporting Form.*)

Regulatory Basis for School Bomb Threat Actions

Section 155.17 of the Commissioner's Regulations requires BOCES and School District Boards of Education to prepare and annually update the school safety plans as enumerated in law and Commissioner's Regulations to ensure the safety and health of children and staff, and to ensure integration and coordination with local, county, and State emergency plans. This Plan further requires annual instruction and drills to ensure its effectiveness. In updating the school safety plans, conducting drills and training, and providing education and notification, the following issues should be considered:

- 1) Formulating guidelines specifying how students and employees are to leave the school premises during an emergency.
- 2) Formulating guidelines regarding how to provide security for school premises during an emergency (i.e., public access, emergency responders, etc.).
- 3) Media intervention guidelines.
- 4) Communication procedures and access of details.

School emergencies have an impact on many people and other community operations. School administrators must cooperate and coordinate plans with their local and county emergency coordinators to ensure that the school safety plans are congruent with local and county plans and procedures. Issues of mutual concern might include:

- 1) Traffic routing for emergency vehicles;
- 2) Emergency area perimeter security;
- 3) Parents or guardians rushing to school; and
- 4) Telephone and communication overload.

(Continued)

Instruction

SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)

Case law under liability and negligence has established that a Board of Education has the duty to exercise due care toward its students, as would a reasonable, prudent parent under comparable circumstance [Mirand vs. City of New York, 84 NY2d 44 (1994)]. Based upon Duty of Reasonable Care, a District's responsibility begins when a child is picked up and ends when a child is dropped off.

Section 807 of the Education Law¹ imposes a duty on the "principal or other person in charge of the school" to instruct and train the students by means of drills so that they may, in a sudden emergency, be able to leave the school building in the shortest time possible without confusion or panic. An Attorney General's opinion declares a bomb threat as a potential emergency.

Criminal Penalties: False Reporting of Emergencies

Schools need to educate the entire school community about the seriousness and penalties of reporting a false bomb threat. Information should be disseminated informing students and employees that the mere reporting of a false bomb threat is a crime that may result in imprisonment and/or civil penalties being imposed against the individual. When a person reports a false bomb threat on school grounds, they commit a crime that is punishable by up to seven (7) years imprisonment and a fine of up to five thousand dollars (\$5,000). (Falsely Reporting an Incident in the First Degree: Section 240.60 subsection 5 of the New York State Penal Law: Class "D" Violent Felony).

Recently, laws dealing with this issue have been expanded to include instances where someone places a device fashioned to resemble or contain a bomb on school grounds, when in fact it is an inoperative facsimile or imitation. In these circumstances, a person would also be guilty of a crime punishable by up to seven (7) years imprisonment and a fine of up to five thousand dollars (\$5,000). (Placing a False Bomb in the First Degree: Section 240.62 of the New York State Penal Law: Class "D" Violent Felony).

¹ Section 807 is headed "Fire Drills" but the section itself speaks to emergencies, not fires. A section heading does not restrict broader language contained in the body of the section.
[People v. Long Island R.R. Co., 194 NY 130 (1909)]

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT**BOMB THREAT CALL CHECKLIST****FILL OUT COMPLETELY, IMMEDIATELY AFTER BOMB THREAT****QUESTIONS TO ASK:**

1. When is the bomb going to explode? _____
2. Where is it right now? _____
3. What does it look like? _____
4. What kind of bomb is it? _____
5. What will cause it to explode? _____
6. Did you place the bomb? _____
7. Why? _____
8. What is your address? _____
9. What is your name? _____

EXACT WORDING OF THE THREAT: _____

Sex of Caller: _____ Race: _____ Age: _____ Length of Call: _____
 Number at which call is received: _____ Time: _____ Date: _____/_____/_____

CALLERS VOICE:

_____ Calm	_____ Loud	_____ Nasal	_____ Clearing Throat
_____ Angry	_____ Laughing	_____ Stutter	_____ Deep Breathing
_____ Excited	_____ Crying	_____ Lisp	_____ Cracking Voice
_____ Slow	_____ Normal	_____ Raspy	_____ Disguised
_____ Rapid	_____ Distinct	_____ Deep	_____ Accent
_____ Soft	_____ Slurred	_____ Ragged	_____ Familiar

If voice is familiar, who did it sound like? _____

BACKGROUND SOUNDS:

_____ Street Noises	_____ Music	_____ Factory Machinery	_____ Local
_____ Crockery	_____ House Noises	_____ Animal Noises	_____ Long Distance
_____ Voices	_____ Motor	_____ Clear	_____ Booth
_____ PA System	_____ Office Machinery	_____ Static	Other _____

THREAT LANGUAGE:

_____ Well Spoken (educated)	_____ Foul _____ Irrational	_____ Incoherent _____ Taped	_____ Message Read by Threat Maker
---------------------------------	--------------------------------	---------------------------------	---------------------------------------

REMARKS: _____

Report call immediately to: _____
 Principal/Building Incident Coordinator Phone Number

Date: _____/_____/_____ Name: _____

Phone
Number: _____ Position: _____

Office for Elementary, Middle, Secondary and Continuing Education

New York State School Bomb Threat and Serious Incident Reporting Form

Name of School District:	Building:
<u>Incident Type:</u> (please circle all that apply to this event)	
Arson Bioterrorism Bomb Bomb Threat Knife/Blade Gun Other	
<u>Incident Delivery Method:</u> (please circle all that apply to this event)	
Telephone E-Mail FAX Verbal Written Other	
Date of Incident:	Time of Incident:
School District Contact Person:	Contact Person Telephone #
Description of Incident:	
Name of Law Enforcement Agency Notified of Incident:	Law Enforcement Contact Person and Telephone Number
Actual Class Time Lost as a Result of this Incident:	
Actions Taken by the School District in Response to Incident:	
Attach Additional Sheets as Needed	

Return Completed Report To:

Laura Sahr
 NYS Education Department
 Office of Facilities Planning
 Room 1060 Education Building Annex
 Albany, New York 12234
 or FAX to: 518-486-5918

Instruction

**SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING
GUIDELINES**

Internet access on the District's computer system is provided for staff and students as a means to enhance the educational mission and instructional programs of the School System, to further District goals and objectives, and to conduct research and communicate with others. In accordance with such educational mission and the instructional goals and objectives of the District, technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) will be utilized on all District electronic devices with Internet access to ensure the integrity of educational services and to address safety concerns regarding the online activities of minors. In accordance with The Children's Internet Protection Act (CIPA), the term "minor" shall mean any individual who has not attained the age of seventeen (17) years.

Consequently, the District, unless an authorized "override" (i.e., disabling of the blocking or filtering measure) is permitted as enumerated below, will block or filter Internet access for **both minors and adults** to visual depictions that are:

- 1) Obscene (as defined pursuant to CIPA and other applicable laws/regulations as may be appropriate);
- 2) Child pornography (as defined pursuant to CIPA and other applicable laws/regulations as may be appropriate);
- 3) For computers used by minors with Internet access, are harmful to minors. The term "harmful to minors" is defined, pursuant to CIPA, as any picture, image, graphic image file, or other visual depiction that:
 - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

In addition, the District will monitor, as deemed appropriate by the applicable building/program administrator and/or classroom teacher, access by minors to "inappropriate matter" on the Internet and World Wide Web. Per CIPA, the District is authorized to filter or block Internet access to other material determined to be inappropriate for minors. The determination of what is "inappropriate" for

Instruction

**SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING
GUIDELINES (Cont'd.)**

minors shall be made in accordance with District guidelines and, as appropriate, on a case-by-case determination depending upon the factors such as the age of the student, the material involved, and the educational purpose/research for which such material is utilized.

However, no filtering or blocking technology has a one hundred percent (100%) guarantee that all sites accessed by staff and students are immediately filtered in compliance with law and District procedures. Consequently, if District personnel and/or students find an accessed site that is questionable, the procedure is to contact the appropriate supervisor/teacher who will notify the Superintendent/designee. The Superintendent/designee will contact, as appropriate, the service/software provider and/or the District Technology Coordinator.

*However, under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor or other person authorized by the School District.

The District is not responsible for any inappropriate content or material which may be accessed via a staff member's or a student's own personal technology or electronic device or via an unfiltered Internet connection received through a staff member's or a student's own personal technology or electronic device.

Further, in order to help ensure the safety and security of minors when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications, appropriate supervision will be provided by a classroom teacher and/or other appropriate District personnel; and notification will be given to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students. Students will also be informed regarding unauthorized access to District computers and the Internet, including so-called "hacking," and other unlawful activities by minors online.

Parental and/or student consent, as may be applicable, shall be required prior to authorization for student use of District computers as a means to help ensure awareness/compliance with District rules and standards of acceptable behavior.

In accordance with New York State Education Law, the School District may provide, to students in grades kindergarten through twelve (12), instruction designed to promote the proper and safe use of the Internet. Schools must instruct students in appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as providing education on

Instruction

**SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING
GUIDELINES (Cont'd.)**

cyberbullying awareness and response. The Commissioner shall provide technical assistance to assist in the development of curricula for such course of study which shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

In furtherance of the District's educational mission to enact safety measures to protect students when online, the District has adopted and will enforce its Internet Safety Policy that includes the operation of technology protection measure(s) with respect to any of its computers with Internet access as mandated by CIPA and also in accordance with the District's Acceptable Use Policies and Regulations. The District shall enforce the operation of such technology protection measure(s) during any use of District computers in accordance with CIPA and applicable Board policies and building procedures.

Furthermore, in accordance with law, the District Technology Coordinator may access all staff and student files, email, and electronic storage areas to ensure system integrity and that users are complying with the requirements of CIPA and District policy and procedures. Additionally, dissemination and/or publication of the District's Acceptable Use Policy and Regulation will be utilized as one means to further ensure the implementation of safety measures and appropriate notification to staff and students as to acceptable, as well as prohibited, conduct when using District computers or accessing the Internet on such computers. The standards of acceptable use as well as prohibited conduct by staff and students when accessing District computers and the Internet, as outlined in the District's technology policies, are not intended to be all-inclusive. Staff and students who commit an act of misconduct which is not specifically addressed in District policy and/or regulation may also be subject to disciplinary action in accordance with law, the District Code of Conduct, and/or the applicable collective bargaining agreement. Legal action may also be initiated as deemed necessary by the Superintendent/designee.

BASE SCHOOL DISTRICT**INTERNET CONTENT FILTERING - AUTHORIZED "OVERRIDE" OPTION FORM**

In accordance with The Children's Internet Protection Act, authorization may be granted by the designated school official(s) to disable blocking or filtering measures on District computers to enable access by **adults** engaged in bonafide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the District. There may be special projects/research done on the Internet where, for a limited period of time, filtering needs to be "turned off" to allow access to particular web sites. The capability of setting the time period to be "unfiltered," as well as the changing of the password, will reside with the person authorized to possess this user ID.

Only the designated authorized person will have the use of the user ID and password and will not share this information with the staff. Please provide the information below to the authorized designated person for approved "override" (i.e., disabling of technology protection measures). This form must be completed and submitted at least five (5) school days in advance.

**AUTHORIZED OVERRIDE CAPABILITY WILL BE PROVIDED IN ACCORDANCE WITH
THE PROVISIONS OF THE SCHOOL DISTRICT'S INTERNET CONTENT FILTERING/
SAFETY POLICY.**

Please fill out the form below to request the authorized override option.

Staff Member's Name: _____

Date of Application: _____

Title of Authorized Staff Member

Signature of Authorized Staff

Member: _____

Instruction

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

A student, who by reason of foreign birth or ancestry speaks a language other than English, and scores at or below the fortieth percentile on an English language instrument approved by the Commissioner, is to be classified as an English Language Learner/Limited English Proficient student ELL/LEP.

District Responsibilities

In attempting to ensure that students who are ELL/LEP receive appropriate schooling in English and curriculum areas, the Kenmore-Town of Tonawanda Union Free School District shall:

- 1) In accordance with Part 117 of the Commissioner's Regulations, within two weeks of enrollment diagnostically screen every new entrant and reentrant with no available record of prior screening to determine whether they are possibly ELL/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 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 ELL/LEP students suspected of having a disability are referred to the CSE and that a bilingual multidisciplinary assessment is conducted before the CSE identifies an ELL/LEP student as having a disability;
- 3) Ensure that students diagnostically determined to be ELL/LEP are annually evaluated. Such evaluation will include evaluation of each student's performance in content areas to measure the student's progress;
- 4) Ensure that all ELL/LEP students have access to appropriate instructional and support services, including guidance programs;
- 5) Ensure that all ELL/LEP students have equal opportunities to participate in all school programs and extracurricular activities as non-ELL/LEP students;
- 6) Annually provide the Commissioner with the following documents, in the form and by the dates prescribed by the Commissioner:
 - a. Results of the annual evaluation of ELL/LEP students, including test data and any additional data required by the Commissioner;
 - b. An assurance:

(Continued)

Instruction

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

1. Of access to appropriate instructional and support services for ELL/LEP students, including guidance programs;
 2. That each ELL/LEP student has equal opportunities to participate in all school programs and extracurricular activities as non-ELL/LEP students;
 3. That the minimum English as a Second Language (ESL) and ELA requirements for the freestanding ESL programs are adhered to;
 4. That the minimum English as a Second Language (ESL), English Language Arts (ELA) and Native Language Arts (NLA) requirements prescribed for bilingual education programs are adhered to;
 5. That teachers in the District's free-standing ESL and bilingual education programs are appropriately certified;
 6. The District will comply with the requirements of Commissioner's Regulations and the provisions of the Education Law governing programs for ELL/LEP students;
 7. That programs for ELL/LEP students will be administered in accordance with applicable federal and state law and regulations and the District's comprehensive plan;
- c. A report by building of the number of students identified as being limited English proficient in the preceding year, including their grade level, native language and instructional program;
 - d. A report by building of the number of ELL/LEP students served in the preceding year, including their grade level, native language and instructional program;
 - e. A report by building of the number and qualifications of teachers and support personnel providing services to ELL/LEP students;
 - f. A fiscal report containing such data concerning the preceding school year as may be required by the Commissioner; and
 - g. Beginning in July 2008 and annual thereafter, a report on the expenditure of state, local and federal funds in the prior year on programs, activities and services for ELL/LEP students.

(Continued)

Instruction

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY**ELL/LEP Instruction**Bilingual Education Program

Should twenty (20) or more ELL/LEP students with the same native language at the same grade level be assigned to 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 understanding, 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.

Free-Standing English as a Second Language Instruction

Should fewer than twenty (20) ELL/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 either with a free-standing English as a Second Language (ESL) program, or a bilingual education program. Such program shall be composed of:

- (1) Instruction which emphasizes understanding, 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.

The District reserves the right to contract with a Board of Cooperative Educational Services (BOCES) or another School District to provide bilingual and/or ESL programs.

(Continued)

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Instruction

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

Parental Notification

The District will distribute to the parents or other persons in parental relation to ELL/LEP students, school-related information in English and the language they understand. Such parental information will also be provided for those educational services and/or notices mandated by No Child Left Behind (NCLB).

- 1) For new school entrants designated as ELL/LEP, the parent(s)/person(s) in parental relation shall be provided an orientation session on the state standards, assessments, school expectations and general program requirements for the bilingual education program and the free-standing English as a second language program. This orientation shall take place within the first semester of the child's enrollment in school and, when needed, shall be provided in the first language of the pupil's parent(s)/person(s) in parental relation.
- 2) Appropriate District personnel shall make an effort to meet at least twice a year with all parent(s)/person(s) in parental relation of ELL/LEP students to help them understand the goals of the program and how they might help their children.
- 3) Notice to parents will be provided no later than thirty (30) days after the beginning of the school year, or within two (2) weeks after enrollment for students newly identified after the beginning of the school year. The notice will be in a language that the parent can understand as well as English, and will:
 - a. State the reasons for identifying the student as limited English proficient,
 - b. Describe the student's level of proficiency and how the District determined that level,
 - c. Include information about the student's overall academic achievement,
 - d. Explain the instruction methods used in the student's ELL/LEP program compared to methods used in other available programs and how these methods meet the student's education strengths and needs,
 - e. Describe how the program will specifically help the student learn English and meet age-appropriate academic achievement standards for grade promotion and graduation,
 - f. Describe how students transition from the ELL/LEP program into the regular classroom including specific exit requirements, transition rates, and secondary school graduation rates,
 - g. In the case of a child with disability, describe how the program meets the objectives of the child's IEP, and

(Continued)

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Instruction

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

- h. Explain parental right to remove their child from the ELL/LEP program, to choose an alternative program, and to get help in choosing a program. Parents have the option to withdraw their child/children only from a bilingual program provided that they meet with the school Principal along with the school or district supervisor of bilingual education to discuss and explain further the nature, purposes and educational values of the program and the skills required of personnel. At a minimum such student shall participate in a free-standing English as a second language program. Parents do not have the option to withdraw their child/children from an English as a second language program.

If the school building the student attends is unable to offer a bilingual education program due to an insufficient number of ELL/LEP students attending that school, the parent has the option to transfer the student to a school within the District that offers a bilingual program. If the parent chooses not to exercise the transfer option they will be informed that the student will participate in a free-standing ESL program.

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

Transitional Services

The District shall ensure a monitoring process is in place for students who are no longer identified as ELL/LEP due to scoring as Proficient on the New York State English as a Second Language Achievement Test (NYSESLAT). Proficient students will be monitored for two (2) years after exiting a bilingual or free-standing ESL program via the NYSESLAT.

In-Service Training

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

(Continued)

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Instruction

SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

Services to ELL/LEP Students With Disabilities

If a student's score on an English language assessment instrument approved by the Commissioner of Education is the result of a disability, the student shall be provided special education programs and services in accordance with the individualized education program (IEP) developed for such student(s). Such student shall also be eligible for all services described above, if such services are recommended in his/her IEP. These students will be counted as ELL/LEP students as well as students with a disability for purposes of calculating State aid.

Adopted: 7/08/08

SUBJECT: INSTRUCTIONAL MATERIALS SELECTION CRITERIA**Objectives of Evaluation and Selection**

The intense proliferation, broad range, and varying suitability of all forms of instructional materials which are available for purchase, demand careful evaluation before they are selected for use in the Kenmore-Town of Tonawanda Union Free School District. The primary objectives of our school library/media centers is to implement, enrich, and support the instructional program of our schools through selection of a wide range of materials, on all levels of difficulty, with diversity of appeal and presenting differing points of view. Likewise, the selection of any instructional materials which will be used in the Kenmore-Town of Tonawanda Union Free School District should be based upon the same criteria and evaluation procedures, as outlined in the selection policy and regulation.

Instructional materials as used in this regulation include all print and non-print materials used both in the classroom and library/media center to facilitate the learning process. This includes textbooks, workbooks, literature books, story books, charts, films, film loops, filmstrips, games, globes, kits, maps, model, microforms, pamphlets, pictures, recordings, slides, specimens, transparencies, videotapes, and the like. (No attempt is made to present specific criteria for the Board media of communications such as magazines and newspapers. However, evaluative sources such as the American Library Association's (ALA) Periodicals for School Libraries are consulted before magazine or newspaper subscriptions are placed.)

We reaffirm and endorse the tenets of the School Library Bill of Rights of the American Association of School Libraries, which states that it is the responsibility of the library media center, and of all teachers to their students to:

- 1) Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students served.
- 2) Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- 3) Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical thinking and analysis of all media.
- 4) Provide materials representative of the many religious and cultural groups and their contributions to our American heritage.
- 5) Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assume a comprehensive collection appropriate for the users of the Library Media Center.

(Continued)

SUBJECT: INSTRUCTIONAL MATERIALS SELECTION CRITERIA (Cont'd.)**Responsibility for Selection of Materials**

The Board of Education is legally responsible for all matters relating to the operation of the Kenmore-Town of Tonawanda Union Free School District. While the legal responsibility for the purchase of all instructional materials is vested in the Kenmore-Town of Tonawanda Union Free School Board of Education, the responsibility for the selection of instructional materials is delegated through the Superintendent to the professionally trained personnel employed by the School District.

The School Library Media Specialists have been charged with the responsibility of identifying, ordering, and organizing materials for the Library Media Centers which will implement, enrich, and support the educational programs of the school and will meet the needs, interests, goals, concerns, and abilities of the individual students.

The Curriculum Coordinators/Department Heads and Teachers have been charged with the responsibility of identifying, ordering and organizing those materials (both print and non-print) which, in their professional opinion, will best facilitate the accomplishment of the goals and objectives of the School District's curriculum.

In carrying out their responsibilities, the school library media specialist and instructional staff involve students, supervisors, administrators, the Board of Education and the community in the evaluation and selection process.

Criteria for Evaluation and Selection of Instructional Materials

The needs of the individual school, based upon knowledge of the curriculum and of the existing collection, as well as the requests of teachers, students and administrators are given primary consideration.

The needs of the individual student, especially as regards diversity of learning styles, and varying levels of ability, are also taken into consideration, and materials are selected to meet the needs of a diverse student population.

In addition, the District Plan regarding alternative formats for instructional materials must also be followed in order to give preference to vendors who provide alternative formats.

Each title or item is judged as a whole work, on its individual merits and curricular needs. Judgments should be based upon the entire work, and not upon vulnerable minor episodes and parts of work. An item may be purchased if it is the most appropriate title to fit a given need, even if its rating is not high in all categories.

(Continued)

SUBJECT: INSTRUCTIONAL MATERIALS SELECTION CRITERIA (Cont'd.)

Both print and non-print materials are evaluated on the basis of:

- 1) Educational significance and importance of the subject matter.
- 2) Need and value to the collection for which the material is being evaluated.
- 3) Authoritativeness.
- 4) Reputation of the publisher or producer.
- 5) Reputation and the significance of the author/artist composer, etc.
- 6) Clarity, adequacy, and scope of the text or audio-visual presentation.
- 7) Validity, factual accuracy, objectivity, and timeliness or permanence of the text or audio-visual presentation.
- 8) Organization and presentation of contents.
- 9) Specific needs and objectives of the curriculum.
- 10) Appropriateness to a particular reading level.
- 11) Point of view, including unbiased treatment of minorities, ideologies, sex roles, etc.
- 12) High degree of readability and/or comprehensibility.
- 13) Potential user appeal.
- 14) Artistic quality and/or literary style.
- 15) Format and quality of materials.
- 16) Value commensurate with cost and/or need.

Procedures for Evaluation and Selection:

- 1) Library Media Centers:

In selecting materials for purchase, the library media specialist evaluates the existing collection and consults:

(Continued)

Instruction

SUBJECT: INSTRUCTIONAL MATERIALS SELECTION CRITERIA (Cont'd.)

- a. Reputable, unbiased, professionally prepared selection aids.
- b. Specialists from all departments and/or all grade levels. However, the library media specialist is not necessarily required to have read, listened to, or previewed every item selected.

In specific areas, these procedures are followed:

- a. Free and inexpensive materials, as well as gift materials are judged by basic selection standards, and are accepted or rejected on the basis of these standards.
- b. Multiple items of outstanding and much in demand media are purchased as needed.
- c. Out of date or no longer useful materials are withdrawn from the collection and disposed of.
- d. Sets of materials, and materials acquired by subscription are examined carefully, and are purchased only to fill a definite need.
- e. Each item in a set or series is judged on its individual merits.

2) Textbook Selection:

In requesting books for classroom use, the following procedure will be followed:

- a. The teacher will complete the appropriate textbook request and evaluation form for each recommendation.
- b. Textbook requests are routed from the teacher through appropriate channels.
- c. The request and evaluation form along with a copy of the book will be submitted to the Board of Education.
- d. The Board of Education will act upon a book request as soon as possible following the date of the teacher request.
- e. Affected personnel will be informed of the Board of Education action as soon as possible following the Board of Education meeting.
- f. The book will be ordered through the channel that will supply the book in the shortest time and least expense.

NOTE: Refer also to Regulation #8340R -- Textbook Selection and Adoption.

Instruction

SUBJECT: GUIDELINES FOR INSTRUCTIONAL MATERIAL ADOPTION

The following guidelines will be followed when recommending instructional material for adoption by the Board of Education.

- 1) Requests for adoption may be initiated by a specific department or by a committee established by the designee of the Superintendent for the purpose of recommending an adoption.
- 2) Recommendations will be made on the approved form and be endorsed by those persons responsible for supervision and budgeting at the District and building levels. In the case of a committee or special group recommendation, the endorsement of the group chairperson should accompany that of any line supervisors in the subject area.
- 3) The recommendation will be reviewed by the Office of the Superintendent who will formally request adoption by the Board of Education.
- 4) The Rationale For The Adoption should include specific reference to the origination of the request and the curriculum for which the material is to be used.
- 5) A complete list of all materials considered and vendors contacted should be included in the request.
- 6) The evaluation of materials considered for adoption may include trial use with class size groups upon the recommendation of the supervisor or committee chairperson with the approval of the Superintendent. A full report of the results of the trial use must accompany the request for adoption.
- 7) Recommended materials must be evaluated against each of the areas listed in the Criteria for Instructional Material Adoption on the approved form.

Request

- 1) Date _____
- 2) Program affected _____
- 3) School(s) affected _____
- 4) Target student population _____

(Continued)

SUBJECT: GUIDELINES FOR INSTRUCTIONAL MATERIAL ADOPTION (Cont'd.)

- 5) Recommended Material Title _____
- 6) Author(s) _____
- 7) Copyright Date _____
- 8) Publisher/Producer _____
- 9) Unit Price _____
- 10) Quantity Needed _____
- 11) Description of Format _____

Statement of the Rationale for the Adoption

Review Process

- 1) Review Committee Members:
- 2) All Materials Reviewed:
- 3) Vendors Contacted:
- 4) Results of any trial use of material:
- 5) Professional Journal Reviews of Instructional Material:
- 6) Comments from Districts using materials or texts:

(Continued)

SUBJECT: GUIDELINES FOR INSTRUCTIONAL MATERIAL ADOPTION (Cont'd.)**Criteria for Instructional Material Adoption**

- 1) Subject Matter Content
 - a. Accuracy of Facts:
 - b. Correspondence With Curriculum:
 - c. Content Up-to-Date:
 - d. Extraneous Material:
- 2) Instructional Content
 - a. Instructional Strategies:
(objectives, questions, unit summaries, vocabulary or pronunciation guides)
 - b. Reading Level Appropriateness:
- 3) Appearance
 - a. Presentation:
(size of print, spacing of words, clarity of layout or sound)
 - b. Diagrams and Illustrations:
 - c. Color Content:
- 4) Authors
 - a. Qualifications in the Subject Area:

(Continued)

SUBJECT: GUIDELINES FOR INSTRUCTIONAL MATERIAL ADOPTION (Cont'd.)

- b. Experience in Educational Material Production:
- 5) Timeliness
- a. Recency of Copyright:
 - b. Revision of an Earlier Work:
(depth of revision)
 - c. Next Scheduled Revision:
- 6) Sensitive Areas
- a. Accuracy of Minority Portrayal:
 - b. Sexist Content:
 - c. Objectivity:
(fairness to differing sides of controversial issues)
- 7) Physical Condition
- a. Binding or Container Material:
(strength, durability)
 - b. Material Quality:
(paper, disk or tape)
 - c. Ease of Use:
(text lying flat, familiarity of format to students and teachers)
- 8) Support Equipment
- a. Compatibility with Existing Equipment:
 - b. Additional Equipment Needed to Support Use:

(Continued)

SUBJECT: GUIDELINES FOR INSTRUCTIONAL MATERIAL ADOPTION (Cont'd.)

- 9) Teaching Aids
 - a. Teacher's Editions or Manuals:

 - b. Supplementary Information:

 - c. Student Masters:
(photocopy)

 - d. Student Guides:
(study or laboratory)

 - e. Companion Materials:
(workbook, films, video, transparencies, software)

 - f. Evaluation Materials:
(test sets)

Signatures

- 1) Committee Chairperson _____

- 2) Supervisor _____

- 3) Building Principals _____

- 4) Superintendent _____

Instruction

SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS

Individuals wishing to enter formal complaints about instructional material shall submit to the principal of the school where the instructional materials is being used a written statement of objection identifying the instructional material in question and providing a brief explanation of the concerns.

The principal will provide the individual submitting the objection a packet of information including a copy of Board Policy #8330, a copy of this administrative regulation and a copy of the form for submitting a challenge to the material.

Formal complaints must be submitted in writing to the building principal on the form (Form #8330F) provided for this purpose by the Kenmore-Town of Tonawanda Union Free Schools and contain the following information:

- 1) Name and address of the complainant, if acting as an individual.
- 2) If complaint is made by an organization, the name and address of the individual complainant and of the organization he/she represents and a statement of the complainant's position in the organization.
- 3) Title, author, publisher, copyright date, and page(s) on which the alleged unsuitable material appears.
- 4) Quotations of the alleged unsuitable material with a clear statement of the writer's objections to the material.

Upon receipt of the complaint form, the building principal will review the complaint with the school librarian and/or resource staff members and submit his/her findings and disposition in writing to the complainant. A copy of such findings will be sent to the Superintendent of Schools. Until a decision has been made, the book or materials shall remain in circulation.

Appeal by the complainant as a result of the decision by the building principal will be submitted in writing to the Superintendent of Schools. The Superintendent shall appoint a Special Review Committee composed of the school librarian, at least three (3) professional staff personnel competent in the questioned field, and three (3) District residents. The Special Review Committee in its determinations will consider the source, purpose, and use of the material in question. After due deliberation, the Special Review Committee shall submit necessary data and/or materials and a report of its findings in writing to the Superintendent of Schools. The report need not be unanimous and may be composed of separate majority and minority reports. Appeals from this recommendation submitted by the Special Review Committee may be made through the Superintendent of Schools to the Board of Education.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
CITIZEN'S REQUEST FOR RE-EVALUATION OF INSTRUCTIONAL MATERIALS**

Name _____

Address _____ Telephone _____

REPRESENTING

Self _____ Organization or group _____
(Name)

MATERIAL QUESTIONED

BOOK: Author _____ Hardcover _____ Paperback _____
Title _____ Publisher (if known) _____

OTHER MATERIAL: Kind of Media _____
(film, filmstrip, record, etc.)

Please respond to the following questions. If sufficient space is not provided, please use additional sheets of paper.

1) Have you seen or read this material in its entirety? _____

If not, what parts have you seen or read? _____

2) To what do you object? Please cite specific passages, pages, etc. _____

3) What do you believe is the main idea of this material? _____

4) What do you feel might result from use of this material? _____

5) What reviews of this material have you read? _____

6) For what other age group might this be suitable? _____

7) What action do you recommend that the school take on this material? _____

8) In its place, what material do you recommend that would provide adequate information on the subject? _____

Date

Signature

Instruction

SUBJECT: CONTROVERSIAL ISSUES

- 1) Opportunities should be provided within the instructional program to study controversial issues under competent guidance. At all grade levels these opportunities should be provided students according to their maturity.
- 2) The study of controversial issues should at all times be objective and scholarly with a minimum emphasis on opinion. The teacher must approach the issue in an impartial and unprejudicial manner and must refrain from using the classroom to promote a partisan point of view. All sides to any issue should be presented.
- 3) Planning for the teaching of any controversial issue must be carried out with the acknowledgment of the building administrator as to the topic, materials used, guest speakers, etc. The administrator, being informed, is better able to support the teacher and the instruction regarding concerns, questions, and/or challenges to what is being attempted.

Students and/or parents/guardians are to be informed before beginning a planned unit of study which may be controversial in nature.

The intent of this regulation in no way implies that a spontaneous discussion of an issue can not be held when the occasion arises.

- 4) In discussing controversial issues, the teacher should keep in mind that the classroom is a forum and not a committee for producing resolutions or solutions. The class should feel no responsibility for reaching an agreement.
- 5) The consideration of any issue should require only as much time as is needed for satisfactory study by the class, but sufficient time should be provided to cover the issue adequately.
- 6) It is the teacher's responsibility to bring out the facts concerning controversial questions. He/she has the right to express an opinion, but in doing so it is important that students understand it is his/her opinion and is not to be accepted by them as an authoritative answer.
- 7) Any criticism and/or challenge to the teaching of a controversial issue is to be handled by the building principal with the teacher involved. If the complaint includes a challenge to instructional materials, the procedure for requesting reconsideration of library or instructional materials may be initiated.

SUBJECT: TEXTBOOK SELECTION AND ADOPTION**Overview**

The textbook is an important instructional tool. It provides a common body of subject matter material designed to implement an approved course of study.

Procedure

- 1) Requests for a new or supplementary textbook may originate with the individual teacher, administrator, department or grade level.
- 2) Requests for a change or addition in textbook material together with justification are to be directed to the building principal for review. If the request is approved by the building principal, the Selection Process as outlined will be used.

Selection Process

- 1) As curriculum is under constant review and change, concurrent studies should be conducted to find and to select the necessary texts and other instructional materials to support that curriculum.
- 2) When needs are defined, the securing of sample texts and related material from various sources is an important first step in the selection process.
- 3) Every effort should be made to utilize a selection committee. Teachers from related fields, reading and library specialists, and building administrators are other appropriate sources for committee membership.
- 4) An evaluation form is available for use in the review of textbooks.

Approval

A requisition describing the selected material is to be submitted to the building principal for approval.

The requisition is then submitted to the District Office for consideration in formulating a proposed budget. As required by law, any textbook being requisitioned that supersedes one that has been in use for a period of less than five (5) years must be approved by a three-fourths vote of the Board of Education.

NOTE: Refer also to Regulation #8320R -- Instructional Materials Selection Criteria.

TEXTBOOK EVALUATION FORM

SUBJECT _____

GRADE _____

Basic Text _____

Supplementary Text _____

Title of Text Recommended _____

Author(s) _____

Publisher _____

Copyright _____

Price _____

List all book titles considered for new adoption:

Acceptable

Not
Acceptable

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In what ways does the textbook align with the New York State Learning Standards and District curriculum?

Kenmore-Town of Tonawanda Union Free School District

RECOMMENDATION FOR TEXTBOOK ADOPTION

Use of Textbook

Subject_____

Grade Level(s)_____

Basic_____

Supplementary_____

Title_____

Author(s)_____

Publisher_____

Copyright Date_____

Edition_____

Price_____

Replacement for:
(Leave blank if this
is a title to be
added to the
supplementary list.)

Title_____

Author(s)_____

Publisher_____

Other titles
examined:
(Indicate publisher)

Reason for
selection:

Recommended by:

Committee Chair Date

Principals Date

Department Chair Date

Principals Date

Department Chair Date

Assistant Superintendent Date
for Curriculum

Curriculum Learning Specialist Date

Approved by Board of Education Date

Instruction

SUBJECT: REGULATIONS REGARDING THE FAIR USE OF COPYRIGHTED MATERIAL

Pursuant to Section 107 of the Copyright Law (the Fair Use provisions), the use of copyrighted material for criticism, comment, news reporting, teaching, scholarship, or research may be permitted under certain circumstances.

The following must be considered when applying the Fair Use provisions of the copyright law:

- 1) The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- 2) The nature of the copyrighted work;
- 3) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and,
- 4) The effect of the use upon the potential market for or value of the copyrighted work.

These guidelines are not intended to define all possible practices that come within the standard of fair use but represent the minimum permissible standards of educational fair use under Section 107 of Title 17 of the United States Code.

It is advisable that written permission be obtained from the owners of the copyright before using any copyrighted material.

Instruction

SUBJECT: GUIDELINES FOR OFF-AIR RECORDING OF BROADCAST PROGRAMMING FOR EDUCATIONAL PURPOSES

The purpose of these guidelines is to provide standards for both owners and users of copyrighted television programs. These guidelines apply only to off-air recording by non-profit education institutions.

- 1) A broadcast program may be recorded off the air simultaneously with broadcast transmission. The program may be retained for a period of 45 consecutive calendar days after the day of broadcast. Upon conclusion of this period, all off-air recordings must be erased or destroyed immediately.
- 2) During the first ten (10) consecutive school days the off-air recordings may be used once by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary.
- 3) Off-air recordings may be made only at the request of and used by individual teachers. A program may be recorded only once for the same teacher.
- 4) A limited number of copies may be reproduced to meet the needs of all the teachers. Each copy shall be subject to the provisions governing the original recording.
- 5) After the first ten (10) consecutive days, off-air recordings may be used only for evaluation purposes; e.g., to determine curriculum needs and possible purchase of the recording.
- 6) An off-air recording need not be used in its entirety; however, alterations may not be made in the original recording.
- 7) All copies of the off-air recording must include the copyright notice from the broadcast program as recorded.
- 8) Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines.

**SUBJECT: GUIDELINES FOR CLASSROOM COPYING IN NOT-FOR-PROFIT
EDUCATIONAL INSTITUTIONS**

A single copy may be made, for a teacher's use to aid in teaching or preparing to teach, of the following:

- 1) A chapter from a book;
- 2) An article from a periodical or newspaper;
- 3) A short story, short essay or short poem;
- 4) A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

Multiple copies (not more than one (1) per student in the course) may be made if:

- 1) It is a poem of not more than 250 words;
- 2) It is an excerpt from a longer poem, not to contain more than 250 words;
- 3) It is an article, story or essay of less than 2500 words;
- 4) It is an excerpt from any prose work not to exceed 1000 words or 10% of the complete work, whichever is less;
- 5) It is one chart, graph, diagram, drawing, cartoon or picture per book or periodical issue;
- 6) The copying is at the instance and inspiration of the individual teacher, and the inspiration and decision to use the work and the moment that it is to be used are so close together in time that permission for use would not be received in time;
- 7) The copying of material is for one course in the school in which the copies are made;
- 8) It is not more than one short poem, article, story, essay or two excerpts from the same author, nor more than three works from the same collective works;
- 9) It does not exceed 9 instances of such multiple copying for one course during one class term.

(Continued)

**SUBJECT: GUIDELINES FOR CLASSROOM COPYING IN NOT-FOR-PROFIT
EDUCATIONAL INSTITUTIONS (Cont'd.)**

A teacher or other staff member may not copy:

- 1) To create or replace or substitute for anthologies, compilations or collective works;
- 2) Works that are termed "consumable" such as workbooks, exercises, tests, and answer sheets;
- 3) To substitute for the purchase of books, publishers' reprints, or periodicals;
- 4) Materials in violation of the copyright law, even if directed by higher authority;
- 5) If it is the same item by the same teacher from term to term;
- 6) If students are charged more than the actual cost of the copying;
- 7) Without including the copyright notice.

Instruction

SUBJECT: GUIDELINES FOR EDUCATIONAL USES OF MUSIC

- 1) Only emergency copies may be made to replace lost or damaged purchased copies to be used at a performance when a purchased replacement would not arrive on time. This may be done provided a replacement copy is purchased in due course.
- 2) Sheet music may not be copied unless the music is on order and has not yet been received by the teacher. Any copies must be destroyed once the purchased materials are received.
- 3) Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not changed or altered.
- 4) A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes. This may be retained by the institution or teacher.
- 5) A single copy of a sound recording (tape, disc or cassette) or copyrighted music may be made from sound recordings owned by an educational institution or individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or teacher.

Music

A teacher or other staff member may not:

- 1) Copy to create or replace or substitute for anthologies, compilations or collective works.
- 2) Copy works or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized test answer sheets and similar material.
- 3) Copy for the purpose of performance.
- 4) Copy for the purpose of substituting for the purchase of music.
- 5) Copy without the inclusion of the copyright notice which appears on the printed copy.

Instruction

SUBJECT: GUIDELINES FOR AUDIOVISUAL MATERIALS

A teacher or other staff member may:

- 1) Create a slide or overhead transparency series from multiple sources as long as creation does not exceed 10 percent of photographs in one source (books, magazine, filmstrips, etc.) unless the source forbids photographic reproduction.
- 2) Create a single overhead transparency from a single page of a "consumable" workbook.
- 3) Reproduce selected slides from a series as long as reproduction does not exceed 10 percent of total nor excerpting "the essence".
- 4) Excerpt sections of a film for a local videotape (not to be shown over cable) if excerpting does not exceed 10 percent of the total nor "the essence" of the work.
- 5) Copy stories or literary excerpts on tape and duplicate them as long as similar material is not available for sale.

A teacher or other staff member may not:

- 1) Duplicate tapes unless reproduction rights were given at time of purchase.
- 2) Reproduce musical works or convert to another format (e.g., record to tape).
- 3) Reproduce commercial materials individually or in sets (including multimedia kits), if available for sale separately.
- 4) Reproduce any AV work in its entirety for any purpose.
- 5) Convert one media format to another unless permission is secured, including reading a story onto cassette tape for reading motivation.

SUBJECT: GUIDELINES FOR COMPUTER SOFTWARE

A teacher or other staff member may:

- 1) Create new copies if an essential step in the utilization of the computer program.
- 2) Create new copies for archival purposes only to be held in case the working copy is destroyed or no longer functions.

A teacher or other staff member may not:

- 1) Create new copies while using a disk-sharing system.
- 2) Create replacement copies from an archival or back-up copy.
- 3) Load a copyrighted program into several computers or a network from the same diskette and use them at the same time.
- 4) Make multiple copies of the printed documents that accompany copyrighted software.
- 5) Use illegally copied software in the schools or offices.

Instruction

SUBJECT: OBTAINING PERMISSION TO USE COPYRIGHTED MATERIALS

<u>Responsibility</u>	<u>Action</u>
User	1) a. Locates a source containing the desired material. b. Submits information to the District's copyright officer on the request form (#8350F).
Copyright Officer	2) a. Determines by looking in the source if the publisher owns the copyright or attributes it to someone else. b. Writes to the owner of the copyright for written permission to use the material (#8350F.1). Includes in the letter: <ol style="list-style-type: none"> (1) Request for written permission to use the material. (2) Specific information related to the material to be used. (3) Nature of the publication or use in which the material will be included. (4) Number of editions of publication to be published (if applicable). (5) Number of copies to be printed. (6) Approximate length of time the publication will be in use. (7) People to whom publication will be distributed.

(Continued)

Instruction

SUBJECT: OBTAINING PERMISSION TO USE COPYRIGHTED MATERIALS (Cont'd.)

<u>Responsibility</u>	<u>Action</u>
Copyright Officer (Cont'd.)	(8) Price of publication or intention to distribute gratis. (9) Request for the acknowledgment from the publisher. (10) Date by which information is needed.
Publishing Company	3) Responds in writing, granting or denying permission to use copyrighted material.
Copyright Officer	4) After receiving response from the owner of the copyright, notifies user of decision.
User	5) a. If granted permission, uses the material requested as per conditions outlined in the request or according to conditions set forth by the publishing company granting permission. b. If denied, does not use the material.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
REQUEST FOR OBTAINING PERMISSION TO USE COPYRIGHTED MATERIAL**

TO: District's Copyright Officer

FROM: Name _____
School _____
Address _____
Department _____

I am seeking permission to use the following copyrighted material:

Title _____
Author _____
Publisher _____
Address _____
City _____ State _____ Zip _____
Copyright Date _____

Nature of publication or use in which the material will be included _____

Number of editions of publication to be published (if applicable) _____

Number of copies to be printed or reproduced _____

Approximate length of time the publication will be in use _____

People to whom publication will be distributed _____

Price of Publication: _____ Distributed Free of Charge

_____ Fee Charged \$_____.

KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
1500 Colvin Boulevard
Buffalo, New York 14223-1196

LETTER TO PERMISSIONS DEPARTMENT

TO: Permissions Department

We request permission to copy the following copyrighted materials:

Materials to be copied _____

Number of copies to be made _____

Number of editions of publication to be published (if applicable) _____

Copy medium _____

Intended use of copies _____

Anticipated date of first use _____

Intended distribution of copies _____

If we have not heard from you within 45 days, we shall assume that permission to duplicate has been granted.

Thank you for your cooperation. I am enclosing a copy of this request for your files with my signature and a self-addressed envelope for the return of the original request.

(Signature)

TO BE COMPLETED BY COPYRIGHT OWNER/PUBLISHER AND RETURNED TO THE ADDRESS ABOVE:

Title _____ Date _____

Permission granted []

Permission denied []

Conditions or details _____

Signature _____

Instruction

SUBJECT: RELIGIOUS EXPRESSION IN THE PUBLIC SCHOOLS

These regulations have been developed to provide guidance to District staff and students regarding religious expression in the public schools. Guidance beyond the statements in these regulations may be found in four basic principles which would apply to the topic of teaching about religion in schools: (1) Is it constitutionally permissible; (2) Is it educationally sound; (3) Is it culturally sensitive; and (4) Is it age appropriate?

Student Prayer and Religious Discussion

The Establishment Clause of the First Amendment does not prohibit purely private religious speech by students. Students, therefore, have the same right to engage in individual or group prayer and religious discussion during the school day as they do to engage in other comparable activity. For example, students may read their Bibles or other scriptures, say grace before meals, and pray before tests to the same extent they may engage in comparable nondisruptive activities. School authorities possess substantial discretion to impose rules of order and other pedagogical restrictions on student activities, but they may not structure or administer such rules to discriminate against religious activity or speech.

Generally, students may pray in a nondisruptive manner when not engaged in school activities or instruction, and subject to the rules that normally pertain in the applicable setting. Specifically, students in informal settings, such as cafeterias and hallways, may pray and discuss their religious views with each other, subject to the same rules of order as apply to other student activities and speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials, however, should intercede to stop student speech that constitutes harassment aimed at a student or a group of students.

Students may also participate in before or after school events with religious content on the same terms as they may participate in other noncurriculum activities on school premises. School officials may neither discourage nor encourage participation in such an event.

The right to engage in voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen, or to compel other students to participate. Teachers and school administrators should ensure that no student is in any way coerced to participate in religious activity.

Graduation Prayer and Baccalaureates

Under current Supreme Court decisions, school officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. If a school generally opens its facilities

to private groups, it must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services.

(Continued)

Instruction

SUBJECT: RELIGIOUS EXPRESSION IN THE PUBLIC SCHOOLS (Cont'd.)**Official Neutrality Regarding Religious Activity**

Teachers and school administrators, when acting in those capacities, are representatives of the state and are prohibited by the establishment clause from soliciting or encouraging religious activity, and from participating in such activity with students. Teachers and administrators also are prohibited from discouraging activity because of its religious content, and from soliciting or encouraging anti-religious activity.

Teaching About Religion

Public schools may not provide religious instruction, but they may teach about religion, including the Bible or other scripture: the history of religion, comparative religion, the Bible (or other scripture)-as-literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects. Similarly, it is permissible to consider religious influences on art, music, literature, and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students.

Student Assignments

Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance, and against other legitimate pedagogical concerns identified by the school.

Religious Literature

Students have a right to distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities. Schools may impose the same reasonable time, place, and manner or other constitutional restrictions on distribution of religious literature as they do on nonschool literature generally, but they may not single out religious literature for special regulation.

Religious Exemptions From Instruction

Subject to applicable state laws, schools enjoy substantial discretion to excuse individual students from lessons that are objectionable to the student or the students' parents/guardians on religious or other conscientious grounds. However, students generally do not have a federal right to be

excused from lessons that may be inconsistent with their religious beliefs or practices. School officials may neither encourage nor discourage students from availing themselves of such a religious exemption. However, if such exemption is granted, alternative activities may be provided that are of comparable instructional value.

(Continued)

Instruction

SUBJECT: RELIGIOUS EXPRESSION IN THE PUBLIC SCHOOLS**Released Time**

Subject to applicable state laws, schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction by outsiders on school premises during the school day.

Teaching Values

Though schools must be neutral with respect to religion, they may play an active role with respect to teaching civic values and virtue, and the moral code that holds us together as a community. The fact that some of these values are held also by religions does not make it unlawful to teach them in school.

Student Dress

Schools enjoy substantial discretion in adopting rules and regulations relating to student dress and school uniforms. Students generally have no federal right to be exempted from religiously neutral and generally applicable school dress rules based on their religious beliefs or practices; however, schools may not single out religious attire in general, or attire of a particular religion, for prohibition or regulation. Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages. Religious messages may not be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages.

The Equal Access Act

The Equal Access Act is designed to ensure that, consistent with the First Amendment, student religious activities are accorded the same access to public school facilities as are student secular activities.

General Provisions

Student religious groups at public secondary schools have the same right of access to school facilities as is enjoyed by other comparable student groups. Under the Equal Access Act, a school receiving federal funds that allows one or more student noncurriculum related clubs to meet on its premises during noninstructional time may not refuse access to student religious groups.

Prayer Services and Worship Exercises Covered

A meeting, as defined and protected by the Equal Access Act, may include a prayer service, Bible reading, or other worship exercise.

(Continued)

SUBJECT: RELIGIOUS EXPRESSION IN THE PUBLIC SCHOOLS (Cont'd.)Equal Access to Means of Publicizing Meetings

A school receiving federal funds must allow student religious groups meeting under the Equal Access Act to use the school media -- including the public address system, the school newspaper, and the school bulletin board -- to announce their meetings on the same terms as other noncurriculum related student groups are allowed to use the school media. Any policy, rule or regulation concerning the use of school media must be applied to all noncurriculum related student groups in a nondiscriminatory manner. Schools, however, may inform students that certain groups are not school sponsored.

Lunch Time and Recess Covered

A school creates a limited open forum under the Equal Access Act, triggering equal access rights for religious groups, when it allows students to meet during their lunch periods or other noninstructional time during the school day, as well as when it allows students to meet before and after the school day.

Instruction

SUBJECT: INDEPENDENT STUDY OF EXISTING COURSE CURRICULUM

- 1) Each department defines the scope of work which a student must perform in order to receive credit for independent study.
- 2) A teacher who wishes to advise a student in independent study must be willing to assist the student in outlining a program of work which will meet department requirements, to encourage the student as he/she proceeds with his/her work, and to evaluate his/her progress as he/she moves through his/her program.
- 3) A student wishing to pursue independent study must meet these qualifications:
 - a. Schedule will not permit normal participation in the program.
 - b. Demonstrates competency in the subject.
 - c. Approval of the student and his/her program by the faculty member who has agreed to serve as advisor.
 - d. Approval of the student and his/her program by the department head.
 - e. Approval of guidance counselor who will inform the principal of the proposed independent study program.
 - f. Approval of the building principal.
 - g. The written consent of the student's parents/guardians.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDEPENDENT STUDY APPLICATION**

Independent studies, for credit, are offered only for courses in the approved curriculum for grades nine (9) through twelve (12). Requests for independent study must be made to the teacher/adviser and receive approval from the teacher/adviser, the applicable department head, the student's counselor and the high school principal. The student's parents/guardians must give written permission for such independent study.

STUDENT _____ SUBJECT AREA _____

Describe the general nature of your proposal. What do you hope to achieve? What topics will you be working on? What do you believe the study will produce?

What are the expected specific outcomes of this program?

- 1) _____

- 2) _____

- 3) _____

- 4) _____

- 5) _____

(Continued)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDEPENDENT STUDY APPLICATION (Cont'd.)**

How often and where will student/teacher communication take place?

Explain in detail the evaluation process to be used during the duration of this program.

Expected Duration of Program _____ Credit Desired _____

PROGRAM APPROVAL (Signatures must be obtained in order)

- 1) TEACHER/ADVISOR _____ DATE _____
- 2) DEPARTMENT HEAD _____ DATE _____
- 3) COUNSELOR _____ DATE _____
- 4) STUDENT _____ DATE _____
- 5) PARENT/GUARDIAN _____ DATE _____
- 6) PRINCIPAL _____ DATE _____

- Copies to:
- 1) Teacher/Adviser
 - 2) Department Head
 - 3) Student Folder (Counselor)
 - 4) Student
 - 5) Parent/Guardian

6) Principal

SUBJECT: HOMEWORK

In assigning homework, recognition must be given to the fact that students vary widely in interest from one unit to another.

- 1) From a student's viewpoint, the purpose of homework is to:
 - a. Have practice in meeting deadlines.
 - b. Follow a schedule and keep materials in order.
 - c. Put creative effort into the work.
 - d. Hand in on time, neat, accurate, and meaningful assignments.
 - e. Provide background, and/or reinforcement.
- 2) From the teacher's standpoint, the purpose of homework is to:
 - a. Allow initiative in the student's approach to his/her assignments.
 - b. Encourage learning that is meaningful to the individual.
 - c. Foster a continuing interest in learning.
 - d. Help students become increasingly effective in allotting time to the individual.
 - e. Provide background and reinforcement.
- 3) Homework should be assigned for these specific purposes:
 - a. Stimulating initiative, response, and self-direction.
 - b. Developing permanent leisure interest in learning.
 - c. Providing practice and application for principles discovered in the learning process.
- 4) The amount of time spent by individual students in homework will vary greatly. Some factors affecting this time variable for a student are:
 - a. Attitude and interest.
 - b. Competency in study skills.
 - c. Aims and needs.
 - d. Age and health.

Homework should be an integral part of the line of investigation being pursued in class. The student should be aware that he/she is supplementing or extending his/her competency and knowledge.

SUBJECT: HOME TUTORING (Temporary Home Instruction)

Home instruction is provided on a short-term basis by the Ken-Ton Schools when a student is unable to attend school for reasons of illness (physical or mental), disability or discipline. In cases of illness or disability, written verification of the condition from a physician is required. This communication must clearly establish that the student is unable to attend school, outline the reasons/diagnosis and anticipated duration. So that we may comply with the physician's orders, the District requests a Release of Information form signed by the parent/guardian (see attached).

Once documentation is received, eligibility will be determined by the District Attendance Counselor (DAC) in consultation with appropriate District and building personnel. A minimum two weeks of anticipated absence is required in order to receive home instruction except when the absence is the result of disciplinary action. In this case, home instruction will be started as soon as arrangements can be made. Services are provided for a limited period of time on a case-by-case basis with an entry date, a closing date and ongoing review.

Home instruction will be provided for core academic subjects unless a modified program is deemed appropriate. Core subjects typically include English, math, social studies, physical education and science. Lab requirements typically cannot be provided through home instruction. Foreign language may be included at the secondary level. Regulations allow for home instruction to be provided:

- a) five hours per week at the elementary level (K-6)
- b) ten hours per week at the secondary level (7-12)

Adult supervision (age 18 or over) other than the home instructor must be present at all times at the setting where home instruction takes place. If a responsible adult is not available to supervise at home, services will be arranged at a public library or other approved supervised setting. If appropriate and necessary, services can only be provided on school grounds with administrative approval.

The Student Services Department will notify the following building liaison about home instruction placements:

- a) Levels K-5 – Building Principal or Designee
- b) Levels 6-8 – Assistant Principal or Designee
- c) Levels 9-12 – Assistant Principal or Designee

The DAC will determine, in consultation with appropriate school personnel, the course(s) to be provided to the student by the home instructor(s).

The building liaison will initiate the process of identifying teachers to provide home instruction. If no teachers are available within the building, the building liaison will notify the DAC who will then become responsible for this process.

Once informed of a student needing Home Instruction:**1. The Building Liaison will:**

- Identify building teachers available to accept the home instruction assignment
- Inform student's teachers of their responsibilities to provide instructional resources to be used by the home instructors
- Inform student's teachers of their responsibilities to assess student work and provide grades and reports; the same as if the student were attending in their classroom
- Provide student's teachers with the final assignment information (i.e. dates of assignments, information provided by DAC, etc.)
- Arrange for administering state assessments, final exams, etc.
- Arrange for the provision of special accommodations when applicable (i.e. 504, IEP, etc.)
- Assist in resolving any ongoing questions or concerns on open cases

2. The Counselor of the Student will:

- Inform teachers if an incoming student is being added to their roster and being approved for home instruction
- Assist students in coping with peer pressure and emerging personal, social and emotional problems
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems
- Regularly review with students their educational progress and career plans
- Provide information to assist students with career planning

3. The Teacher(s) of the Student will:

- Provide instructional materials necessary to satisfy all course requirements to the home instructor(s) for the duration of the assignment in a regular and timely fashion
- Communicate regularly with the home instructor(s)
- Calculate grades based on work handed in from the home instructors unless an alternative arrangement is agreed upon. Arrange for graded work to be returned to the student
- Record grades for each five week interim and quarter for report cards (as you would for any other student)
- Include the student in state assessments and district exams
- Consult with the student's assigned administrator / home instruction liaison to resolve any ongoing issues or concerns (i.e. attendance, building policy, etc.)

4. The District Attendance Counselor will:

- Determine eligibility for home instruction
- Inform the building liaison of students approved for home instruction

- Work collaboratively with the building liaison to recruit teachers for open assignments
- Provide the liaison and home instructor(s) with the final assignment, contact information, dates of the assignment and other relevant requirements (i.e. student contact info, forms, etc)
- Provide the liaison and home instructor(s) with any revisions to the assignment (i.e. extended dates, new home instructors, etc.)
- Provide support and/or help to resolve any issues or concerns for students, families, teachers and others involved with the home instruction case

5. The assigned Home Instructor(s) will:

- Make contact within 24-48 hours with the family to set up a regular schedule
- Communicate with the building liaison and/or student's teachers to develop a plan/system of exchanging work
- Meet with the student each week for the assigned period of time
- Instruct the student in the assigned subject areas
- Return all completed work in a timely fashion to the student's teacher(s) for grading
- Return any graded work to the student
- Provide weekly reports to students' teacher(s) with progress updates
- Provide bi-monthly attendance logs and time sheets to the DAC (see annual payroll deadline schedule)
- Return any books, materials and progress notes upon the completion of an assignment

Additional Considerations:

- 1) Whenever possible, state assessments and final examinations will be administered at the student's home school. If necessary, a home instructor will administer these assessments at the home instruction site.
- 2) Services are only provided on days when school is in session. Instruction will be scheduled between the hours of 8:00 a.m. and 6:00 p.m.
- 3) If the parent/guardian or home instructor finds that it is necessary to cancel a session, it is expected that the cancellation be made 24 hours in advance. If a situation arises whereby 24 hours notice is not possible, contact should be made as soon as possible in consideration of all involved. The cancelled session should be made up within two weeks.
- 4) It is expected that the student be prepared for home instruction just as they would for any class he/she would attend at school. Assignments, attendance, participation and behavioral expectations are the same as they would be in a classroom setting. Failure to comply will ultimately be reflected in student grades. Other appropriate consequences may be deemed necessary.

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Instruction

- 5) It is imperative that regular communication be established between the home instructor(s) and the student's parents re: progress/compliance with assigned work and attendance. If attendance becomes problematic, appropriate information should immediately be reported to the DAC.
- 6) Students assigned to a placement outside the district become the responsibility of the staff of their home building.

Adopted: August 12, 2008

8450F

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
TEACHER'S REPORT OF HOME INSTRUCTION**

STUDENT _____ GRADE _____

TEACHER'S NAME _____

SCHOOL LOCATION (if appropriate) _____

This report covers time for instruction given during the period:

_____ 20 ____ to _____ 20 ____

DATE

NO. HOUR(S)

DATE

NO. HOUR(S)

DATE	NO. HOUR(S)	DATE	NO. HOUR(S)

Total number of hours _____

Date

Teacher's Signature

Send to: District Office

Instruction

SUBJECT: FIELD TRIP/GENERAL GUIDELINES

The following information is provided to assist staff in planning for field trips and transmitting requests for approval. All educational field trips involving District students must be processed and approved by the building principal, the Assistant Superintendent for Curriculum, and/or the Superintendent of Schools/Board of Education as applicable.

The applicable Field Trip Request Form must be approved and on file in the principal's office prior to the beginning of the trip. A copy is also to be on file in the Transportation Office before transportation can be scheduled. The forms must be kept on file for the duration of the school year.

Definitions

- 1) A field trip is an approved School District sponsored and planned activity, involving students, which takes place away from the traditional school setting. Included are all events and activities outside of the school for which participation, cooperation, or support of the activity is under the control of the school principal. When a field trip is considered, it must be examined to assure that the trip is:
 - a. Appropriate to the curriculum;
 - b. Appropriate to the level of maturity of the students; and
 - c. Within a reasonable distance from the school.
- 2) Student transportation includes any mode of transportation necessary to transport students on an approved educational and/or recreational field trip. Such forms of transportation may include:
 - a. Private Contractor Charter Buses etc.
 - b. District School Buses
 - c. Private Passenger Car
- 3) Emergency situations are those instances when a staff member may be asked to provide transportation for a student under some unexpected emergency circumstances (e.g., student or family illness). An emergency covers those instances which occur without prior notice and preclude the provision of the District's usual means of transportation. In such instances, alternate transportation will be provided in accordance with law as enumerated in the subheading "Direct Supervision of Students."

(Continued)

Instruction

SUBJECT: FIELD TRIPS/GENERAL GUIDELINES (Cont'd.)

- 4) A Walking Field Trip is defined as those excursions that involve taking students off school grounds but within walking distance of the school so that no other form of transportation is needed.
- 5) Overnight Field Trips include local, out of state or out of country trips which require that students obtain overnight accommodations. Board of Education approval is required for overnight field trips.

Guidelines

The following guidelines should be adhered to if a field trip or other group absence is planned:

- 1) Obtain and complete proper forms at least three (3) weeks prior to day trips and at least six (6) weeks prior to overnight trips.
- 2) Secure written parent/legal guardian permission, emergency contact(s) if the parent/legal guardian is unavailable, and any necessary medical information relating to the student's well being while participating in the field trip - including any medication that may need to be administered.
- 3) Notify cafeteria staff of the number of students who will be out of the building at lunch time. If you wish to order milk for a field trip, please contact the cafeteria two (2) days in advance.
- 4) For those students who remain at school, it is the teacher's responsibility to provide coverage by other faculty members and to provide any materials (plans) needed.
- 5) Teachers shall prepare and submit to the Attendance Officer by the morning before a scheduled trip a list of all students who will be on the field trip or other activity. Attendance should be taken at the beginning of the trip and the Attendance Officer notified of any students who are missing.
- 6) Student conduct is governed by the District's Code of Conduct, and disciplinary action may result for a student's violation of such Code.

(Continued)

SUBJECT: FIELD TRIPS/GENERAL GUIDELINES (Cont'd.)**Direct Supervision of Students**

Direct supervision of students must be provided to and from the field trip location as well as at the site. Students must be provided supervised transportation back to either the point of departure or to the appropriate school in the District unless the parent or legal guardian of a student participating in such event has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, a representative of the School District shall remain with the student until such student's parent or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical; and the student has been delivered to his/her parent or legal guardian.

Chaperones

67) Chaperones will immediately advise the teacher in charge of the activity of any intervening circumstances which would prevent a student from being transported back to the District. Arrangements will then be made for a representative of the District to remain with the student until the student has been delivered to his/her parent or legal guardian.

Cancellation of Field Trips

68) The Superintendent/designee may cancel previously approved field trips due to extenuating circumstances.

Instruction

SUBJECT: OUT OF COUNTRY TRIPS

- 1) All out of country trips that use District funds, equipment, or personnel must be sanctioned by the Board of Education.
- 2) Federal funds will not be used for any out of country trips.
- 3) Students involved in out of country trips will be expected to behave in an exemplary manner at all times.
- 4) All out of country trips will be supervised by a staff member of the Kenmore-Town of Tonawanda Union Free District.
- 5) Reports on out of country trips will be given to the Superintendent by the staff member in charge within a reasonable time after the trip has been concluded.

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Instruction

SUBJECT: PARENTAL PERMISSION: SCHOOL SPONSORED TRIPS

Authorized school sponsored trips are considered an integral part of the student's education. Attendance rules, therefore, are the same as for a regular school day.

Building principals are responsible for authorizing school trips. Decisions are to be based on educational value, safety of staff and students, and availability of funds.

Parental permission must be received for each school trip which includes any trip off the school premises.

Instruction

SUBJECT: FIELD TRIPS (LOCAL)

<u>Responsibility</u>	<u>Action</u>
Teacher	1) a. Discusses field trip with principal. b. Completes Request for Approval of Educational Field Trip (#8460F) and submits to principal at least three (3) weeks before trip.
Principal	2) a. Approves field trip. b. Forwards field trip request form to Assistant Superintendent for Curriculum.
Assistant Superintendent for Curriculum	3) a. Approves or disapproves request. b. If disapproves, notifies principal. or c. If approves, forwards request to Transportation Supervisor.
Teacher	4) a. Secures parental permission. b. Selects chaperones. c. Make final arrangements.

Instruction

SUBJECT: FIELD TRIPS (LONG DISTANCE/OUT OF COUNTRY/OVERNIGHT)

<u>Responsibility</u>	<u>Action</u>
Teacher	1) a. Discusses field trip with principal. b. Submits Request for Approval of Educational Field Trip (#8460F) at least eight (8) weeks prior to the scheduling of long distance/out of country/overnight field trip, with details regarding lodging, meals, chaperones, etc. to the building principal.
Principal	2) a. If disapproves, returns field trip request and informs teacher of decision. b. If approves, forwards request to the Assistant Superintendent for Curriculum.
Assistant Superintendent for Curriculum	3) a. Approves or disapproves request. b. If approves, forwards request to Transportation Supervisor. c. If disapproves, returns request to building principal who notifies teacher of rejection. d. Notifies building principal of Board action, if applicable.
Principal	4) Submits Assistant Superintendent's decision to teacher. If approved, makes appropriate arrangements with teacher.
Teacher	5) Makes final arrangements for trip.

Kenmore-Town of Tonawanda Union Free School District
Request for Approval of LOCAL Educational Field Trip
(Must be kept on file in Principal's Office)

Charge to Account No. _____

School _____

Date(s) of Trip _____

Grade, Class _____

Site of Trip _____

What are students going to know or experience when they return from this field trip that they did not know or experience before?

CHAPERONE INFORMATION

(NOTE: SUBSTITUTES WILL NOT BE PROVIDED FOR TEACHERS ATTENDING LOCAL FIELD TRIPS.)

of Students: _____

of Chaperones _____

Names of Chaperones

Position

TRAVEL ARRANGEMENTS

Ken-Ton Buses needed _____

Depart From _____

At _____

Pick up From _____

At _____

Arrive Back At School _____

At _____

Special Needs _____

Other Travel Arrangements (explain) _____

Cost estimate page must be completed and enclosed with request.
Incomplete requests will be returned.

Teacher Requesting _____

_____ Date

Approved

Disapproved

(Reason) _____

Principal/Supervisor _____

_____ Date

Copy to Transportation Department _____
Date

Kenmore-Town of Tonawanda UFSD
Local Field Trip Requests
 School Year: _____

School: _____

MONTH	DESTINATION	PURPOSE	EXPENSES	FUNDING SOURCES	GRADES	# OF STUDENTS	# OF CHAPERONES	APPROVED	DISAPPROVED

8460F.1 _____ Assistant Superintendent for Curriculum

_____ Date

Kenmore-Town of Tonawanda Union Free School District
Request for Approval of Long Distance, Out of Country or Over Night Educational Field Trip
(Must be kept on file in Principal's Office)

Charge to Account No. _____

School _____

Grade, Class _____

Date(s) of Trip _____

Site of Trip _____

CHAPERONE INFORMATION

Number of Students _____

Number of Chaperones _____

Names & Positions of Chaperones

Substitute Needed
(List times if not a full day.)

*Yes _____	No _____
*Yes _____	No _____
*Yes _____	No _____

***If a substitute is needed, the Curriculum Office will process the substitute requests after approval of the field trip.**

TRAVEL ARRANGEMENTS

Ken-Ton Buses needed _____

Depart From _____

At _____

Pickup From _____

At _____

Special Needs _____

Other Travel Arrangements - explain fully on itinerary.

Incomplete requests will be returned.

Teacher Requesting _____

_____ Date

Approved

Disapproved

(Reason) _____

Principal _____

_____ Date

Long Distance, out of country or overnight trip requests must be accompanied with an itinerary including what the students are going to know or do when they return from this field trip that they did not know or do before. Itineraries must include: funding sources, lodging arrangements, meal arrangements, ratio of students to chaperones, insurance, safety precautions and instructional provisions made for any student not participating in the trip and travel provisions.

Copy to Transportation Dept. _____
 _____ Date

Substitute Request Form
Supervising Teacher for Field Trips & Academic Competitions
For Secondary Schools
(must be submitted a minimum of 3 weeks in advance)

Employee _____ Date Substitute Needed _____

Building _____ Full Day _____ Half Day (Times) _____

Name and Location of Field Trip or Competition _____

Substitutes are requested by the Secretary in your building

Are you supervising your own class? Yes _____ No _____

What classes do you need covered? _____

_____ Date _____
Employee's Signature

Approved _____ Disapproved _____
(Reason) _____

_____ Date _____
Principal/Supervisor

Approved _____ Disapproved _____
(Reason) _____

_____ Date _____
Assistant Superintendent for Curriculum

Updated May 23, 2008

**Kenmore-Town of Tonawanda UFSD
Educational Field Trip – Cost Estimate
2003-2004**

Supervising Teacher _____

Date of Trip _____

Destination _____

Round Trip Mileage _____ X \$1.25 X Number of Buses _____ =

Ken-Ton Driver's Cost: (Drivers receive 15 minutes before and after trip,
or ½ hour before and 15 minutes after when the garage is closed.)

No. of Hours _____ X \$19.51 X Number of Drivers _____ = _____

(After 6 pm & weekends) No. of Hours _____ X No. of Drivers _____ X \$20.47 = _____

Out of District Trips over 5 hours –
Driver's Meal rate - \$6.00 X Number of Drivers _____ = _____

Tolls _____

Parking _____

Transportation Total:

NOTE: If using outside transportation, when booking inform carrier that drivers must have school-grade licenses. At least two weeks before trip – provide Transportation Department with driver abstract and insurance certificate showing Kenmore-Town of Tonawanda UFSD as additional insured.

Other Expenses (List):

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total - Expenses & Transportation \$ _____

Charge to Account No: _____

Other payment arrangements: _____

Kenmore-Town of Tonawanda UFSD
Over Night/Long Distance Field Trip Requests
 School Year _____

School: _____

DATES	DESTINATION (FULL ITINERARY MUST BE ATTACHED)	PURPOSE OF TRIP	EXPENSES PER STUDENT	FUNDING SOURCES	GRADES AND # OF STUDENTS	# OF CHAPERONES	INST. DAYS MISSED	# OF SUBS	APPROVED	DISAPPROVED

 Superintendent of Schools

 Date

Kenmore-Town of Tonawanda UFSD
Educational Field Trip – Cost Estimate

20__ to 20__

Supervising Teacher _____ Date of Trip _____

Destination _____

Round Trip Mileage _____ X \$1.15 X Number of Buses _____ = _____

Ken-Ton Driver's Cost: (Drivers receive 15 minutes before and after trip,
or ½ hour before and 15 minutes after when the garage is closed.)

No. of Hours _____ X \$18.74 X Number of Drivers _____ = _____

(After 6 pm & weekends) No. of Hours _____ X No. of Drivers _____ X \$19.96 = _____

Out of District Trips over 5 hours –
Driver's Meal rate - \$6.00 X Number of Drivers _____ = _____

Tolls _____

Parking _____

Transportation Total: _____

NOTE: If using outside transportation, when booking inform carrier that drivers must have school-grade licenses. At least two weeks before trip – provide Transportation Department with driver abstract and insurance certificate showing Kenmore-Town of Tonawanda UFSD as additional insured.

Other Expenses (List):

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total - Expenses & Transportation \$ _____

Charge to Account No: _____

Other payment arrangements: _____

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
FIELD TRIP PARENT/GUARDIAN CONSENT/MEDICAL INFORMATION**

Dear _____,

Your child's class has scheduled a field trip activity on _____ to
69) _____ (date)
_____.
(destination)

The group will be leaving at _____ a.m./p.m. and plans to return at _____ a.m./p.m. on
_____.

Please sign and return the attached form by _____.
(date)

Sincerely,

Teacher or Principal

FIELD TRIP PARENTAL CONSENT

I hereby give permission for my child, _____
(child's full name)

to participate in a school sponsored education field trip to _____
(place)

I understand that my child will leave on _____,
(date) (time)

and is expected to return on _____,
(date) (time)

MEDICAL INFORMATION

Name of family doctor _____

Doctor's phone number _____

Is you child taking any medication with him/her on the trip? _____

If so, what is it and who is expected to administer this medication? _____

Should emergency medical services be required for your child during the trip, medical personnel will be contacted immediately.

(Signature of Parent/Guardian) (Telephone No.) (Date)

Instruction

SUBJECT: HOME SCHOOLING

New York State Law provides parents/guardians the right to educate their child(ren) at home; however, it is the responsibility of the Board of Education to ensure that no child is deprived of an adequate educational program.

When parents/guardians choose to instruct their children at home, the Superintendent or his/her designee will determine the competency of instruction by analyzing the instructional program to see if it is substantially equivalent to that provided by the School District.

In addition, the District is required to make appropriate special education programs and/or related services available to students with disabilities, who are instructed at home, in accordance with an Individualized Educational Program (IEP).

Notice of Intention to Instruct at Home

Parents/guardians must annually provide written notice to the Superintendent of their intention to instruct their child at home by July 1st of each school year.

If parents/guardians choose to provide home instruction or establish residence in the School District after the start of the school year, they must provide written notice to the Superintendent within fourteen (14) days following the commencement of home instruction.

Individualized Home Instruction Plan (IHIP)

The Superintendent or his/her designee will provide parents/guardians a copy of Section 100.10 of the Commissioner's Regulations addressing home instruction and a form on which to submit an individualized home instruction plan for each child of compulsory attendance age who is to be taught at home. School authorities will provide assistance, if requested, to parents/guardians in preparation of the individualized home instruction plan.

Parents/guardians shall be responsible for the purchase and payment of all instructional materials used for home schooling, as the School District is under no obligation to supply such materials. The District will, however, provide commercially published tests at no cost to the parents/guardians, if so requested, but only if the District uses and is in possession of said tests. If the parent/guardian chooses to use a test that has not been ordered for use in the public schools of the District, the District, upon request of the parent/guardian, will order the test. The parent/guardian will, however be responsible for the cost of procuring it.

(Continued)

Instruction

SUBJECT: HOME SCHOOLING (Cont'd.)**Administrative Review**

The Superintendent or his/her designee shall review completed IHIP forms and either notify parents/guardians that the IHIP is in compliance or provide written notice of any deficiency in the IHIP. If the individualized home instruction plan is determined not to be in compliance, parents/guardians must submit a revised IHIP which corrects any deficiencies.

The Superintendent reviews the revised IHIP and renders a decision, indicating in a written notice to the parents/guardians the reasons for such a determination. Such notice shall also contain the date of the next regularly scheduled meeting of the Board of Education that will be held at least ten (10) days after the mailing date of the notice, and shall inform parents/guardians of their right to present to the Board of Education proof of compliance. The Board of Education shall make a final determination of compliance or noncompliance.

Parents/guardians have the right to appeal the Board of Education's determination of noncompliance to the Commissioner of Education within thirty (30) days after receipt of such determination.

Upon completion of the administrative review, if the result is a finding of non-compliance, parents/guardians must immediately enroll their children in the public School System or provide written notice to the Superintendent of the arrangements made to provide the required instruction for each child.

The administrative review is completed when one of the following events has occurred:

- 1) The parents/guardians have failed to contest a determination of noncompliance by appealing to the Board of Education; or
- 2) The parents/guardians have failed to appeal the final School District determination of noncompliance to the Commissioner of Education; or
- 3) The parents/guardians have received a decision of the Commissioner of Education which upholds the final School District determination of noncompliance.

Content of Individualized Home Instruction Plan

An individualized home instruction plan for each child shall contain:

- 1) The child's name, age and grade level;

(Continued)

SUBJECT: HOME SCHOOLING (Cont'd.)

- 2) A list of the syllabi, curriculum materials, textbooks, or plan of instruction to be used in each of the required subjects;
- 3) The dates for submission to the School District of the parents'/guardians' quarterly reports. These reports shall be spaced in even and logical periods;
- 4) The names of the individuals providing instruction.

Required Courses

A unit means six thousand four hundred eighty (6,480) minutes of instruction per school year.

Grades 1-6

Arithmetic	English Language
Reading	Geography
Spelling	United States History
Writing	Science
Health Education	Music
Physical Education	Visual Arts

Bilingual education and/or English as a Second Language where the need is indicated.

Grades 7-8

English (2 units)	Physical Education (on a regular basis)
Science (2 units)	Health Education (on a regular basis)
History and Geography (2 units)	Practical Arts (on a regular basis)
Mathematics (2 units)	Library Skills (on a regular basis)
Art (1/2 unit) Music (1/2 unit)	

The units required are cumulative requirements for both grades seven and eight.

The following courses shall be taught at least once during the first eight grades: United States History, New York State History, and the Constitution of the United States and New York State.

(Continued)

SUBJECT: HOME SCHOOLING (Cont'd.)Grades 9-12

English (4 units)	Physical Education (2 units)
Science (2 units)	Art and/or Music (1 unit)
Mathematics (2 units)	Health Education (1/2 unit)
Social Studies (4 units, which includes one unit of American History, 1/2 unit in participation in government, and 1/2 unit of economics)	Elective (3 units)

The units required are cumulative requirements for grades nine through twelve.

Additional Subjects

Educational Law Sections 801, 804, 806 and 808 also require the following subjects to be covered during grades kindergarten through twelve:

- 1) Patriotism and citizenship;
- 2) Health education regarding alcohol, drug and tobacco misuse;
- 3) Highway safety and traffic regulations, including bicycle safety;
- 4) Fire and arson prevention and safety.

The program of health education shall also include (at least once in grades K-6, once in grades 7-8 and once in grades 9-12) age appropriate instruction concerning the nature, methods of transmission and methods of prevention of acquired immune deficiency syndrome (AIDS).

Attendance Requirements

Each child shall receive the required amount of instruction as follows:

- 1) The substantial equivalent of one hundred eighty (180) days of instruction shall be provided each school year;
- 2) The cumulative hours of instruction for grades one through six shall be nine hundred (900) hours per year. The cumulative hours of instruction for grades seven through twelve shall be nine hundred ninety (990) hours per year;
- 3) Absences shall be permitted on the same basis as provided in the policy of the School District for its own students;

(Continued)

Instruction

SUBJECT: HOME SCHOOLING (Cont'd.)

- 4) Records of attendance shall be maintained by the parent/guardian and shall be made available to the School District upon request;
- 5) Instruction provided at a site other than the primary residence of the parents/guardians shall be provided in a building which has not been determined to be in violation of the local building code.

Quarterly Reports

On or before the dates specified by the parent/guardian in the IHIP, a quarterly report for each child shall be furnished by the parent/guardian to the School District. The quarterly report shall contain the following:

- 1) The number of hours of instruction during said quarter;
- 2) Description of the material covered in each subject listed in the IHIP;
- 3) Either a grade for the child in each subject or a written narrative evaluating the child's progress;
- 4) Written explanation in the event that less than eighty percent of the amount of the course materials as set forth in the IHIP planned for that quarter has been covered in any subject.

Annual Assessment

At the time of filing the fourth quarterly report as specified in the IHIP, the parent/guardian shall also file an annual assessment. The annual assessment shall include the results of the commercially published norm-referenced achievement test or an alternative form of evaluation.

The commercially published norm-referenced achievement test shall be selected by the parent/guardian from one of the following:

- 1) Iowa Test of Basic Skills;
- 2) California Achievement Test;
- 3) Stanford Achievement Test;
- 4) Comprehensive Test of Basic Skills;
- 5) Metropolitan Achievement Test;

(Continued)

SUBJECT: HOME SCHOOLING (Cont'd.)

- 6) State Education Department Test; or
- 7) Another test approved by the State Education Department.

The test shall be administered in accordance with one of the following options, to be selected by the parents/guardians:

- 1) At the public school, by its professional staff; or
- 2) At a registered nonpublic school, by its professional staff, provided that the consent of the chief school officer of the nonpublic school is obtained; or
- 3) At a nonregistered nonpublic school, by its professional staff, provided that the consent of the Superintendent of the School District and of the chief school officer of the nonpublic school is obtained; or
- 4) At the parents'/guardians' home or at any other reasonable location; by a New York State certified teacher or by another qualified person, provided that the Superintendent has consented to having said certified teacher or other person administer the test.

The test shall be scored by the persons administering the test or by other persons who are mutually agreeable to the parents/guardians and the Superintendent of Schools.

The test, if it is one that has been ordered for use in the District, shall be provided at no cost by the School District upon request by the parent/guardian, provided that the cost of any testing facilities, transportation, and/or personnel for testing conducted at a location other than the public school shall be borne by the parent/guardian.

If a score on a test is determined to be inadequate, the program shall be placed on probation.

A student's score shall be deemed adequate if:

- 1) The student has a composite score above the thirty-third percentile on national norms; or
- 2) The student's score reflects one academic year of growth as compared to a test administered during or subsequent to the prior school year.

Alternative evaluation measures, for the purpose of determining whether a student with a disability has achieved an appropriate level of growth, may be used, if these measures are provided for in the student's Individualized Educational Program (IEP).

(Continued)

SUBJECT: HOME SCHOOLING (Cont'd.)**Alternative Evaluation Methods**

An alternative form of evaluation may be chosen by the parent/guardian only as follows:

- 1) For grades one (1) through three (3) a written narrative prepared by a qualified person;
- 2) For grades four (4) through eight (8) a written narrative prepared by a qualified person. This alternative form of evaluation may be used no more often than every other school year for these grades;
- 3) The person who prepares the written narrative shall be a New York State certified teacher, a home instruction peer group panel, or other person, who has interviewed the child and reviewed a portfolio of the child's work. Such person shall certify either that the child has made adequate academic progress or that the child has failed to make adequate progress. In the event that such child has failed to make adequate progress, the home instruction program shall be placed on probation. The certified teacher, peer review panel, or other person shall be chosen by the parent/guardian with the consent of the Superintendent. Any resulting cost shall be borne by the parent/guardian.

If a dispute arises between the parents/guardians and the Superintendent of Schools, including disputes over the administration of the commercially published norm- referenced achievement test or the use of alternative evaluation methods, the parents/guardians may appeal to the Board of Education. If the parents/guardians disagree with the determination of the Board of Education, the parents/guardians may appeal to the Commissioner of Education within thirty (30) days of receipt of the Board's final determination.

Probation

If a child's annual assessment fails to comply with the requirements, the home instruction program shall be placed on probation for a period of up to two (2) school years. The parent/guardian shall be required to submit a plan of remediation which addresses the deficiencies in the child's achievement, and seeks to remedy said deficiencies. The plan shall be reviewed by the School District. The School District may require the parents/guardians to make changes in the plan prior to acceptance.

(Continued)

SUBJECT: HOME SCHOOLING (Cont'd.)

If after the end of any semester of the probationary period the child progresses to the level specified in the remediation plan, then the home instruction program shall be removed from probation. If the child does not attain at least seventy-five percent (75%) of the objectives specified in the remediation plan at the end of any given semester within the period of probation, or if after two years on probation one hundred percent (100%) of the objectives of the remediation plan have not been satisfied, the Superintendent shall provide the parents/guardians with notice and the Board of Education shall review the determination of noncompliance, except that consent of the parents/guardians to such review shall not be required.

If during the period of probation the Superintendent has reasonable grounds to believe that the program of home instruction is in substantial noncompliance with these regulations, the Superintendent may require one or more home visits. Such home visit(s) shall be made only after three (3) days written notice. The purpose of such visit(s) shall be to ascertain areas of noncompliance with these regulations and to determine methods of remediating any such deficiencies. The home visit(s) shall be conducted by the Superintendent or by the Superintendent's designee. The Superintendent may include members of a home instruction peer review panel in the home visit team.

SUBJECT: GUIDELINES FOR THE PROVISION OF SERVICES TO STUDENTS WHO RECEIVE HOME INSTRUCTION (HOME SCHOOLING)

The purpose of Commissioner's Regulation Section 100.10 is to provide a basis for an objective determination of substantial equivalence of instruction. A home instruction program that adheres to the standards of Section 100.10 at each stage of the process should be deemed substantially equivalent. However, students instructed at home are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents, the school or the district.

Primary responsibility for determining compliance with Section 100.10 rests with the Superintendent of Schools of the School District in which a home-instructed student resides. Commissioner's Regulations also provide for parental appeals to the Board of Education and the Commissioner of Education.

These guidelines are intended to provide an *overview of the provision of services* by the District to students who receive home instruction.

General Requirements

- 1) Parents are not required to register their child in the public school if they plan to provide home instruction. However, the parent, if requested, must demonstrate that the child resides within the School District and is of compulsory attendance age.
- 2) School officials may request a meeting with parents to discuss the process of home schooling, but they may not deny parents the right to home instruct if the parents decline such a meeting.
- 3) The District is obligated to reply within ten (10) business days of receiving the notice of intent for home instruction by sending to the parents a copy of Commissioner's Regulation Section 100.10 and a form on which to submit an individualized home instruction plan (IHIP).
- 4) New York State law does not require any specific credentials for the person(s) providing home instruction.
- 5) A participant in interscholastic sports **must** be enrolled in the public school. However, children educated other than at the public school **may not** participate in intramural and other school-sponsored club activities (i.e., extracurricular activities) pursuant to Board of Education policy.
- 6) Home-instructed students **may not** be allowed to use school facilities such as the library, career information center and gymnasium.

(Continued)

Instruction

SUBJECT: GUIDELINES FOR THE PROVISION OF SERVICES TO STUDENTS WHO RECEIVE HOME INSTRUCTION (HOME SCHOOLING) (Cont'd.)

- 7) Students instructed at home are not required to meet the immunization requirements for in-school students pursuant to the provisions of Public Health Law Section 2164. If the Commissioner of Health notifies school officials of the outbreak of a disease for which immunization is required, however, parents of children on home instruction who seek to participate in testing or other activities on the premises of the public school must produce proof of immunization or the children must be denied access to the school building.
- 8) Although not obligated to do so, the District **may not** allow parents or students on home instruction to borrow instructional items to the extent available from the public school such as library books, microscopes, computer software, and movie projectors. The loaning of such instructional items, as may be applicable, will be pursuant to Board policy.
- 9) In accordance with Education Law and Commissioner's Regulations, the District shall conduct a census and register of students with disabilities who reside in the District.
- 10) Students instructed at home **may not** participate in the instructional program of the School District.
- 11) The District **is not** authorized to provide individualized education program (IEP) services to home-instructed students as home schools are not recognized in NYS as private elementary or secondary schools pursuant to Section 3602-c of the Education Law.
- 70)
 - a. While the Public School District may not provide special education services to students that are home schooled, the Committee on Special Education (CSE) of the Public School District must, if parental consent is obtained, conduct an individual evaluation of a home schooled student who is suspected of having a disability and develop an IEP for such child, which would be the district's offer of a free appropriate public education (FAPE) to the student if the parents choose to enroll their child in a public or private school.
- 71)
 - b. However, the parents of a home schooled student may refuse consent to an initial evaluation and, if they do so or if they do not respond to a request for such consent, the School District may not seek to compel the parent to have their child evaluated to determine eligibility for special education services.
- 72)
 - c. For home schooled students currently receiving special education services from the Public School District, the CSE should reconvene to determine if any amendments are needed to ensure that FAPE is provided upon enrollment of the student in the public or private schools.

(Continued)

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Instruction

SUBJECT: GUIDELINES FOR THE PROVISION OF SERVICES TO STUDENTS WHO RECEIVE HOME INSTRUCTION (HOME SCHOOLING) (Cont'd.)

- d. Parents should also be notified of the need to review and revise, as appropriate, their child's individualized home instruction plan (IHIP) to address their child's special education needs. The IHIP would then be reviewed and approved by the Superintendent. As home instruction is, by its very nature, individualized and flexible, parents may provide for the special education needs of their children in different ways than those contained in the IEP.
- 12) The District is not authorized to provide occupational and vocational education programs (career and technical education) and programs for the gifted to home-instructed students.
- 13) The District is not required to furnish health services to students on home instruction.
- 14) The District is not responsible for providing remedial programs for home-instructed students.
- 15) Summer school programs are open to all resident students of the District.
- 16) The School District may require home visits, upon three (3) days' written notice to the parents, only when the home instruction program is on probation. Under any other circumstances, the school official may request a home visit but the parent would not be required to consent to the request.
- 17) Parents are required to keep attendance records for each student, but there is no legal obligation for them to maintain any other records.

Individualized Home Instruction Plan (IHIP)

- 1) The IHIP must include for each of the required courses either a list of syllabi, curriculum materials and textbooks to be used or a plan of instruction to be followed. A different alternative may be used for different subjects. The total number of hours of instruction per quarter must be documented on the quarterly report.
- 2) The purpose of Commissioner's Regulations is to provide a basis for objective determination of substantial equivalence of instruction. IHIP submissions are to be evaluated to determine compliance with subdivisions (d) and (e) of Section 100.10. Quarterly reports are to be evaluated to determine compliance with subdivision (g). Annual assessments must comply with the requirements of subdivision (h). A home instruction program that adheres to the

standards of Commissioner's Regulations at each stage of the process should be deemed to be substantially equivalent.

(Continued)

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Instruction

SUBJECT: GUIDELINES FOR THE PROVISION OF SERVICES TO STUDENTS WHO RECEIVE HOME INSTRUCTION (HOME SCHOOLING) (Cont'd.)

- 3) The District may not require parents to provide more information on the IHIP than the Regulations of the Commissioner require as set forth in subdivision (d) of Section 100.10.
- 4) The District is obligated to notify parents that the IHIP is in compliance with Commissioner's Regulations. It is recommended that such notification be in writing.
- 5) The Superintendent of Schools is responsible for reviewing the IHIP and notifying the parents of its status.
- 6) If the Superintendent determines that a revised IHIP is not in compliance and the parents contest that determination, the parents may meet with the Board of Education to present evidence of compliance. The Board then makes its determination of compliance or noncompliance.
- 7) The parents may appeal a determination of noncompliance by the Board to the Commissioner of Education within thirty (30) days of receiving notice of the determination.

Evaluation

- 1) At the time of filing the fourth quarterly report as specified in the IHIP, the parent shall also file an annual assessment in accordance with subdivision (h) of Section 100.10.
 - a. If the parents are having the student tested at a registered nonpublic school by its professional staff, the consent of the School District is not required.
 - b. If the parents are having the student tested at the public school, the testing should be done at the time of the school's own testing program, unless a mutually agreeable alternative is reached. The District should give the parents several weeks' notice of the dates for this testing.
 - c. If the parents are having the student tested at another location (i.e., at a nonregistered nonpublic school, at the parents' home or at any other reasonable location), the School District is required to review, and (if in agreement) consent to the parents' selection of the test administrator.

- 2) If a request is made, school officials are encouraged to admit a student receiving home instruction to Regents examinations. If a Regents examination has a lab requirement, the student may be admitted to the examination if there is evidence that the student has met the lab requirement. The IHIP, quarterly reports and/or verification from the student's teacher can provide such evidence. Regents examinations may only be administered at the public school or registered nonpublic school because they are secure examinations.

(Continued)

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Instruction

SUBJECT: GUIDELINES FOR THE PROVISION OF SERVICES TO STUDENTS WHO RECEIVE HOME INSTRUCTION (HOME SCHOOLING) (Cont'd.)

- 3) If a parent wants to use one of the standardized tests listed in the home instruction regulation (Section 100.10) but not used by the District, the School District, upon request of the parent, shall order the test. The parent would, however, pay for the cost of procuring it. The test, if it is one that has been ordered for use in the District, shall be provided at no cost by the District upon request by the parent, provided that the cost of any testing facilities, transportation, and/or personnel for testing conducted at a location other than the public school shall be borne by the parent.

Adopted: 5/13/08

8470R.2

**PUBLIC SCHOOL DISTRICT RESPONSIBILITY FOR PROVIDING SERVICES TO
NONPUBLIC SCHOOLS AND TO STUDENTS ON HOME INSTRUCTION**

	PRIVATE SCHOOLS			HOME INSTRUCTION		
	Prohibited	Required	Discretionary	Prohibited	Required	Discretionary
Instructional Program	YES except for dual enrollment*			YES		
Transportation to instructional program		YES			NO	
Transportation to occupational and gifted programs		YES under dual enrollment		YES		
Transportation to special ed program		YES		YES		
Transportation Summer school		NO unless in IEP			NO	
Eligible for High School Diploma/Regents Diploma		YES		YES		
Regents Exams administered by public school	**	**	**		NO	YES if requested, SED encourages
Homebound instruction		YES			NO	
Onsite remedial program		YES if federal \$ involved			NO	
Ordering standardized tests not used by District	**	**	**		YES if parent says will pay	
Administering standardized tests		NO			NO	YES
Occupational and gifted programs		YES under dual enrollment if parent requests		YES		
Loan programs: textbooks, library materials, computer software		YES			NO	YES
Library books, microscopes, movie projectors		YES			NO	YES
Interscholastic sports	YES			YES		
Intramurals, clubs and		NO	YES		NO	YES

activities						
Access to libraries, career info center, gymnasium	**	**	**			YES if by mutual agreement
Health Services		YES if requested			NO	
Band		NO	YES, if extracurricular		NO	YES, if extracurricular
Special Education instructional services		YES, on request and based on IEP		YES		
Child Find		YES			YES	
Summer School programs		YES			YES	
In-school immunization		YES if provided to public school students and requested			NO	
Can claim for state aid		NO, except under dual enrollment			NO, except under dual enrollment	

*Dual Enrollment addresses the provision of services in career and technical education programs, gifted programs, and special education services (Education Law Section 3602-c). Also refer to chart for "Occupational and Gifted Programs" and "Special Education Instructional Services" for District responsibilities.

**For any listed service where there is no entry (Required, Prohibited or Discretionary), there appears to be no definitive statement or ruling regarding School District responsibility.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
APPLICATION FOR HOME INSTRUCTION**

Date _____

Student's Name _____

Current Grade _____ Age _____ Date of Birth _____

Current School _____

Name and Address of Parents or Guardians

Telephone Number (____)_____-_____

Name and Address of Tutor (If Applicable)

Period for which Home Instruction is requested:

Begin _____ End _____

Grade Level for which Home Instruction is required _____

Please submit the following with the completed application:

- 1) Syllabi and curriculum materials and/or textbooks to be used.
- 2) Sample daily or weekly schedules and calendar for year.
- 3) Evaluation plan, including progress reports and standardized tests.
- 4) Other items as may be defined by school authorities.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN
GRADES 1 - 6**

Student's Name _____ Date of Birth _____ Grade _____

Address _____ Telephone Number _____

In the spaces provided below, please describe the student's IHIP for the current school year as required in Section 100.10 of the Commissioner's Regulations.

Please submit this form to the Superintendent of Schools by August 15 or within 4 weeks of receipt of the forms.

Subject	Books/Materials to be Used	Goals or Objectives
Reading		
English Language		
Spelling		
Writing		
Mathematics		

--	--	--

(Continued)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN (Cont'd.)
GRADES 1 - 6**

Subject	Books/Materials to be Used	Goals or Objectives
U.S. History		
Geography		
Science		
Health (Including AIDS Instruction)		
Physical Education		
Music		
Visual Arts		

--	--	--

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION
QUARTERLY REPORT - GRADES 1 - 6**

Date _____ 1st, 2nd, 3rd, 4th Quarter

Name of Student _____ Grade Level _____

Number of hours of instruction this quarter _____ Number of days absent _____

We have covered at least 80% of the planned material for this quarter: Yes [] No []

Codes for Marking

S = Satisfactory
I = Improving
N = Needs Improvement

Report Quarter	1	2	3	4
READING (Please Check One)	Above Average Average Below Average	Above Average Average Below Average	Above Average Average Below Average	Above Average Average Below Average
WRITING				
SPELLING				
LANGUAGE				
MATH				
U.S. HISTORY				
GEOGRAPHY				
SCIENCE				
HEALTH				
P.E.				
VISUAL ARTS				

Signature of Instructor

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN
GRADES 7 - 8**

Student's Name _____ Date of Birth _____ Grade _____

Address _____ Telephone Number _____

Please describe below the student's IHIP for the current school year as required in Section 100.10 of the Commissioner's Regulations.

Please submit this form to the Superintendent by August 15 of this year or within 4 weeks of receipt of IHIP forms.

English (2 Units)

Mathematics (2 Units)

Science (2 Units)

Social Studies (2 Units)

(Continued)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN (Cont'd.)
GRADES 7 - 8**

Physical Education (Regularly)

Music (1/2 Unit)

Art (1/2 Unit)

Health Education (Regularly)

Other
(Practical Arts, Regularly)
(Library Skills, Regularly)

A Unit is 6,480 minutes of instruction per year.

US History, NYS History, Constitution of US and NYS required once during Grades 1-8.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN
QUARTERLY REPORT - GRADES 7 - 8**

Date _____

1st, 2nd, 3rd, 4th Quarter

Name of Student _____ Grade Level _____

Number of hours of instruction this quarter _____ Number of days absent _____

Description of Materials Covered and Evaluation

Number of Hours/GRADE/or Narrative

English:

History:

Science:

Mathematics:

Physical Education:

Health Education:

(Continued)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN
QUARTERLY REPORT - GRADES 7 - 8 (Cont'd.)**

Description of Materials Covered and Evaluation

Number of Hours/GRADE/or Narrative

Art:

Music:

Practical Arts:

Library Skills:

We have covered at least 80% of our planned materials for this quarter. Yes [] No []
(If "No" please provide explanation in the space below)

Signature of Instructor

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN
GRADES 9 - 12**

Student's Name _____ Date of Birth _____ Grade _____

Address _____ Telephone Number _____

Please describe below the student's IHIP for the current school year as required in Section 100.10 of the Commissioner's Regulations.

73) Please submit this form to the Superintendent by August 15 of this year or within 4 weeks of receipt of IHIP forms.

English (4 Units)

***Social Studies (4 Units)**

Mathematics (2 Units)

Science (2 Units)

*Including 1 Unit American History, 1/2 Unit Participation in Government, 1/2 Unit Economics, 1 Unit Social Studies electives.

(Continued)

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN (Cont'd.)
GRADES 9 - 12**

Art and/or Music (1 Unit)

Health (1/2 Unit)

Physical Education (2 Units)

Electives (3 Units)

A Unit is 6,480 minutes of instruction per year.

74) The Units are cumulative requirements for all the grades in which they are listed.

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
INDIVIDUAL HOME INSTRUCTION PLAN
QUARTERLY REPORT - GRADES 9 - 12**

Date _____ 1st, 2nd, 3rd, 4th Quarter

Name of Student _____ Grade Level _____

Number of hours of instruction this quarter _____ Number of days absent _____

Description of Materials Covered and Evaluation Number of Hours/GRADE or Narrative

English:

Social Studies:

Mathematics:

Science:

Art/Music:

**KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT
HOME INSTRUCTION WORKSHEET**

_____ School Year

___/___/___ Date parent/guardian notified school district personnel of their intention to home instruct their child.

___/___/___ Date parent/guardian will commence home instruction.

Name of Student

Age

Date of Birth

Address

City/Town

Zip Code

Student's Grade Equivalent

Dates of Submittal of Quarterly Reports

___/___/___ 1st quarter

___/___/___ 2nd quarter

Individual Providing Instruction

___/___/___ 3rd quarter

___/___/___ 4th quarter

Individual Submitting Quarterly Report

_____ Commercial Test _____ Narrative Report

Dates of Submittal of Attendance Reports

___/___/___ 1st quarter

Type of Annual Assessment

___/___/___ 2nd quarter

___/___/___ 3rd quarter

___/___/___ 4th quarter

Name of Commercial Test (if appropriate)

___/___/___ Date of Annual Assessment

Test Administrator (if appropriate)

___/___/___ Date of Annual Assessment

Submission to Superintendent

Testing Site (if appropriate)

Testing Evaluator (Scoring) (if appropriate)

___/___/___ Date of IHIP Submission

Parent/Guardian Signature

___/___/___ IHIP Complies

___/___/___ IHIP is out of Compliance

Signature of Superintendent

Parent/Guardian Signature

___/___/___ Date of IHIP Resubmission

___/___/___ Date of Receipt of Revised IHIP

Signature of School Personnel

___/___/___ IHIP Complies

Signature of Superintendent

____/____/____ IHIP is out of Compliance

____/____/____ Next Board of Education meeting 10-day hence.

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