

STUDENTS: 5000 SERIES

Focus here is upon the STUDENT – not on the educational process. She/He must be admitted; data about him/her, her/his parents, and his/her place of residence recorded; placed in a school assigned; and so on. These are the responsibilities of student personnel administration.

STUDENTS

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STUDENTS

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Required \_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

AGE OF ENTRANCE 5000

ATTENDANCE STUDENTS

Kindergarten: Initial admission to kindergarten shall be solely on the basis of chronological age within the statutory limitations.

Other Grades: Admission of children to other grades shall involve a consideration of both chronological age within the statutory limitations, and the readiness of the children to do the work of those grades.

Legal Reference

Education Law, Section 3202, Subdivision 1  
Section 3208

Policy

Adopted: 3/18/57

Amended: 11/18/57, 11/13/59, 8/63, 6/21/05, 7/05/05, 5/12/15

Required \_\_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

AGE OF ENTRANCE

5000 (a)

ATTENDANCE

STUDENTS

I. Kindergarten: *Children reaching the age of five on or before December 1 of any year will be eligible for kindergarten in the preceding September. Children reaching the age of five on or after December 2 will not enter kindergarten until the following September.*

Exceptions: a. *Children whose birth dates fall in December may be admitted to kindergarten if they can satisfy standards adopted by the Board of Education. These standards include:*

b. *Academic Potential - I.Q. 125 or higher*

c. *Social and Maturity Standards, as determined by tests, professional staff evaluations, or both*

*Such others measured as are needed to assist the professional staff to advise the Board in determining an individual child's total potential.*

*Note: Children who are permitted to attend kindergarten as exceptions under this regulation will be placed in schools as designated by the Superintendent of Schools. The school assignment may not be to the zoned school. Where assignments are made to a school which is not the zoned school, the child/children will attend the zoned school beginning in grade 1. Transportation, limited to children attending their home schools, in cases of kindergarten exceptions will be provided in accordance with policy.*

II. First Grade: *Children reaching the age of six on or before December 1 of any year will be eligible for the first grade in the preceding September. Children reaching the age of six on or after December 2 will not enter first grade until the following September.*

Exceptions: a. *Children who apply for admission after having completed a full year's work either in a public kindergarten outside the District, or in a non-public kindergarten registered by the New York State Education Department, will be placed in the first grade.*

b. *Children who apply for admission after having completed a year's work in an unregistered public kindergarten will be placed in first grade if the Board of Education, upon the recommendation of the Superintendent, determines that the unregistered non- public kindergarten does provide instruction substantially equivalent to that of the local public school. The principal will determine, within a 30-day period, whether there should be any change in the grade placement of the children.*

III. Other Grades: *Children who apply for admission to grades two through six on the basis of prior schooling outside the District will be placed initially on the grade level they have reached elsewhere. The principal will determine, with a 30-day period, whether there should be any change in the grade placement of the children.*

IV. Admission for Students Whose Parents Refer Them to The Committee on Preschool Education (CPSE):

*All preschoolers (age 2/1/2 through 5) who are being referred to CPSE, need to complete the school District registration, prior to beginning the referral for initial eligibility and/or transferring into the Elmont School District as a "preschooler with a disability" from another school District.*

a. *Children, who are found eligible for special education services through the Committee on Special Education, and do not begin services within two months, are required to update their registration prior to beginning services.*

Legal Reference

*Regulation*

*Adopted: 3/18/57*

*Amended: 11/18/57, 11/13/59, 9/84, 6/21/05, 7/05/05, 5/12/15, 6/09/15*

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

NON-RESIDENT STUDENTS 5010  
ATTENDANCE STUDENTS

Children not residing in the Elmont Union Free School District may be admitted into the schools of the District upon consent of the Board of Education, upon terms prescribed by the Board.

Children from an institution for the care, custody and treatment of children, shall not, by reason of their presence in such institution, be deemed to be residents of the school District in which such institution is located.

Children cared for in free family homes, or in family homes at board, when such family homes shall be the actual and only residence of such children, or such children have been removed from the custody of their parents by order of a Court of competent jurisdiction, shall be deemed residents of the school District in which the home is located. Other children cared for in family homes at board shall not be deemed residents of the school District, but shall receive free tuition from the school District unless the Board shall establish to the satisfaction of the Commissioner of Education that there is a valid and sufficient reason for refusal to receive such children, or that the reception of such children in the schools imposes an unreasonable additional operating cost on the school District.

Legal Reference  
Education Law, Section 3202

Policy  
Adopted: 12/9/70

Amended: 7/05/05

Required \_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

NON-RESIDENTS- REIMBURSEMENT FOR  
OUTSIDE INSTRUCTION

5011

ATTENDANCE

STUDENTS

School attendance of homeless children will be determined according to State and Federal guidelines.

The responsibility for tuition costs at an institution for the care, custody and treatment of children will be determined on the basis of State and Federal guidelines.

Legal Reference

Education Law, Section 3202

Policy

Adopted: 11/19/74

Amended: 6/21/05, 7/05/05



Required \_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

KINDERGARTEN REGISTRATION 5020  
ATTENDANCE STUDENTS

Registration for incoming Kindergarten children shall be conducted annually in each school building at a time designated by the Superintendent.

Legal Reference

Policy  
Adopted: 10/17/72  
Amended: 6/21/05, 7/05/05

Required   X    
Local         

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*KINDERGARTEN REGISTRATION*

5020

*ATTENDANCE*

*STUDENTS*

*I. The following steps will be followed:*

- A. Registration for Kindergarten children shall be conducted in each school building annually on the days in (March) designated by the Superintendent of Schools.*
  
- B. Following registration, the building principal shall arrange a meeting of parents of incoming kindergarten children for general and specific orientation. In this connection the building principal shall arrange with the School Nurse for the health program section of this orientation.*

Legal Reference

*Regulation*

*Adopted: 1/20/58*

*Amended: 9/17/58, 11/13/59, 10/17/72, 6/21/05, 7/05/05, 5/12/15*

Required \_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

SCHOOL ATTENDANCE AREAS

5030

ATTENDANCE

STUDENTS

Children shall attend the school so designated by the Board to be located in their school attendance area.

Legal Reference

Policy

Adopted: prior to 9/67

Amended: 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

ATTENDANCE PROCEDURES

5040

ATTENDANCE

STUDENTS

It is the philosophy of the Elmont Union Free School District that good attendance and achievement in school are related. Beyond this, however, all students registered in school, from age five on, are subject to the laws and regulations that require regular attendance. Students registered in the Elmont schools must be in attendance regularly and punctually. Records verifying the school attendance of all children in accordance with Education Law Section 3205 shall be maintained in each school building. The Superintendent of Schools shall develop administrative regulations to promote student attendance, to outline the procedures to be followed in order to accomplish this, to determine which student absences, tardiness and early departures will be excused and which will not be excused and to provide specific examples of the same. The Board of Education shall annually review the building level pupil attendance records and, if such records show a decline in pupil attendance, the Board may revise the comprehensive pupil attendance policy and make any revisions to the plan deemed necessary to improve pupil attendance. A summary of this policy shall be made available to parents, and a copy of the entire document shall be made available to teachers and to any member of the community upon request.

Legal Reference

8NYCRR104.1 (i)

Policy

Adopted: 7/11/84

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*ATTENDANCE PROCEDURES*

5040 (a)

*ATTENDANCE*

STUDENTS

*I. The following steps will be followed:*

- A. A register of attendance shall be kept by the classroom teacher and updated daily. The register shall contain the following for each student:*
- *Name*
  - *Date of birth*
  - *Full names of parent(s) or person(s) in parental relation*
  - *Address where the student resides*
  - *Phone number(s) where the parent(s) or person(s) in parental relation may be contacted*
  - *Date of the student enrollment*
  - *A record of the student's attendance on each day of scheduled instruction*
  - *A record of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances*
  - *The date when the student withdraws from enrollment or is dropped from enrollment in accordance with Education Law section 3202 (1-a)*
- B. An Annual Emergency Contact card, listing emergency telephone numbers and name, address and telephone number of the persons with whom the student may be left in an emergency, is filed in the nurse's office.*
- C. When a student moves to another school a transfer form will be completed by the school secretary and nurse and forwarded to the receiving school.*
- D. At the commencement of school in September all students who are on the school register but have not appeared in school will be investigated and acted upon by the school nurse.*
- E. Attendance is taken by the teacher at the beginning of the school day and prior to each period in the student management system (SMS). Each student's absence, lateness or early departure is noted in the SMS. The reason for an absence, lateness-or early departure, if known, is recorded in the SMS*
- F. When a student is not in attendance at any time during the day, the school nurse and the principal's office are notified for immediate follow-up.*

- G. Every absence recorded must be followed by a written excuse from the parent explaining the cause of the absence, tardiness or early departure.
- H. If the parent does not send a note to the teacher, the student is given a Pupil Excuse Form to take home. The parent must complete the form and return it to the school.
- I. Reasons given are recorded in the SMS. The parental notes and Pupil Excuse Form will be kept on file by the teacher annually through June and maintained according to established record retention procedures. Such list will be used to determine, together with other factors contained in District policy, whether a student will be retained on grade.
- J. Letters and symbols explaining absence, tardiness, early departure and legal or illegal causes are listed in the SMS.
- K. The school nurse will investigate with a telephone call immediately:
- When a student is absent and no reason is known.
  - When the absence or lateness of a student is unusual, suspicious or questionable.
  - When a student with a persistent attendance problem is absent and no reason is known, it is flagged in the SMS signaling need for immediate follow-up.
- L. A home visit must be made by the school nurse and/or social worker:
- When a student is absent for five consecutive days and no evidence has been presented for the absentee.
  - When there is a suspicion of truancy or illegal detention at home.
- M. A record of all home visits and contacts with parents must be recorded and maintained in a confidential file in the nurse's office and in the social worker's office.
- N. When five consecutive or intermittent days of absence have been determined to be caused by truancy or illegal detention, the principal will notify the parent/guardian with the Notice to Parent Concerning Attendance form. This notice is to be forwarded via registered mail with a return receipt received. A copy will be sent to the office of the Superintendent of Schools.
- O. An appointment must be scheduled with the parent, principal, school nurse, social worker and Superintendent of Schools or her designee to discuss the attendance problem with a view toward solving it.

- P. If the attendance problem continues, the principal notifies the parent/guardian with the Attendance Hearing form to attend a Hearing at the Attendance Office. The principal and the Supervising School Nurse will attend. This notice is to be forwarded via registered mail with a return receipt received. A copy will be sent to the Attendance Office.*
- Q. If the attendance problem continues, the Supervising School Nurse or School Social Worker will make a report to the New York State Child Abuse and Maltreatment Center at (800) 342-3720, claiming educational neglect under the Child Abuse and Maltreatment Law, see Policy Number 5149. This allegation needs to be carefully documented at all stages.*

Legal Reference

*Regulation*

*Adopted: 7/11/84*

*Amended: 2/12/02, 7/05/05, 5/12/15*

NOTICE TO PARENT CONCERNING ATTENDANCE

School \_\_\_\_\_

Date \_\_\_\_\_

Dear \_\_\_\_\_,

I am taking this opportunity to inform you that \_\_\_\_\_ has not been attending school regularly. There appears to be no legal excuse for this absence.

Your child has been absent from school \_\_\_\_\_ whole days and \_\_\_\_\_ half days, and late \_\_\_\_\_ times between the dates of \_\_\_\_\_ and \_\_\_\_\_.

The law requires that children attend school regularly. I ask that your child again begin regular attendance from the date of receipt of this notice. If absence persists, it may be necessary to pursue other courses of action consistent with the law in order to bring about your child's attendance.

Please immediately contact our school nurse at \_\_\_\_\_, so that we may schedule an appointment to discuss this problem with a view toward solving it. Your child's best interests are involved since it is impossible to provide a good education if he or she is not in school.

Yours truly,

Principal

RETURN RECEIPT REQUESTED



ATTENDANCE HEARING NOTICE

School \_\_\_\_\_

Date \_\_\_\_\_

Dear \_\_\_\_\_,

You are hereby requested to appear before the District's Attendance Hearing Officer at the Elmont Road School office on \_\_\_\_\_ at \_\_\_\_\_ o'clock for a hearing concerning the absence or tardiness of your child \_\_\_\_\_ from school.

Yours truly,

Principal

RETURN RECEIPT REQUESTED

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

EXCEPTIONS TO ZONED SCHOOL

5050

ATTENDANCE

STUDENTS

The Board of Education will consider requests by residents for their children to attend schools other than those to which they would ordinarily be zoned on a case by case basis only when enrollment permits and under severe hardship caused by:

- A. Lack of supervision in the child's home at the time the child leaves from or returns there due to circumstances beyond the control of the parent or guardian.
- B. The emotional or physical condition of the child being clearly imperiled or inducing educational deprivation.

Requests for siblings of Special Education Students will be evaluated depending on current and estimated enrollment.

Requests for Grade 6 will be considered also in terms of the transition to Junior High School.

Requests are approved on a year- to-year basis.

The Superintendent of Schools shall develop and keep current administrative regulations to implement this policy.

Legal Reference

Policy

Adopted: 6/20/84 (Approved at Board Meeting 6/1/84)

Amended: 10/19/04, 11/17/04 (Approved at Board Meeting 11/16/04), 07/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*EXCEPTIONS TO ZONED SCHOOL*

5050

*ATTENDANCE*

*STUDENTS*

- 1. Requests for a change of school must be submitted in writing in detail on the Request for Exception to Zoned School Application Form to the Superintendent of Schools. All requests finally approved by the Superintendent will be in effect to June 30<sup>th</sup> of each year and must be renewed each subsequent year.*
- 2. Upon receipt of the referenced form, satisfactorily completed by the parent or guardian, the Superintendent of Schools shall evaluate and take action on the request.*
- 3. Parents are responsible for the transportation of their children, except when transportation can be provided without change in routing or additional cost to the District and in accordance with policy. Measurement will be from the residence of the adult supervisor, not the legal residence of the parent or guardian, if an adult supervisor is named.*
- 4. The Superintendent's Office shall annually in June communicate with the parent or guardian with respect to renewing the exception previously authorized by the Superintendent. Unless the Superintendent renews an exception, the child/children will be returned to the zoned school in the following year.*

Legal Reference

*Regulation*

Adopted: 6/20/84

Amended: 6/85, 10/1/04, 11/17/04 (Approved at Board Meeting 11/16/04), 07/05/05, 5/12/15

REQUEST FOR EXCEPTION TO ZONED SCHOOL

From \_\_\_\_\_ School  
To \_\_\_\_\_ School

Child/ Children  
Name \_\_\_\_\_ Date of Birth \_\_\_\_\_ Current Grade \_\_\_\_\_  
\_\_\_\_\_

Transportation Requested            Yes        No   

*PLEASE COMPLETE PART A \_\_\_\_\_ PART B \_\_\_\_\_ AND THE SIGNATURE STATEMENT  
(See Reverse Side)*

PART A

The reason for this request is that the emotional or physical well-being of my/our child/children necessitates attendance at the school requested. The specific reasons are as follows:

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Attached is a statement of confirmation submitted by the following appropriate physician:

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Area of Specialization \_\_\_\_\_

PART B

I/We certify that the reason for this request is hardship in that I/we cannot personally supervise the sending of my/our child/children to school in the mornings or the return from school in the afternoons, or both. The specific reasons are as follows:

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Attached are statements from my/our employers certifying the hours we work and the job location.

I/We have arranged for an adult supervisor for my/our children in the morning, afternoon or both, when we cannot be present to supervise them.    Yes                          No   

Over→

PART B (Continued)

Name of Adult Supervisor \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

My/Our child/children will be supervised by this person daily at these times:

A.M. \_\_\_\_\_ P.M. \_\_\_\_\_

-----  
I/We certify that efforts have been made to find an adult supervisor in the regular attendance zone of the school for my/our child/children without success.

I/We understand that transportation is our responsibility and if approved, will be determined from the residence of the approved Adult Supervisor. Eligibility for transportation will not be determined by using my legal address. In all other respects, I agree to abide by District transportation policy and regulations.

It is understood that I/we must promptly submit a new application each time the facts contained herein change. Otherwise, my/our child/children can be returned to the zoned school.

It is understood that this exception, if approved, will be valid until June 30<sup>th</sup> of the current school year and that a complete application must be resubmitted every year to the Superintendent of Schools in June for reconsideration.

-----  
SIGNATURE OF ADULT SUPERVISOR

I am willing to assume responsibility for the supervision of the child/children at the times specified above.

\_\_\_\_\_  
Date Adult Supervisor

-----  
SIGNATURE STATEMENT

I/We certify that the statements made herein are true.

\_\_\_\_\_  
Date Parent/Guardian Address Telephone #

\_\_\_\_\_  
Date Parent/Guardian Address Telephone #

-----  
*Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20*

\_\_\_\_\_  
Notary Public

Return to:  
Superintendent's Office  
Elmont UFSD  
Elmont Road School  
Elmont, New York 11003

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*VERIFICATION OF RESIDENCE*

5060 (a)

*ATTENDANCE*

*STUDENTS*

A. *A person shall be eligible to attend the schools of the Elmont Union Free School District as a resident without payment of tuition provided he/she will reside in the school District with a parent by birth or adoption, with a legally appointed guardian, or with a person who has assumed lawfully his/her charge and care because the parents or legally appointed guardian of such individual:*

- a. have died or*
- b. are imprisoned*
- c. are mentally ill or*
- d. have been committed to an institution or*
- e. have abandoned or deserted such individual or*
- f. are living outside the state or*
- g. their whereabouts are unknown*

B. *Procedures for Admissions*

- 1. Every parent or guardian shall complete and notarize the form entitled "School Registration Forms".*
- 2. The Central Registrar is responsible to see that:*
  - a. All necessary information is provided correctly.*
  - b. Proof of ownership, or substantiation of occupancy, is provided as follows:*

*Homeowner*

- 1. Photocopy of deed, current mortgage statement or current County and School Tax receipt*
- 2. Two of the following:*
  - a. Utility bill*
  - b. Voter registration card*
  - c. Bank Statement*

Renting or Leasing

*From Owner*

1. *Current house or apartment lease or rental agreement together with the homeowners' current mortgage statement or county and school tax receipt and a homeowner's utility bill.*

*From Renter*

1. *Two of the following: utility bill, bank statement, voter registration card, other appropriate proof.*

- C. *Any resident student who moves from the school District after the first day of school in a new school year shall be permitted to remain in attendance for the next four school weeks following the date of leaving the residence. Resident students moving after March 30<sup>th</sup> may be permitted to remain through the end of the current school year.*

D. Central Registration

1. Guardianships

*In cases of substitute parental relationships (guardianships), the issue to be determined is whether there has been total relinquishment of care, custody, and control by the parent or legal guardian, coupled with the assumption of those obligations by the person claiming a parental relationship.*

2. Cases Where There is Inadequate Proof of Residence

*When parties attempting to register children do not have the required proof of residence, the Central Registrar will furnish them with a list of requirements, the nature of which are designed to establish the efficacy of the residence alleged.*

*When the required proof has been completed, the parties seeking registration shall submit same to the Central Registrar.*

E. Verification of Student Enrollment

1. *All enrollments shall be subject to the verification of the fact of eligibility through, but not limited to, home visits by District staff. Upon determination that an application has been falsified, or that residency within the District has terminated, the enrollment shall be immediately discontinued and appropriate tuition charge for such services that have been inappropriately rendered. The Superintendent of Schools shall notify the School Attorney of all cases when such payments are not made in order that further actions for recovery can be instituted in a timely fashion.*
2. *Employees of the Elmont Union Free School District who suspect that any child attending District schools does not reside in this District shall be obliged to report their suspicion to The Superintendent of Schools. Upon receipt of such information, the Superintendent of Schools shall insure that the residence in question is checked by a District staff member to determine whether the child in fact enters or leaves the premises on those days that he/she attends school.*

*After it has been documented that a child attends a District school, but does not enter or leave the claimed residence, the Superintendent of Schools shall act to discharge the child in accordance with policy by mailing the form letter (Exhibit A) attached.*

*In those instances, where parents or guardians are able to prove domicile, the child will be re-registered and permitted to continue in attendance in the schools of the District.*

Legal Reference

Regulation

Adopted: 9 /84

Amended: 11/84, 6/30/88, 10/88, 10/19/94, 7/05/05, 5/12/15



## EXHIBIT A

**CERTIFIED MAIL- RETURN RECEIPT REQUESTED  
ALSO, HAND DELIVERED**

<<Date>>

<<Title>> <<First Name>> <<Last Name>>  
<<Address\_line\_1>>  
<<City>>, <<State>> <<Zip Code>>

Re: <<Student\_Name>>

Dear Parents:

Evidence before me leads me to conclude that the child named above does not reside at  
<Address\_Line\_1>>,  
<<City>>. **The** child's attendance at the <<Home School>> School is therefore unlawful.

Effective at the close of business on <<Dismissal\_Date>> **the** child is discharged from attendance in  
this District.

Please make the necessary arrangements to transfer your child to the school in whose attendance  
area you know reside.

Under Board Policy and Administrative Regulations, you have a right to appeal within ten working  
dates of receipt of this notice. Appeals must be directed **IN WRITING** to the Central Registrar,  
Elmont Union Free School District, Elmont Road School, 135 Elmont Road, Elmont NY 11003.

Under State Education Law, Section 310, you also may appeal the determination of the  
Administrative Review, within 30 calendar days of the review officer's final determination. The  
procedure for taking such appeal may be obtained from the Office of Counsel, New York State  
Education Department, State Education Building, Albany, New York 12234.

Very truly yours,

Al Harper  
Superintendent of Schools

/sw

Cc: Principal-<<Home School>>  
Central Registrar  
Fernando DeBartolo  
<<Title>> <<First Name>>, <<Last Name>>, <<Address\_Line2>>

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

**HOMELESS STUDENTS**  
**ATTENDANCE**

5070 (a)  
STUDENTS

**I. INTRODUCTION**

The McKinney-Vento Homeless Education Assistance Act, as re-authorized by the No Child Left Behind Act (“NCLB”) of 2001 implements the policy of the United States Congress that each state ensure homeless children and unaccompanied youths have equal access to the same free, appropriate public education as other children. New York’s Education Law and Regulations of the Commissioner of Education have been amended to incorporate the “NCLB” changes to the McKinney-Vento Act.

The Board of Education recognizes its responsibility to identify homeless children within the District, encourage their enrollment, and any existing barriers to their education which may exist in District practices and/or other Board policies.

A. Homeless child is defined as:

1. a child or youth who lacks a fixed, regular and adequate nighttime residence, including a child who is:
  - a. sharing the housing of other persons due to a loss of housing, economic hardship or a similar reason;
  - b. living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
  - c. abandoned in a hospital;
  - d. awaiting foster care placement; or
  - e. a migratory child, as defined by applicable law who qualifies as homeless under any of the provisions of sub-clauses (1) through (4) of this clause or clause (b), of this subparagraph
  - f. Unaccompanied youth, defined as a child whose age meet the admission criteria (between Kindergarten and 6<sup>th</sup> grade), who have arrived in the U.S. while crossing the border and are pending immigration proceeding, may be eligible on a case-by- case basis, under the law’s broad definition, which includes youth who are living with family members in “doubled-up” housing. McKinney-Vento eligibility determinations will be made by the Superintendent, upon consultation with the homeless liaison and the school attorney.
2. 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 stations or similar setting;
3. 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

## II. SCHOOL ATTENDANCE

A homeless child has the right to attend school in either:

- the District of origin
- the District of current location
- a District participating in a regional placement plan

Whenever the school District of origin is designated, the child is entitled to return to the school building where previously enrolled in accordance with Commissioner's regulations. "Whenever the school District of current location is designated, the child shall be entitled to attend the school that is zoned for his or her temporary location or any school that non-homeless students who live in the same attendance zone are entitled to attend in accordance with Commissioner's regulations.

The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

- A. Admission: Upon designation, the District shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. Homeless children will have the same opportunity as other children to enroll in and succeed in the District's schools. They will have access to all programs offered to non-homeless children in their grade and shall be eligible for free meals. They will not be placed in separate schools or programs based on their status as homeless.

- B. Transportation:

Under the McKinney-Vento Act, homeless children and youth are entitled to receive the transportation and other services that are available to non-homeless students.

The Elmont District's policy ensures that transportation is provided, at the request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), to or from the "school of origin" in accordance with the following requirements:

- If the homeless child or youth continues to live in the area served by the District in which the school of origin is located, that District must provide or arrange for the child's or youth's transportation to or from the school of origin.

- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another District, the District of origin and the District in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the Districts cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

As per section 3209, homeless children and youth shall be entitled to continue the prior designation to enable the student to remain in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. Such transportation shall not be in excess of fifty miles each way except where the commissioner certifies that transportation in excess of fifty miles is in the best interest of the child.

- C. School Records: For homeless students attending school out of District, the District shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable.

The Superintendent shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. parents of homeless children are informed of the educational and related opportunities available to them, including transportation;
2. enrollment disputes involving homeless children are promptly mediated and resolved;
3. school personnel in coordination with shelters and social service agencies and other appropriate entities identify homeless children;
4. homeless children receive educational services to which they are eligible, as well as referrals to health care and other appropriate services;

In accordance with the Commissioner's regulations, the District shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children with the State.

### III. Liaison for Homeless Children & Youth

The District will designate an appropriate staff person (and an alternate), who may also be a coordinator for other programs, as the local educational agency liaison for homeless children and youth. The designee will carry out the duties described in the applicable statutes and Commissioner's regulations. The District will inform school personnel, local service providers, and advocates, of the office and duties of the local homeless liaison.

### Training

The District homeless liaison (and alternate liaison), the District's social workers, psychologists, counselors secretaries, principals and other school staff, including nurses, teachers, bus drivers, nutritional staff, etc. will receive training on the requirement of the McKinney-Vento law that is specific to their field.

### Outreach

The District will make every effort to inform the parents or guardians of homeless children and youth of the education, transportation, and related services and opportunities available to their children including transportation to the school of origin. The parent(s) or guardian(s) will be assisted in accessing transportation to the school they select; and will be provided meaningful opportunities to participate in the education of their children. Public notice of educational rights of homeless children and youth will be disseminated by the District in places where families and youth are likely to be present (e.g., schools, shelters, soup kitchens), and in comprehensible formats (e.g. geared for multiple literacy levels, other community needs).

## IV. Dispute Resolution

If there is a dispute regarding a student's homeless status, school selection/enrollment and/or request for transportation, the student will be immediately enrolled in the school where enrollment is sought and provided with transportation services (if requested). The District will follow the established procedures to resolve the disputes. These procedures allow the student's parent or guardian, or the student, if the student is an unaccompanied youth, with an opportunity to submit information in writing before it makes a final determination regarding the student's homeless status.

If the District makes a final determination that a student is not homeless, and/or not entitled to attend school within the district, a written notice will be provided to the parent/guardian and or unaccompanied youth.

1. The liaison will issue a letter stating the reasons for the District's determination.
2. The District's final determination may be appealed within 10 days to the District's registrar and the matter shall be adjudicated before an impartial Review Officer appointed by the District. The Review Officer shall hear both sides and make an independent written determination.
3. The Review Officer shall inform both parties that his/her decision may be appealed to the Commissioner of Education within 30 days.
4. The Review Officer's decision shall be accompanied by the Petition to the Commissioner of Education together with other forms necessary for commencing an appeal to the Commissioner.
5. The District's liaison shall assist the parent/guardian or unaccompanied youth at each level of the process including preparation of the Petition to the Commissioner pursuant to Education Law § 310.

The student will remain enrolled and provided with transportation (if requested) until the decision of the independent Review Officer and for a minimum of 30 days thereafter to afford the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner.

Legal Reference

Policy

Adopted: 7/05/05

Amended: 5/12/15, 4/2/19

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

PROMOTION/ RETENTION

5100 (a)

PROGRESS

STUDENTS

**I. BACKGROUND**

It is the policy of the Elmont Board of Education to provide educational programs which enable children to develop academically, emotionally, socially and physically. The intent of the policy on promotion/retention is not punitive: it is rather a means to provide a “gift of time” to those few children who may benefit from it.

All pupils who demonstrate an integration of characteristics which are considered the chronological norm (social and emotional presence, physical competence and mental keenness) and who have made academic gains will progress annually from grade to grade, spending one year in each grade.

Those pupils in grade K-2 who demonstrate a lag in development and/or achievement will be given additional time and stay another year in the same grade. For children in grade 3-6, retention may be counter-productive and should be rarely recommended. In the Elmont District, a child may be retained only once in grades K-6. Before retention is considered, the school shall provide to the child all available services to meet his/her needs. Each building principal shall be responsible for implementing the policy on Promotion/Retention and for orienting the staff and school community to the procedures described herewith.

**II. RETENTION CRITERIA**

Several or all of the criteria listed here shall be utilized in determining retention: teachers’ evaluations (classroom teacher and selected special subject teachers), criterion-referenced tests, measures of intellectual functioning, chronological age, and standardized achievement measures in grades 1 through 6.

**A. Achievement Level**

Data obtained from achievement measures may be utilized as an additional criterion in determining the need for retention for children in grades one through six if a pupil’s scores on standardized measures fall within the lower quartile.

**B. Chronological Age**

The child will not be more than one year older than the age-range of the grade level. Children would normally leave elementary school between the age of 11.6 and 12.6; retained children, however, would leave at age up to 13.6.

C. Teachers Evaluation

The teacher's evaluation shall be based on the child's academic performance and emotional and social growth during the course of the school year.

D. Criterion-referenced

These measures include teacher-made tests and end-of-unit tests in all areas of the curriculum for which they are appropriate.

E. Intellectual Functioning

An individual intelligence test will be administered by the school psychologist to determine learning potential and to evaluate the need for special education referral/placement.

III. INTERVENTION PROCEDURES

NOTE: Procedures described in section 11 shall take place before the end of January.

1. When serious academic and/or developmental lags become manifest, the classroom teacher shall document them (the front page of Child's Academic Evaluation and General Classroom Functioning form or an equivalent one may be utilized) and discuss the report with the building principal.
2. The principal shall, after consultation with the teacher, secure further evidence from other qualified personnel (psychologist, ESL specialist, speech teachers, AIS teachers, etc.) who, if deemed necessary, shall administer individual test to the child to determine learning potential and achievement level. The principal shall then hold a case conference (Child Study meeting) to review the child's status and to determine what additional services/assistance can be immediately provided to help meet the child's needs. Recommendations for such services shall take into consideration the nature of the learning difficulties and the style in which the child learns more effectively. Supportive services may include, but not be limited to:
  - Academic Intervention Services
  - learning disability assistance, STAR
  - ESL instruction
  - individualized learning strategies

After a plan for assistance has been formulated, the principal and/or classroom teacher shall confer with the child's parents to inform them of the assessment and of the services to be provided. At this meeting parents shall be advised of the possibility of retention and shall be given a copy of this policy. They shall also be advised of the school's plan to hold a case conference during April. (See Section III).



3. Additional support services shall be initiated, as needed, immediately after the need for the same has been identified. The parent shall be notified in writing of such additional services.

#### IV. RETENTION PROCEDURES

- A. Before the end of April, the principal shall hold a second case conference with the classroom teacher and all staff involved in the earlier assessment to review the pupil's status and to discuss the advisability of retention if the child is still failing to meet the established criteria.
- B. If, after reviewing end of year achievement scores and after evaluating the case, the principal determines that retention would be in the best interest of the child, the parents will be contacted by the principal and a conference will be arranged to report the recommendations to the parents. This conference will take place during the first full week of June.
- C. The principal, after considering all of the above, shall be responsible for the final decision to retain based on the information gathered and on the recommendations of the assessment team.
- D. Upon making the decision to retain the child, the school principal, in consultation with the present grade classroom teacher, the receiving classroom and all the professionals who were assigned to the child during the school year, will determine what assistance and services should continue to be utilized to assure the child educational experiences at the same grade level would not merely duplicate those of the previous year. Parts I through IV of the Personal Educational Program shall be completed by the present classroom teacher in cooperation with the receiving teacher. The Program shall indicate the special needs of the retained child. It shall be developmental, and shall provide for educational and social opportunities which enhance the child's school experience.
- E. The child's progress shall be monitored during the retention year. The Progress Evaluation portion of the Personal Educational Plan shall be completed by the classroom teacher and supervised by the school principal in consultation with the Child Study Team twice during the retention year. Two parent conferences will be scheduled during the year, one to take place in the fall, the other in the spring.
- F. Additional conferences can be held at the parents' request during the year.

V. EXCEPTIONS

The policy on retention shall be followed uniformly throughout the District. These are cases, however, in which exceptions may be made in the child's best interests. Exceptions may be:

- children who move into the District during the school year
- children who are limited in English language proficiency
- children who, during the year, experience severe medical problems or traumatic situations that affect academic performance
- special education children

If as a result of the services provided, a child who was retained reaches the average level of functioning of his/her original class, he/she shall be considered for reassignment to that grade.

Legal Reference

## Policy

Adopted: 3/18/57

Amended: 11/18/57, 11/13/59, 8/63, 11/18/86, 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*ACCELERATION*

5110

*PROGRESS*

*STUDENTS*

*Acceleration will be considered in rare cases and only as a method of accommodating in part the needs of the exceptional child.*

- I. Acceleration is considered for only those children whose I.Q. is 130 or above, or whose achievement matches that expected from children of this potential.*

*During the identification process, the factors that need to be considered and carefully weighed are:*

- A. The child's scholastic achievement in relation to her/his potential.*
- B. His/Her physical, social, and emotional maturity in relation to that of the children in the grade to which she/he will be accelerated.*
- C. The cumulative effect of acceleration on her/his total development over the years in elementary, secondary, and post-secondary programs of education.*

*If all of the above seem to favor acceleration, the principal will consult with the parents for the purpose of determining whether or not there are any home circumstances or viewpoints that will inhibit the child's adjustment to the acceleration. In this regard the principal should use all professional resources of the District as needed.*

*The final decision to accelerate the youngster must be taken in consideration with the school psychologist—and other members of the Child Study Team. Where there is disagreement the matter will be referred by the principal to the Director of Pupil Personnel and the Director of Curriculum Services for resolution.*

*No one child will be accelerated more than one year during the primary or intermediate grades. It will be extremely unlikely that any one child would be accelerated any one year in both. In such unusual cases the prior approval of the Superintendent must be secured.*

Legal Reference

*Regulation*

*Adopted: 11/11/70*

*Amended:*

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*REPORTING TO PARENTS*

5120

*PROGRESS*

*STUDENTS*

*Information about individual students which is contained in school records will not be given to parents in raw, un-interpreted form, but will either be presented with careful explanations or translated into clearly comprehensible terms.*

*Commentary prepared for school records by staff members may be interpreted to parents but will not be quoted or identified as to source.*

*In the early primary grades an estimate of a child's adjustment and progress in school is accomplished through individual parent-teacher conferences. In kindergarten there are three conferences followed by a written summary report issued at the close of the school year. In the first grade there are two conferences during the first half of the school year and written reports issued at the end of the regular report periods in April and June.*

*In grades three to six a written report of each child's progress is made four times each year. Dates for the regular report periods are established prior to September 1<sup>st</sup> annually.*

*Grades generally are an indication of a youngster's achievement in relation to his potential and do not necessary indicate her/his achievements per se, or her/his grade level. Additional comments enlarging upon the report card marks and that present a clearer picture to a parent are always helpful.*

*Conference Planning Procedure*

*Teachers may notify parents of conference appointment time in any convenient way.*

*Conferences should be limited to 30 minutes. If more time is needed, a second conference may be scheduled.*

*After a teacher has made many unsuccessful attempts to schedule a conference, she/he should consult the principal concerning the next appropriate step.*

*Reports from Special Teachers*

*Special teachers of Art, Vocal Music, Instrumental Music, Physical Education, and Library will report a grade to the classroom teacher for each child at each marking period.*

*Legal Reference*

*Regulation*

*Adopted: prior to 11/62*

*Amended: 6/21/05, 7/05/05*

Required \_\_\_\_\_  
Local \_\_\_\_\_ X

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

PARENT CONFERENCES

5130

PROGRESS

STUDENTS

Time shall be allotted in the school calendar for parent-teacher, grade level, and curriculum planning conferences for all grades by utilization of professional periods and after school and evening meetings jointly planned by building staff and principal.

Legal Reference

Policy

Adopted: 7/7/70

Amended: 7/1/71, 6/21/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

AVAILABILITY OF STUDENT FILES/ STUDENT PRIVACY

5140 (a)

PROGRESS

STUDENTS

Student's records and any material contained therein which is personally identifiable, are confidential and may not be released or made available to persons other than parents. There are exceptions to this rule such as other school employees and officials, and certain State and Federal officials who have a legitimate educational need for access to such records in the course of their employment.

School officials and employees, and State and Federal officials desiring access to such records shall be required to sign a written form to be kept with the student's file for inspection by his/her parents. The form shall indicate the legitimate educational or other interest that each such person has in inspecting the records. A copy of said form is attached as part of this policy.

Parents have a right to inspect and review all official records, files and data directly related to their children including all material that is incorporated into each student's cumulative record folder. In the case of divorced or separated parents, the Superintendent will inform the custodial parent of a request for access to records from the non-custodial parent and that access to records will be granted unless there is a court order or legal document to the contrary. Requests for inspection and copies of such records shall be made to the Building Principal during regular school hours.

Each fall, a letter shall be sent to parents notifying them of the rights accorded them under the Family Educational Rights and Privacy Act of 1974. A copy of said letter is attached as part of this policy.

Arrangements shall be made for complying with requests for access to records within a reasonable time and in no case more than 45 days.

Parents shall have an opportunity for a hearing to challenge the content of their child's school records by the following procedure:

1. The parents shall identify, in writing, the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, together with a statement of the reasons for their challenge to the record.
2. A written response by the Superintendent indicating either that he/she finds the challenged record to be inaccurate, misleading or otherwise inappropriate and that it will be corrected or deleted, or that she/he finds no basis for correcting or deleting the record in question, but that the parent will be given an opportunity for a hearing upon request.

3. A hearing before the Superintendent shall be arranged and the parent shall be given the right to present evidence in support of his/her belief that the record is erroneous and to rebut any evidence submitted in support of the record. A written decision shall be rendered stating the disposition of the challenge to the record and the reasons for the determination.

Legal Reference

Family Educational Rights and Privacy Act of 1974 – U.S. Congress

Policy

Adopted: 3/18/75

Amended: 4/18/78, 6/21/05, 7/05/05

REQUEST FOR ACCESS TO STUDENT RECORDS

(For School Officials and Employees and State and Federal Agencies)

DATE \_\_\_\_\_

ORGANIZATION \_\_\_\_\_

SIGNATURE OF INDIVIDUAL \_\_\_\_\_

STATE LEGITIMATE EDUCATIONAL NEED FOR ACCESS TO SUCH  
RECORDS \_\_\_\_\_

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PERMISSION GRANTED YES \_\_\_\_\_

NO \_\_\_\_\_

\_\_\_\_\_  
Superintendent or Designee

\_\_\_\_\_  
Date



Dear Parent

This is to advise you of your rights with respect to the school records relating to (your son) (your daughter) pursuant to the Federal “Family Educational Rights and Privacy Act of 1974.”

Parents of a student under 18 have a right to inspect and review any and all official records, files, and data directly related to their children, including all material that is incorporated into each student’s cumulative record folder, and intended for school use or to be available to parties outside the school or school system, and specifically including, but not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), attendance data, scores on, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or other professional ratings and observations, and verified reports of serious or recurrent behavior patterns.

Requests for inspection and copies of such records shall be made to the building principal during regular school hours.

Parents are also entitled to an opportunity for a hearing whenever they challenge the content of such records, to insure that they are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein. Any questions concerning the procedure to be followed in requesting such a hearing should be directed to the Superintendent’s Office.

Student records, and any material contained therein which is personally identifiable are confidential and may not be released or made available to persons other than parents without the written consent of such parents. There are a number of exceptions to this rule, such as other school employees and officials, and certain State and Federal officials, who have a legitimate educational need for access to such records in the course of their employment.

Sincerely yours,

School Principal

#### Legal Reference

Family Educational Rights and Privacy Act of 1974 – U.S. Congress

Policy

Adopted: 3/18/75

Amended: 4/18/78, 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

NOTIFICATION TO PARENTS/ STUDENT PRIVACY

5141 (a)

PROGRESS

STUDENTS

The Elmont School District shall “directly” notify parents of its student privacy policies and will provide such notice annually, at the beginning of the school year. The school District will also notify parents within a reasonable period of time if any substantive change is made to the policies. Parents will have an opportunity to remove their child from participation in the following activities and dates when the activities are scheduled:

- Activities involving the collection, disclosure, or use of personal information collected from student for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
- The administration of any survey containing one or more of the specified eight items of information 20 USC §§ 1232h (b); (c) (2) (C) (iii).
- Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school, and scheduled by the school in advance, and is not necessary to protect the immediate health and safety of the student or other students. This law does not apply to any physical examination or screening that is permitted or required by State law, including such examinations or screenings permitted without parental notification.

Legal Reference

20 USC §1232 © (No Child Left Behind Act of 2001)  
34 CFR Part 98 Education Law §903

Policy

Adopted: 7/05/05

Amended:

Dear Parent/ Guardian:

The Board of Education recognizes that student privacy is an important concern of parents and the Board wishes to ensure that student privacy is protected pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act. To that end, the board has revised the policy on student privacy.

Pursuant to the Protection of Pupil Rights Amendment, as revised by the No Child Left Behind Act, the Elmont UFSD policy on student privacy, you have the right to opt your child out of the following:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information. The Elmont District does not collect such data. The collection, disclosure, or use of personal information collected from students is for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students such as:
  - A. Curriculum and instructional materials used in schools;
  - B. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for 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;
  - C. Student recognition programs.
  
2. The administration of any survey revealing information concerning one or more of the following:
  - B. Political affiliations or beliefs of the student or the student's parent;
  - C. Mental or psychological problems of the student or the student's family;
  - D. Sex behavior or attitudes;
  - E. Illegal, anti-social, self-incriminating or demeaning behavior;
  - F. Critical appraisals of other individuals with whom respondent have close family relationships;
  - G. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
  - H. Religious practices, affiliations or beliefs of the student or the student's parent; or
  - I. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

At this time, we expect that activities related to the above-mentioned items will take place on or close to the following dates:

Activity

Date

[Insert list of marketing, survey and physical examination activities for which notice must be given.]

Please review this list. If there are any activities you wish to "opt out" of on behalf of your child, please sign and return this form to the school with 10 days.

If you have any questions about the District's student privacy policy and your right to opt your child out of certain activities, please contact [insert name and telephone number of Building Principal].

Sincerely,  
Building Principal

Required \_\_\_\_\_  
Local \_\_\_\_\_ X

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

SCREENING PROGRESS

5150

PROGRESS

STUDENTS

Pursuant to Education Law, all new entrants to the Elmont Union Free School District, except students who attended a public school in New York State, shall be screened to determine those students who may possibly be gifted or who may possibly have a handicapping condition.

I. DEFINITION

Screening is defined as a preliminary method of distinguishing from the general population those pupils who may have a handicapping condition or those students who may possibly be gifted.

The parents shall be informed of the steps taken as part of the screening process.

Based upon the results of the screening, students who are in need of further evaluation shall be referred to appropriate school and/or medical personnel.

The Superintendent of Schools shall develop and maintain on file a District plan of the screening process and lists of students found to require special education services or services that support giftedness.

Legal Reference

Sections 207, 3208, 4403[3]; L1986, chs. 53, 273, and 886

Policy

Adopted: 10/20/81

Amended: 12/14/94 (approved at Board Meeting 12/13/94), 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

SCREENING PROCESS

5150 (a)

PROGRESS

STUDENTS

Administrative Regulations

*The Elmont Union Free School District, in compliance with Education Law, Sections 207, 3208, 4403[3]; L1986, chs. 53, 273, 886, shall screen all students applicable under this statute.*

*Screening shall be conducted by personnel appropriately trained and qualified. All screening shall be done in the pupil's native dominant language if the language spoken by the child is other than English.*

*Upon completion of the screening process, results shall be forwarded to the Building Principal, forthwith.*

*The results of the diagnostic screening shall be reviewed and a written report of each pupil screened shall be prepared by appropriately qualified school District staff. Such report shall include a description of diagnostic screening devices used, the pupil's performance on those devices and, if required, the appropriate referral.*

*The Building Principal is responsible for transmitting the results of the screening to the parent.*

*The Building Principal shall review the cases of children who may possibly have a handicapping condition with the School Child Study Team within five (5) school days. If there is a suspicion of a handicapping condition, the principal shall forward relevant data within ten (10) calendar days of receipt of the screening results to the Chairperson of the Committee on Special Education on the Committee on Special Education Referral Form. The Building Principal shall also be responsible for forwarding the names of those students who may possibly be gifted to the Superintendent of Schools within ten (10) school days of receipt of the screening results. Such referral shall be accompanied by the report of such screening.*

I. Children to be Screened

*Prior to a student being admitted to school, the Elmont Union Free School Pupil Registration and Pupil's Medical Report must be completed.*

- A. Kindergarten - *All children who will be entering kindergarten in September shall be screened during the month of September. Students who attend preschool in the District shall be screened in the spring of the preschool year. The DIAL-3 is designated as the screening instrument to be used for this purpose.*

*Kindergarten children registering after test administration must be screened within ten (10) school days of the date child is entered, using the aforementioned screening instrument or equivalent.*

- B. Grades 1-6 - All new entrants except those students who attended a public school in New York State, shall be screened utilizing one or more of the following and/or equivalent screening instruments:

Kindergarten

DIAL-3

Woodcock Johnson

BOEHM

First Grade

TERA

BOEHM-3

DURRELL

Woodcock Johnson-III

Pre-Reading Inventory

Second to Sixth Grade

Informal Reading Inventory

Woodcock Johnson (Reading or Math Cluster)

Writing Samples

- C. Non-English Speaking Students - A child identified as possibly being limited English proficient shall be assessed in accordance with Part 154 of the Commissioner's Regulations.

- D. Appropriate non-biased testing instruments will be administered.

The Building Principal shall maintain a listing of all pupils screened or evaluated.

Legal Reference

Regulation

Adopted: 10/20/81

Amended: 3/21/83, 12/14/94 (approved at Board Meeting 12/13/94), 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

BOMB SCARE

5200

ACTIVITIES

STUDENTS

Bomb threats and scares are crimes under the penal law. Any person who, knowing the same to be false, initiates, circulates or transmits to another or others with intent that it be acted upon, any statement or rumor written, printed, or by word of mouth concerning the location of a bomb or other explosives, is guilty of a misdemeanor. The safety of children and adults in the building must be the principal's absolute priority in responding to bomb threats.

In order to be uniform in our handling of emergency situations, the following procedure should be followed:

- A. Principals shall notify the Nassau County Police Department and report the threat. The Superintendent will also be notified.
- B. When a building must be evacuated, established fire drill procedures should be used:
  1. Use the drill mode
  2. Alert the fire department that the drill mod is being used ant that the building is being evacuated.

All children, staff and visitors shall leave the building.
- C. When the emergency situation is over, the principal shall notify the fire department that activity is being resumed and that the alarm system has been reset.
- D. Staff members are directed to give complete cooperation to law enforcement or fire department officials who may be involved.
- E. Any inquiries from the news media should be directed to the Superintendent of Schools.

Legal Reference

Penal law sections 240.50, 240.55 and 240.60

Policy

Adopted: 5/18/83 (approved at Board Meeting 5/17/83)

Amended: 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*BOMB SCARE*

5200

*ACTIVITIES*

*STUDENTS*

*If the emergency is a bomb scare received by telephone, the person receiving the telephone call will use the Bomb Threat Form to note the exact time of the call, the speech characteristics of the caller, unusual background noises, etc.*

*The person receiving the call will immediately notify the school principal or other staff member in charge. The building will be immediately evacuated. The principal will call the Nassau police to report the threat; the principal will also report the threat to the Superintendent of Schools.*

*J. Search of Building and Grounds by Law Enforcement Officers*

*After a building has been evacuated, a search of the buildings and grounds will take place and involve a check for any suspicious looking objects that seem unusual or out of place. Such items should not be touched but reported at once.*

*The check should involve the exterior perimeter of the building, large rooms (gymnasium, auditorium, cafeteria, boiler rooms, state areas), bathrooms, classrooms and storage areas.*

*II. Notification When Building is Safe*

*Law enforcement officers and the building principal shall determine when a building is considered safe to reenter.*

*The principal shall notify the Superintendent of Schools that activity has resumed. The fire department should be notified as per policy and the fire alarm reset.*

*The Bomb Threat Form will be completed by the principal and filed.*

Legal Reference

*Regulation*

*Adopted: 5/1/69*

*Amended: 10/1/81, 5/18/83, 6/21/05, 7/05/05*



**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

DRUG-FREE SCHOOLS

5220 (a)

ACTIVITIES

STUDENTS

I. PHILOSOPHY

The Board of Education of the Elmont School District is committed to the prevention of alcohol, tobacco, and other substance use/abuse. This policy describes the philosophy of the District and the program elements the District will use to promote healthy life styles for its students and staff and to inhibit the use/abuse of alcohol, tobacco, and other substances.

No person may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia, on school grounds or at school-sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall be construed throughout this policy to refer to any drug, alcohol or inhalant. The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

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

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

- A. Alcohol, tobacco, and other substance use/abuse are preventable and treatable.
- B. Alcohol and other substance use/abuse inhibits the District from carrying out its central mission of educating students.
- C. The behavior of the Board of Education, the administration, and all school staff should model the behavior asked of students.
- D. While the District can and must assume a leadership role in alcohol, tobacco, and other substance use/abuse prevention this goal will be accomplished only through coordinated, collaborative efforts with parents, students, staff, and the community as a whole.

## II. PRIMARY PREVENTION

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

- A. A sequential K-6 prevention curriculum that provides for:
  - 1. Accurate and age-appropriate information about alcohol, tobacco, and other substances, including the physical, psychological, and social consequences of their use/abuse.
  - 2. Information about the relationship of alcohol and other substance use/abuse to other health-compromising issues such as AIDS, eating disorders, child abuse, suicide, and dropping out of school.
  - 3. Helping students develop appropriate life skills to resist the use of alcohol and other substances and to promote healthy life styles.
  - 4. Helping students identify personal risk factors for alcohol and other substance use/abuse and the steps needed for risk reduction.
  - 5. Helping students develop a positive self-concept.
- B. Training school staff, parents and guardians to use the information and skills necessary to reinforce the components of this policy in the home, school and community.
- C. Positive alternatives to alcohol and other substance use/abuse, such as peer leadership programs, service projects, and recreational and extra-curricular activities shall be encouraged.

## III. INTERVENTION

The intent of intervention programming is to eliminate any existing use/abuse of alcohol and other substances, and to identify and provide supportive services to kindergarten through 6th grade students at high risk for such use/abuse. The components of such programming shall include:

- A. Providing alcohol and other substance use/abuse assessment services for students.
- B. Developing a referral process between District schools and community providers.
- C. Identifying and referring students to appropriate agencies when their use/abuse of alcohol and/or other substances requires counseling and/or treatment.

- D. Providing support services to students in or returning from treatment to assure that the school environment supports the process of recovery initiated in the treatment program.
- E. Educating parents on when and how to access intervention services.
- F. Confidentiality.

#### IV. EMPLOYEE ASSISTANCE

The Board of Education recognizes that the problems of alcohol and other substance use/abuse are not limited to the student population but affect every segment of society. District employees may not use drugs in violation of any State or Federal statute. District employees may not abuse alcohol. The District will take action in accordance with applicable law in the event of a violation of this policy.

#### V. ADMINISTRATIVE PROCEDURES

The enforcement of established District policies and practices is an integral part of each staff member's responsibility. For that reason, District personnel are required to report to the Principal any information relating to the use, possession, passing or sale of illegal drugs by pupils or staff. Staff members who report any of the above to the Principal shall be protected as provided by Education Law, Sections 3023 and 3028.

The Principal or his/her designee is to assume responsibility for following up any suspected use, possession, passing or sale of illegal drugs or alcohol in the school building, on school grounds or off school grounds at a school activity.

#### VI. STAFF DEVELOPMENT

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

- A. For all staff: (a) an understanding of why individuals use and abuse alcohol and other substances, (b) their role in implementing this policy, including how to identify students who exhibit high risk behaviors or who are using/abusing alcohol and other substances, and how to refer these students to the appropriate services established by this policy, (c) awareness of personal risk factors for alcohol and other substance use/abuse so that they may identify personal use/abuse problems and seek assistance, and (d) awareness of the special needs of students returning from treatment.

- B. Additionally, for teachers: the knowledge and skills necessary to implement the District's K-6 alcohol and other substance prevention curriculum.
- C. For intervention staff: appropriate staff training for those identified to carry out the intervention function to assure that their assessment and referral skills support the needs of high-risk, using, and abusing youth.
- D. For prevention staff: appropriate staff training to assure that they have the necessary knowledge and skills to support the application of prevention concepts through programming targeted at the school, home, and community.

**VII. IMPLEMENTATION, DISSEMINATION, AND MONITORING**

The Board of Education charges the Superintendent to collaborate with District staff, parents, students, community members, organizations, and agencies, including alcohol and other abuse service providers, in developing the strategies necessary to implement this policy.

Upon adoption, copies of this policy will be distributed to and reviewed with all District staff, students, and parents annually and will be disseminated to the community through its organizations.

The Superintendent is responsible for providing the Board with a periodical review of this policy, the programs and strategies implementing it, and his or her recommendations for revisions in the policy.

Legal Reference

Cross Reference

Drug-Free Workplace

Policy

Adopted: 2/13/91 (approved at Board Meeting 2/12/91)

Amended: 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*ACCIDENTS AWAY FROM BUILDING*

5230

*WELFARE*

*STUDENTS*

*In the event of an accident occurring on a field trip or anywhere away from the building, the teacher in charge will respond as follows:*

- A. She/He will administer first aid using school first aid supplies which must be carried at all times.*
- B. If the accident occurs anywhere in Elmont Union Free School District, then the school nurse responsible or the one closest to the accident should be called. In the event difficulty is encountered in this regard Supervising Nurse shall be called.*
- C. If an accident requiring a doctor occurs outside the Elmont Union Free School District, then the procedure of the agency being visited should be followed except that if the youngster is removed to a hospital or to a neighborhood doctor's office outside of Elmont Union Free School District, then an Elmont Union Free School District teacher must go along with the youngster until relieved by the parents or someone in authority from the school District. If only one teacher is present, then she/he should stay with the class and the classroom parent should accompany the injured child and stay until relieved by the parent or school representative. The School Office should be called immediately, and the Supervising Nurse and the Principal notified. A decision will be made as to the best method of caring for the emergency and notify child's parent. The principal will inform the Superintendent of Schools.*

Legal Reference

*Regulation*

*Adopted: 10/15/71*

*Amended: 7/05/05*

Required \_\_\_\_\_  
Local \_\_\_\_\_X

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

BUS ACCIDENTS

5240

WELFARE

STUDENTS

The procedures to be observed in the event of an accident occurring while transporting children to and from school by the Elmont Union Free School District shall be arranged by the Superintendent of Schools or his/her designee.

Legal Reference

Policy

Adopted: 10/15/71

Amended: 7/6/95 (Approved at Board Meeting 7/5/95), 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*BUS ACCIDENTS*

5240 (a)

*WELFARE*

*STUDENTS*

*The following instructions apply to accidents occurring in transporting children by District owned school bus.*

- I. In the event of an accident involving little or no damage to equipment and no injuries to occupants, the following procedure is to be observed:*
  - A. The bus driver will radio the Transportation Office and advise the Bus Dispatcher, giving details of the accident.*
  - B. The Bus Dispatcher will call the police, giving details of the accident. The Bus Dispatcher will relay police instructions to the driver by radio.*
  - C. The Bus Dispatcher will be responsible for notifying the Superintendent of Schools and his/her designee in a timely fashion. A written accident report will be filed by the Bus Dispatcher, copied to the Superintendent of Schools and designated administrator, by the end of the school day.*
  - D. The Bus Dispatcher will notify the principal of the school(s) involved. The school will make parental contact where appropriate.*
  - E. The Bus Dispatcher will make all appropriate written reports with the District's insurance carrier.*
- II. In the event of an accident involving such damage to equipment that it would be unsafe to proceed and/or where injuries occur among occupants, the following procedure is to be observed:*
  - A. The bus driver will radio the Bus Dispatcher and advise, giving details of the accident.*
  - B. The Bus Dispatcher will call the police giving details of the accident, asking that they respond to the site of the accident.*
  - C. The Bus Dispatcher will immediately notify the Superintendent of Schools, the designated administrator and building principal(s).*
  - D. The Bus Dispatcher shall proceed to the site of the accident to coordinate police reports, student medical attention, etc.*
  - E. The school nurse shall proceed to the site of the accident if appropriate and contact parents of children involved to advise them of the incident and/or status of their child.*

- F. All written reports, including but not limited to police reports, insurance reports and internal accident reports are to be filed by the Bus Dispatcher, with advisement of the designated administrator.*
- G. All media requests for information regarding a bus accident must be directed to the Superintendent of Schools without comment on the part of District employees*
- III. In the event a bus accident involves a bus contracted by the District, procedures outlined in #1 and #2 of this policy are to be followed, with the Bus Dispatcher acting as the contact person between the District and the contractor.*

Legal Reference

*Regulation*

*Adopted: 10/15/71*

*Amended: 7/6/95 (Approved at Board Meeting 7/5/95, 7/05/05)*



Required \_\_\_\_\_  
Local \_\_\_\_\_ X

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

FREE AND REDUCED PRICE LUNCH PROGRAM

5250

WELFARE

STUDENTS

Free and reduced priced lunch will be provided for needy children according to New York State Education Department Minimum Guidelines.

Local adaptations will govern eligibility consideration for those who do not meet the income standards approved by the State Education Department.

Legal Reference

Policy

Adopted: 12/9/70

Amended: 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*FREE AND REDUCED PRICE LUNCH PROGRAM*

5250

*WELFARE*

*STUDENTS*

*Free and reduced price lunch will be provided for needy children according to the following eligibility considerations:*

- *A family who meets the annual family income scale as approved by the State Education Department.*
- *A family in temporary financial difficulty.*
- *A family recommended by the Welfare Department.*
- *A family recommended by a Public Health Nurse*
- *A family in the undernourished marginal health group.*
- *A family recommended by a school employee.*
- *Unemployment*

*Families eligible for free and reduced price lunch will complete the necessary application forms distributed by the school nurse. These forms will be processed by the Building Principal and the School Nurse and disposition of request forwarded to the School Lunch Supervisor.*

*FORGOTTEN LUNCH MONEY*

*Each principal will work out a routine in his/her building in collaboration with the staff and the School Lunch Supervisor to provide lunch when a pupil has forgotten his/her lunch money. In order to facilitate matters, all transfer of money should be accomplished in the school office rather than in the cafeteria.*

Legal Reference

*Regulation*

*Adopted: 12/9/70*

*Amended: 7/05/05*

Required \_\_\_\_\_

Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

FOOD SERVICE MANAGEMENT

5251 (a)

WELFARE

STUDENTS

The Board of Education recognizes that school cafeterias are a part of the total school program. The Board shall therefore provide adequate facilities, resources and personnel for the provision of food services for all elementary students in District schools.

Food service management is the responsibility of the Superintendent of Schools with day-to-day supervision of the program provided by the School Meals Manager. The school food service program shall be operated in the most nutritious, economical, efficient and satisfactory method given student needs and District resources. Food Services should promote, by example the development of life-long healthy eating habits according to the wellness policy.

The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch Program and to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price, in addition to full price breakfast and lunches, to students, who qualify as per an approved application on an annual basis, in the District schools.

The Superintendent of Schools or his/her designee shall have the ultimate responsibility to carry out the rules of the School Meals Program. The determination of which students are eligible is the responsibility of the Superintendent or his/her designee. Appeals regarding eligibility should be submitted to the School Meals Manager.

**Child Nutrition Program**

Unpaid charges place a financial strain on the Child Nutrition Program. As a self-sustaining program it does not automatically receive general fund support for routine operations, and thus must generate funds through student and adult sales, ala carte sales and federal/state reimbursement. Unpaid charges reduce revenue, which affects the ability to pay outstanding bills and employee salaries. Uncollected charges may result in higher meal prices for all students.

**Prepayments**

At the start of the school year, parents will be encouraged to deposit money into a student account so that adequate funds are readily available to purchase meals and ala carte items. This payment can be made by sending cash, money order, or check (checks are accepted only until May 15), or through online credit card payments to the District. Checks and money orders should be made out to the Elmont UFSD. This eliminates the need for the parent to send money with the student each day. It also helps increase the speed of the serving line so students have more time to eat meals during their designated mealtime.

**Positive and Negative Balances**

All positive and negative balances remaining at the end of a school year will be carried into the following school year.

**Meal Payments and Charges**

Because of the District's participation in the child nutrition program, the Board approves the establishment of a system to allow a student to charge meals, whether at a full or reduced price, as follows:

1. The Elmont Union Free School District will allow only regular meals, (reimbursable meal as noted by the NISP or SAP), to students who do not have money to charge meals.
2. Charging of items outside of the reimbursable meal is prohibited; and will not be allowed.
3. On the computerized Point of Sale (POS) system, the charge will show as a negative account balance on the student's account. After each charge, the cafeteria cashier will provide the student with a written notification advising them of the negative balance. Payments on charges should be made the following school day. Payments should be brought directly to the cafeteria and given to the cashier for proper record keeping, or paid online by credit card.
4. Once a student's account has gone into a negative balance for 5 (five) meals, parents will be notified on a timely basis of outstanding charges by student backpack, e-mail, telephone or mail.
5. If a student's account goes into a negative balance for ten (10) meals, the building principal or his/her designee shall call the parent into the school for a conference to explain the importance of child nutrition and to collect the funds owed to the District.
6. When a student brings in money to pay for their charges, they will be applied to the outstanding charges.
7. Charges for meals must be counted and logged for reimbursement on the date the meal was charged.
8. Parents shall be advised on an annual basis, prior to the opening day of school, outlining the requirements of this Food Management Policy. Additionally, this policy shall be posted on the District website. New entrants will be provided with a copy of this policy during the initial student registration process.

9. On June 1<sup>st</sup> of each year, students and parents will again be contacted to pay their outstanding charges. Students in the 6<sup>th</sup> grade who are approaching their graduation with a negative balance will not be permitted to participate in end of the year activities and will not receive their report card and graduation certificate. Students in grades K-5 with a negative balance of \$10 or more will not receive their report card.

**Delinquent Debt**

If a student's account remains unpaid after the collection efforts in this policy, the negative balance is considered Delinquent Debt to the District.

**Monitoring and Policy Review**

The School Meals Manager will ensure District-wide compliance with this established Food Service Management policy. Each building principal will ensure compliance with this policy in their school.

Policy References: 42usc§1771 (Child Nutrition Act of 1996)  
42usc§1758 (F) (1); 1766 (a) (National School Lunch Act)

**Policy**

Adopted: September 17, 2008 (approved at the Board Meeting 09/16/08)

Amended: 09/10/13, 05/02/17, 7/2/18

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

FIRE DRILLS, EVACUATION DRILLS  
BUS DRILLS

5260

WELFARE

STUDENTS

I. Fire Drills, Evacuation Drills, Bomb Shelter Drills, Bus Drills

Fire drills, bomb shelter drills, bus drills, Emergency Preparedness Drills and Emergency Preparedness shall be scheduled in such a way (1) that most of them come early in the school year, (2) that they fall at a variety of times from the beginning to the end of the school day, (3) that they come when students are in diverse locations and a variety of activities throughout the buildings, and (4) that they are carried out as rapidly as possible without endangering students or staff.

II. Legal Reference

Fire Drills – Education Law, Section 807, Subdivisions 1-4.

“It shall be the duty of the principal or other person in charge of every public or private school or educational institution within the state, having more than 100 pupils, or maintained in a building two or more stories high, to instruct and train the pupils by means of drills; so that they may in a sudden emergency be able to leave the school building in the shortest possible time and without confusion or panic. Such drills or rapid dismissals shall be held at least twelve times in each school year, eight of which required drills shall be held between September 1<sup>st</sup> and December 1<sup>st</sup> of each such year.”

III. Evacuation Drills

The State Civil Defense Commission has adopted the following policy:

“All schools should hold at least three air raid shelter drills during the school year. At least one of these drills should be held prior to the Christmas holidays. These drills are in addition to regular fire drills.

The alarm which signals air raid drills should be of a different type from that used for fire drills. All ‘Go Home’ drills shall be confined to school property.”

IV. Bus Drills – Commission’s Regulations, Section 163.

- A. The emergency drills on school buses required by Section 3623 of the Education Law shall include practice and instruction in the location, use and operation of the emergency door, fire extinguishers, axe, first-aid equipment and windows as a means of escape in case of fire or accident. Such instruction and the conduct of the drills shall be given by a member or members of the teaching staff in cooperation with the transportation department.
- B. A minimum of three such emergency drills shall be held on each school bus during the school year, the first to be conducted during the first week of the fall term, the second prior to January 1<sup>st</sup> and the third prior to May 1<sup>st</sup>.
- C. No emergency drills shall be conducted when buses are on routes.
- D. The school authorities shall certify on the annual report to the State Education Department their District is compliant with these regulations.

Legal Reference

Education Law, section 807, Subdivision 1-4 and Section 3623  
Commissioner’s Regulations, Section 163

Policy

Adopted: 7/7/70

Amended: 6/21/05, 7/05/05

Required \_\_\_\_\_  
Local \_\_\_\_\_ X

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*FIRE DRILLS, EVACUATION DRILLS  
BUS DRILLS*

5260

*WELFARE*

*STUDENTS*

*Fire Drills And Evacuation Drills*

*Fire drills and evacuation drills will be arranged by the principal of each building. All drills will be held early in the school year so that children will be thoroughly trained as soon as possible. All drills will be completed before May 1<sup>st</sup>. At least one drill in each school will be held before 9:30 A.M and at least one drill will be held after 2:15 P.M. At least one drill will be held during the noon hour and at least one drill will be held when students are in assemblies or similar large gatherings.*

*Principals will report drills by December 1<sup>st</sup> and again by May 1<sup>st</sup> on forms provided by the Superintendent's office.*

*Principals will test fire alarm systems bi-weekly.*

*The principal of each school will file with the Superintendent an emergency preparedness plan in case of emergency.*

*Bus Drills*

*Emergency bus drills will be arranged by the principal in each building and will be carried out under his supervision as he/she deems best. Each principal will designate staff members from his/her school to instruct pupils and conduct the drills. Teachers will be assisted by the driver of the bus. The building principal will call the Transportation Department to arrange dates for these drills.*

Legal Reference

*Regulation*

*Adopted: 7/7/70*

*Amended: 7/05/05*



Required \_\_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*PERMISSION TO LEAVE ROOM*

5270

*WELFARE*

*STUDENTS*

*Children shall not be permitted to leave the room for other areas within the school building unless accompanied by another child. An organized "buddy system" should be developed within each classroom to facilitate this intra-school movement.*

Legal Reference

Regulation

Adopted: 10/1/74

Amended: 7/05/05

Required \_\_\_\_\_  
Local \_\_\_\_\_

ELMONT UNION FREE SCHOOL DISTRICT  
Elmont, New York

MEDICAL ENTRANCE REQUIREMENTS

5280 (a)

WELFARE

STUDENTS

**I. PHYSICAL EXAMINATION**

New York State Education Law and the Commissioner of Education requires a physical examination and health history of children twice in the elementary grades\* and when they:

- Enter the school District for the first time;
- Are referred by/to the Committee on Special Education;
- Are deemed necessary by school authorities to determine a child's education program.

A medical inspection will be given by school physician to each child who meets the above criteria and has not provided a completed examination form.

II. In addition to the above, the medical requirements for entrance into the Elmont Union Free School District include:

A. Pre-Kindergarten and Pre-School

- Hemoglobin Test
- Urinalysis
- Amblyopia screening
- Body mass index (BMI) and weight status category
- Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education.
- Dental examination will be requested

B. Kindergarten

- Hemoglobin Test
- Urinalysis
- Amblyopia screening
- Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education.
- Dental examination will be requested

Physical Examination- Entrants, who have presented a medical examination record from either a District pre-kindergarten or pre-school program during the current school year, may use this examination for kindergarten entrance. The medical examination must be within one year of the date of entrance to school.

C. New Entrants Grades One through Six

- Hemoglobin Test
- Urinalysis
- Body mass index (BMI) and weight status category
- Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education.
- Dental examination will be requested

D. New Entrants in Grades 1 through 6 – Never Immunized

Children never immunized who begin immunizations after age seven years must receive:

- Hemoglobin Test
- Urinalysis
- Body mass index (BMI) and weight status category
- Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education
- Dental examination will be requested

### **III. IMMUNIZATION PROGRAM**

All children entering and attending public and non-public schools in the Elmont Union Free School District must show proof of having received, or be in the process of receiving immunizations in accordance with N.Y. State Education Law and N.Y. State Public Health Law. The immunization requirements for entrance into the Elmont Union Free School District are compliant with N.Y. State Department of Health and are included in the Elmont Union Free School District's Nurses' Manual.

A. Acceptable Proof of Immunization

- A certificate of immunization (can be either paper copy or electronic) specifying the vaccines administered and the dates of administration, signed by a health practitioner.
- An immunization record issued by NYSIIS or CIR (no signature required), which may be provided by the parent/guardian or can be accessed by designated school personnel.
- A copy of an electronic immunization record from another state registry.
- An official record from a foreign nation may be accepted without a health practitioner's signature.

- A copy of immunization records from a previous school, which includes who administered the immunization agents, the products administered (products administered can mean either the vaccine or its brand name) and dates of administration.
- A statement verifying history of varicella, diagnosed by a physician, nurse practitioner, or physician assistant.
- Original laboratory report of positive serological test as defined in 10NYCRR 66-1.1(h) for measles, mumps, rubella, varicella, hepatitis B, and all three serological subtypes of poliomyelitis [polio virus type 1 (PV1), type 2 (PV2), and type 3 (PV3)] contained in the polio vaccines. A signed note from a health care provider that indicates antibody concentrations are positive will also meet the requirement for serological evidence of immunity for school entrance/attendance.

#### B. Serologic Evidence of Immunity

The acceptance of serologic evidence will be consistent and compliant with the New York State Department of Education - Immunization Guidelines for Schools and New York State Laws and Regulations for Immunizations. Acceptable evidence of immunity is:

- A statement verifying history of varicella, diagnosed by a physician, nurse practitioner, or physician assistant;
- Original laboratory report of positive serological test as defined in 10NYCRR 66-1.1(h) for measles, mumps, rubella, varicella, hepatitis B, and all three serological subtypes of poliomyelitis [polio virus type 1 (PV1), type 2 (PV2), and type 3 (PV3)] contained in the polio vaccines. A signed note from a health care provider that indicates antibody concentrations are positive will also meet the requirement for serological evidence of immunity for school entrance/attendance (See NYS Immunization Guidelines for School).

#### C. Minimum Intervals of Immunization

The minimum intervals between immunizations and the scheduled sequence of immunizations will be consistent and compliant with New York State Immunization Guidelines, New York State Laws and Regulations for Immunizations and recommended CDC ACIP Schedules.

#### D. Exemption from Immunization

There are four exceptions. A child may be exempt from any or all of the required immunizations for:

- Medical reasons, signed by a physician licensed to practice in New York State;
- Religious Reasons;
- Child has serological evidence of immunity;
- Child has been diagnosed by a physician as having a history of the disease.

A student shall be exempted from immunization requirements upon:

- Presentation of a physician's statement indicating that immunization is inadvisable for reasons of health. The Statement must contain sufficient information to identify a medical contraindication to a specific immunization and specifying the length of time the immunization is medically contraindicated. The principal or designee may require additional information supporting the exemption. The school may consult with their medical director to determine if additional documentation is required. A medical exemption must be reissued annually. [10NYCRR 66-1.3(c)]
- The *New York State Department of Education School District Procedure for Implementing Requests for Religious Exemption to Immunization* will be followed.
- Presentation of a written and signed statement from the parent(s), or guardian(s) of such child, stating that the parent(s), or guardian(s) object to their child's immunization due to sincere and genuine religious beliefs which prohibit the immunization of their child. The principal or person in charge of the school shall require supporting documents; such written statement must be duly notarized. The written statement must be made on the *Parent/Guardian Statement Form-Request for Religious Exemption to Immunization*.

E. Notification of Parent/Guardian of Immunization Status

At registration, the parent(s) or guardian(s) shall provide the school nursing staff with evidence of the child's prior immunizations. The school nursing staff shall assess the child's status and notify the parent(s) or guardian(s) of any additional immunizations required. Such notice shall be in writing.

A student with incomplete immunizations can be admitted to school if the parent/guardian can show acceptable proof that the child is "in progress of receiving" the required immunizations.

- A child must have received at least one dose of each vaccine and
- The parent/guardian must provide the date(s) of appointments with a specified healthcare provider or facility for completion of the required immunizations. The scheduled appointment must be on physician stationery.

F. Non-Immunized Students

Students presenting without documentation of receiving any, or an insufficient number of, immunizations or proof of immunity may be permitted a grace period to attend school for not more than 14 calendar days; which may be extended to not more than 30 calendar days for an individual student who is transferring from out of state or from another country and can show a good faith effort to get the necessary evidence of immunization. (10NYCRR 66-4)

Parents/guardians of students who do not meet the immunization requirements and cannot be admitted to school, or permitted continued attendance, should be provided with:

- A verbal explanation and a written copy of the school policy;
- Written documentation specifying the immunization(s) their child is missing; Information on where to obtain the missing immunization(s). Whenever possible, information should be provided in the parents'/guardians' primary language.

Schools must notify the local health department of any child who is refused admittance or continued attendance due to the lack of immunizations. The school must provide the local health department with the name and address of the child and the immunizations that he/she lacks. The school must also provide, with the cooperation of the local health department, for a time and place at which the required immunizations may be administered. [10NYCRR 66-1.8 (b)(c)]

The School Nurse will notify the Principal of any student excluded from school more than 14 days. The School Social Worker will notify Child Protective Services (CPS) after more than 14 days of exclusion if the parent refuses to allow the local department of health or another appropriate health practitioner to immunize their child, and no actions steps are reported by the parent/guardian for pursuing another education option such as home schooling.

#### G. Communicable Disease Outbreak Control

Nassau County Health Department of Health must be notified when a reportable case of a communicable disease is identified in the student population.

#### H. Special Circumstance

Students in special circumstance such as homeless, have an IEP, homeschooled, or refugee status will be allowed in school if complaint with NYS Immunization Guidelines and NYS Department of Education laws and regulations.

#### I. Request for Tuberculin Examination

The School Nurse in consultation with the School Physician, may request that a student entering the Elmont Schools (at any age), submit a Tuberculin Screening (i.e. Mantoux Test (PPD) or Interferon Gamma Release Assay (IGRA), if a student has recently arrived from an area where there is documented high incidence of TB or if a student is displaying any outward symptoms.

### **IV. ADMITTANCE OF CHILDREN WITH A POSITIVE TUBERCULIN SCREENING**

Children who test positive will be restricted from school until appropriate medical measures are instituted and they are determined free from contagion. Children may attend school and return to regular activities as soon as:

- A chest x-ray has been taken and reported to the District as negative;
- Effective treatment has been instituted;
- There is an acceptable plan for continuing therapy during the prescribed course (The District will require documentation from the treating physician.);
- Siblings attending school are to have a current Tuberculin Screening

Legal Reference

New York State Education Department Immunization Guidelines: Vaccine Preventable Communicable Disease Control- August 2000

Memo New York State Department of Health- September 2004, December 2004

February 2005, March 2005, March 2007, February, March, April 2014

New York State Immunization Requirements for School Entrance/Attendance – update April 2014, update September 2015

*Red Book 2000, Report of the Committee on Infectious Diseases*

New York State Education Department – Guideline for Health Appraisal

*New York State Education Department – Commissioner’s Regulations Part 136*

*Centers for Disease Control and Prevention, Vaccines & Immunizations. Retrieved April 17, 2014.*

<http://www.cdc.gov/vaccines>

*New York Statewide School Health Services Center. Retrieved April 17, 2014*  
<http://www.schoolhealthservicesny.com>

## Policy

Adopted: 6/12/91

Amended: 8/12/92, 12/14/94, 4/16/97, 7/8/98, 12/20/00 (approved at Board Meeting 12/19/00),  
6/21/05, 7/05/05, 12/19/07, 10/14/14, 04/05/16



ELMONT UNION FREE SCHOOL DISTRICT  
Elmont, New York

Immunization Notice to Parent

Under New York State Public Health Law and Department of Education Guidelines, all children attending school must be immunized. The immunization Certificate must be prepared by physician or other authorized person who administers the immunizing agents, specifying the products administered and the month, date, and year of administration. The Immunization Certificate must be signed and stamped by a qualified health care provider and stamped by that provider or clinic. A child may be exempt from any or all of the required immunizations for medical, religious, if they have serological evidence of immunity, or have been diagnosed by a physician as having the disease.

Your child's record is missing proof of the following immunizations:

Diphtheria, Tetanus, Pertussis	Booster Tdap	OPV or IPV	Hib
1. _____	1. _____	1. _____	1. _____
2. _____		2. _____	2. _____
3. _____		3. _____	3. _____
4. _____		4. _____	4. _____
5. _____		5. _____	

Measles	Mumps	Rubella	MMR	Pneumococcal
1. _____	1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____	2. _____
				3. _____
				4. _____

Hepatitis B	Varicella
1. _____	1. _____
2. _____	2. _____
3. _____	
4. _____	

Immunizations may be given by your private physician or inquire at the Elmont Health Center at 161 Hempstead Turnpike, Elmont. The Clinic's telephone number is 571-8200. The Nassau County Department of Health is also available for immunization information at telephone number 571-1821.

Proof of the above immunizations must be submitted before your child's admission to school. Please call the School Nurse at your school or Central Administration at 326-5500 if you have any questions.

Thank you for your cooperation and please return this form promptly.

_____	_____	_____
Principal's Signature	School Nurse's Signature	Date





**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

Medical Requirements Letter to Parent

Dear Parent or Guardian:

The following are the medical requirements for children entering school in Elmont Union Free School District. The Physical Examination and the Immunization Certificate must be completed, **signed and stamped by a physician** prior to the start of school. A Dental Examination is requested to be completed, **signed and stamped** by a dentist prior to the start of school.

Under New York State Public Health Law 2164 all children attending school must be immunized. The Immunization Certificate must be prepared by physician or other authorized person who administers the immunizing agents, specifying the products administered and the month, date, and year of administration. A child may be exempt from any or all of the required immunizations for medical, religious, if they have serological evidence of immunity, or have been diagnosed by a physician as having the disease.

For any questions or concerns regarding these requirements, please contact the school nurse in your school or Central Registrar at 326-5580, press 3. Pre-Kindergarten and Pre-School students may inquire at 326-5580, press 5.

**A. Pre-Kindergarten and Pre School**

1. Physical Examination Card **signed and stamped** by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. BMI/ Weight Status
4. Hemoglobin Test
5. Urinalysis
6. Amblyopia screening
7. Immunization Certificate **signed and stamped** by Physician  
Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education (*See attached notice – NYS Immunization Requirements for School Entrance/Attendance*).
8. Dental Examination **signed and stamped** by a licensed New York State Dentist.

**B. Kindergarten**

1. Physical Examination Card **signed and stamped** by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. BMI/ Weight Status
4. Hemoglobin Test
5. Urinalysis
6. Amblyopia screening
7. Immunization Certificate **signed and stamped** by a Physician  
Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education (*See attached notice – NYS Immunization Requirements for School Entrance/Attendance*).
8. Dental Examination **signed and stamped** by a licensed New York State Dentist.

Physical Examination - Entrants who have presented a medical examination record either from the District Pre-kindergarten or Pre-school program during the current school year may use this examination for kindergarten entrance.

### **C. New Entrants Grades One through Six**

1. Physical Examination *signed and stamped* by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. BMI/Weight Status
4. Hemoglobin Test
5. Urinalysis
6. Immunization Certificate *signed and stamped* by a Physician  
Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education (*See attached notice – NYS Immunization Requirements for School Entrance/Attendance*).
7. Dental Examination *signed and stamped* by a licensed New York State Dentist.

### **D. New Entrants in Grades 1 through 6 – Never Immunized**

1. Physical Examination *signed and stamped* by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. BMI/Weight Status
4. Hemoglobin Test
5. Urinalysis
6. Immunization Certificate *signed and stamped* by a Physician
  - a. Record of Immunization(s) appropriate for the age of the child and recommended immunization schedules from the New York State Department of Health Immunization Guidelines and the New York State Department of Education (See attached notice – NYS Immunization Requirements for School Entrance/Attendance).
  - b. Received at least the first dose in each immunization series required by PHL §2164 and have age appropriate appointments to complete the immunization series, according to the catch up schedule of the Advisory Committee on Immunization Practices (ACIP) required in 10NYCRR 66-1.1(f)(2); at <http://www.cdc.gov/vaccines/schedules/hcp/child-adolescent.html>;  
**OR**  
Obtaining serological test(s) within 30 days of notification to the parent/guardian of the need for such tests. If a child is obtaining serologic tests, he/she has a total of 30 days to provide test results and if necessary (based on negative test results), appointment dates to begin or complete the vaccine series.
  - c. Parents/guardians are required to present proof of future appointments such as an appointment card, receipt, or other statement from the provider's office that includes the date(s) of appointments with a specified health care provider or facility for completion of the required immunizations or serological test(s).
7. Dental Examination *signed and stamped* by a licensed New York State Dentist.

*(Children need to be age appropriately immunized. The number of doses depends on the recommended schedule by the N. Y. State Department of Health Immunization Guidelines for Health Care Providers.)*

### **Thank You**

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*MEDICAL REQUIREMENTS*  
*PEDICULOSIS*

5281

*WELFARE*

*STUDENTS*

*Routines for checking, quarantine, remediation and follow-up are incorporated in the Elmont Union Free School District Health Handbook. The school nurse and the building principal shall insure that these procedures prevail.*

*On the third incidence of pediculosis in a building the principal shall, in addition, cause a letter to be sent to all parents advising them of the situation.*

*PEDICULOSIS*

*The following procedure will be followed when the nurse determines that a student has pediculosis:*

- 1. Principal is advised of the problem.*
- 2. Student is removed from the class.*
- 3. Parent is notified to take student home.*
- 4. Nurse points out infestation to parent and gives parent appropriate literature.*
- 5. Parent is advised to consult a physician regarding acceptable treatment.*
- 6. Parent is instructed to use medicated shampoo as directed and to remove all nits before returning student to school.*
- 7. Student is reexamined after treatment, in the presence of the parent, before student is permitted to return to classroom. If all nits are not removed, parent is re-instructed in the procedure and advised to take the student home again.*

*All students in affected class, grade level and bus will be checked by nurse. If the student has siblings or playmates attending another school, the nurse at that school will be advised so that she may check these students.*

*After the student is cleared to return to the classroom, the affected student will be checked by the nurse twice weekly for two to three weeks to make certain re-infestation does not occur.*

Regulation

Adopted: prior to 1957

Amended: 11/74, 3/76



## ELMONT UNION FREE SCHOOL DISTRICT

### Elmont, New York

#### Medical Requirements Letter to Parent

Dear Parent or Guardian:

The following are the medical requirements for children entering school in Elmont Union Free School District. The Physical Examination and the Immunization Certificate must be completed, **signed and stamped by a physician** prior to the start of school.

Under New York State Public Health Law 2164 all children attending school must be immunized. The Immunization Certificate must be prepared by physician or other authorized person who administers the immunizing agents, specifying the products administered and the month, date, and year of administration. A child may be exempt from any or all of the required immunizations for medical, religious, if they have serological evidence of immunity, or have been diagnosed by a physician as having the disease.

For any questions or concerns regarding these requirements, please contact the school nurse in your school or Central Administration at 326-5500, ext 71. Pre-Kindergarten and Pre-School students may inquire at 326-5500, ext 41.

#### A. Pre-Kindergarten and Pre School

1. Physical Examination Card **signed and stamped** by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. Hemoglobin Test
4. Urinalysis
5. Amblyopia screening
6. Immunization Certificate **signed and stamped** by Physician
  - a) 3 DPT (Diphtheria, Pertussis, Tetanus)
  - b) 3 Polio ( IVP, OVP or any combination of IVP or OPV)
  - c) 1 MMR (Measles, Mumps, Rubella)
  - d) 3 Hib (Hemophilis Influenza) type B if less than 15 months or 1 Hib, administered after 15 months of age
  - e) 3 Doses of Hep B
  - f) 1 Varicella

#### B. Kindergarten

1. Physical Examination Card **signed and stamped** by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. Hemoglobin Test
4. Urinalysis
5. Amblyopia screening
6. Immunization Certificate **signed and stamped** by a Physician
  - a) 3 DPT (Diphtheria, Pertussis, Tetanus)
  - b) 3 Polio ( IVP, OVP or any combination of IVP or OVP)
  - c) 2 MMR (Measles, Mumps, Rubella)
  - d) 3 Doses of Hep B
  - e) 1 Varicella

\*Physical Examination - Entrants who have presented a medical examination record either from a District Pre-kindergarten or pre-school program during the current school year may use this examination for kindergarten entrance.

C. New Entrants Grades One through Six

1. Physical Examination ***signed and stamped*** by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. Hemoglobin Test
4. Urinalysis
5. Immunization Certificate ***signed and stamped*** by a Physician
  - a) 3 DPT (Diphtheria, Pertussis, Tetanus)
  - b) 3 Polio ( IVP , OVP or any combination of IVP and OVP)
  - c) 2 MMR (Measles, Mumps, Rubella)
  - d) 3 Doses of Hep B
  - e) 1 Varicella All children who are:
    - ◆ Born on or after January 1, 1998 and entering Kindergarten in September of 2003 will be required to have Varicella vaccine
    - ◆ Born on or after January 1, 1994 and who enroll in the 6<sup>th</sup> grade at the beginning of the 2005-2006 school year.
    - ◆ Born on or after January 1, 1994 and who transfer to a school in this state from another state or country after January 1, 2005
    - ◆ Special Education students in gradeless classes who were born on or after January 1, 1994 must be immunized at the start of the 2005-2006 school year
    - ◆ Born on or after January 1, 1994, who are repeating the 6<sup>th</sup> grade at the beginning of the 2005-2006 school year.

D. New Entrants in Grades 1 through 6 – Never Immunized

1. Physical Examination ***signed and stamped*** by a licensed New York State Physician
2. Mantoux Test and results within 1 year of entry to school
3. Hemoglobin Test
4. Urinalysis
5. Immunization Certificate ***signed and stamped*** by a Physician \*
  - a) 1 Varicella
  - b) 1 Diphtheria Tetanus (DT),
  - c) 1 Polio
  - d) 1 MMR (Measles, Mumps Rubella)
  - e) 1 Hep B
  - f) 2<sup>nd</sup> diphtheria, tetanus, pertussis, 2<sup>nd</sup> Polio, and 2<sup>nd</sup> MMR, 2<sup>nd</sup> Hep B 6-8 weeks after the first visit
  - g) Six months later a 3<sup>rd</sup> diphtheria, tetanus, pertussis, a 3<sup>rd</sup> Polio and Hep B is required

*(Children need to be age appropriately immunized. The number of doses depends on the recommended schedule by the N. Y. State Department of Health Immunization Guidelines for Health Care Providers.)*

**Thank You**

Revised: 5/2005

Required \_\_\_\_\_  
Local \_\_\_\_\_

**Elmont Union Free School District  
Elmont, New York**

ADMINISTERING MEDICATIONS TO STUDENTS

5283

WELFARE

STUDENTS

Medication may be given to students during school hours provided that:

1. The parent/guardian submits a written request.
2. The student's physician provides written orders detailing diagnosis, name of medication, dosage, frequency and route. (A District form may be obtained from the school nurse)
3. The parent/guardian delivers the medication to the school health office in an original container appropriately labeled by a pharmacy or physician.

Legal References

Policy

Adopted: 3/19/86 (approved at Board Meeting 3/18/86)

Amended: 6/21/05, 12/19/07, 2/12/13

**Elmont Union Free School District  
Elmont, New York**

*ADMINISTRATING MEDICATION TO STUDENTS*

5283 (a)

*WELFARE*

*STUDENTS*

*Regulations for administering medication to students have been developed to provide for the medical needs of students.*

***ADMINISTRATION OF MEDICATION***

*Medication may be given to a student by designated school personnel (i.e. school nurse) in accordance with NYS Administration of Medication in the School Setting Guidelines and NYS Memoranda concerning medication.*

*School personnel are not permitted to honor independent requests from a parent/legal guardian to administer medication.*

*Only those medications which are necessary to maintain the student in school and which must be given during school hours shall be administered. Any student who is required to take medication during the regular school day or while participating in school-sponsored activities must comply with procedures set forth herein.*

*Requests for use of herbal remedies, natural products and other such products not regulated or sanctioned by the FDA will not be administered. Dietary Supplements shall be given at the discretion of the school nurse and with a written parental request.*

*Medication will be given as close to the prescribed time as possible but no earlier than one hour before and no later than one hour after the prescribed time.*

*Should a student fail to appear at the appointed time for medication the school nurse will attempt to locate the student.*

***AUTHORIZATION FOR ADMINISTRATION OF MEDICATION***

*A written order from a licensed prescriber and written parental permission to administer the medication are required. All medications, prescription and nonprescription, given in school must be prescribed by a licensed health care prescriber. The prescriber can use the District form or a physician's stationery. The physician's stationery must include all of the information required by the District form. The school nurse may request additional information (i.e. potential adverse reactions, diagnosis, etc.) from the prescriber; however, medication administration should not be delayed unless such information is essential to the safe administration of the medication.*

*Written orders for medications from a licensed health care prescriber should include:*

- 1. Student's name and date of birth*
- 2. Name of medication*
- 3. Dosage and route of administration*
- 4. Frequency and time of administration*
- 5. For prn medications, conditions under which medication should be administered*

6. *Date written*
7. *Prescriber's name, title and signature*
8. *Prescriber's telephone number*

*The pharmacy label does not constitute a written order and cannot be used in lieu of a written order from a licensed prescriber.*

*All medication orders are to be renewed each school year or when there is a change in the medication order. Medication orders do not carry from one school year to the next school year.*

*In addition, in accordance with Education Law 919, the District shall make a nebulizer available on-site in school buildings where nursing services are provided. Students with a patient-specific order, who require inhaled medications, shall have access to the nebulizer. The District will ensure that it is maintained in working order.*

### **DELIVERY AND STORAGE OF MEDICATION**

*The parent or a designated adult shall deliver the medication to the school health office in the current original container with an unaltered prescription label attached. Sample medication and nonprescription medications must be in the original manufacturer's container/package with the student's name affixed to the container. A "Request for Student to take Medication in School" form must accompany the medication.*

*For prescription medication the pharmacy label must display:*

1. *Student name*
2. *Name and telephone number of pharmacy*
3. *Licensed prescriber's name*
4. *Date and number of refills*
5. *Name of medication*
6. *Dosage*
7. *Frequency of administration*
8. *Route of administration and/or other directions*

*All medication to be administered at school must be received, counted and stored in the original container. The medication count and signature of the nurse receiving the delivery are recorded on the medication record.*

*Medication should not be transported daily to and from school. No medication should be brought to school without the knowledge of the health office. Medication brought to school by a student without a prescriber's order will be held in the health office until the parent or designated adult can retrieve it.*

*Medication must be stored in a secure fashion under lock and key in a location designated by the building principal. The storage location in the health office must be for medication only. The site must include a lock for the medication storage location in the health office as well as an outside lock on the health office door. Medications must never be left open or accessible to the public, but must be secured at all times.*



**SELF-DIRECTED AND CARRYING AND SELF-ADMINISTRATION OF MEDICATION**

*Children are not permitted to carry or self-administer medication unless determined to be self-directed.*

*If school nursing personnel receive a request from a parent and licensed prescriber to permit a student to be self-directed and/or carry and self-administer her/his own prescribed medication, the school nurse, in consultation with the building principal and subject to review by the Superintendent of Schools, may accede to the request in accordance with the following criteria:*

- 1. The student is capable and competent to **consistently** perform all aspects of medication administration. Such decisions are made on an individual basis.*
- 2. The severity of health care problems, particularly asthmatic or allergic conditions, render immediate self-administration appropriate.*
- 3. The school nurse receives a licensed prescriber's order directing that the student be allowed to be self-directed and/or carry his/her medication and to self-administer. The licensed prescriber is required to complete the District form, "Student Self-Directed Release Form" in addition to the District form, "Request for Student to Administer Medication".*
- 4. The parent/guardian requests compliance with the licensed prescriber's order on the District form.*
- 5. The 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 of keeping in school.*
- 6. The school nurse assesses whether the student is sufficiently self-directed to carry and self-administer his/her medication properly. The school nurse shall complete the District form, "Student Self Directed – Nursing Assessment". The school nurse may deny permission to self-administer and in such case the parent may request a review of the application by the building principal.*
- 7. In the event permission to self-administer is granted the school nurse shall inform the parent or guardian in writing, with a copy to the file, of their responsibility regarding:
  - a. Monitoring of the student on an ongoing/daily basis*
  - b. Insuring that the student is carrying the medication and is taking the medication as ordered**

*The documentation shall be placed in the student's health record.*

- 8. The student who self-administers medication must inform the school nurse daily of the dose, when taken, etc.*
- 9. The school nurse will counsel any student self-administering medication without proper authorization. In addition, the parents will be notified as well as the Principal of the building.*

**DOCUMENTATION OF MEDICATION ADMINISTRATION**

*Each school must maintain a current individual student record of all medication administered by school personnel or parent/guardian.*

*Medication, appropriate forms, and when possible a student photo, are to be maintained by the school nurse.*

*The school nurse is to maintain records of administration and any special circumstances related to the medication and the student's response/reactions.*

**MEDICATION INCIDENTS/ERRORS**

*Any incident/error in administering medication, including but not limited to incorrect student, incorrect medication, incorrect dose, incorrect time, missed doses or student non-compliance must be reported to the parent/guardian, prescriber, and principal immediately for appropriate action. A written incident report must be completed for each medication incident/error. Copies must be forwarded to the parent/guardian and principal. If untoward effects of medication are noted, medication will be stopped immediately and parents/guardian will be notified.*

**FIELD TRIPS**

*When a student who receives medication is attending a field trip, the parent/guardian must submit a written request prior to the field trip. The parent must sign section A of the "Request for Student to take Medication in School".*

*Taking medication on field trips is permitted if a student is self-directed in the administration of their own medication. School staff may assist the student with the administration. On field trips or other school activities, teacher or other school staff may carry the medication so that the self-directed student can take it at the appropriate time. The school staff must return the medication to the nurse's office.*

*If a student is going on a field trip but is not self-directed, the District may:*

- 1. Permit the parent or guardian to attend the activity and administer the medication.*
- 2. Permit the parent to personally request another adult who is not employed by the school to voluntarily administer the medication on the field trip or activity. The parent must make the request in writing.*
- 3. The student's health care provider can be consulted and if he/she permits, order the medication time to be adjusted or the dose omitted.*

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

*A copy of the student's medication authorization form and medication record must accompany the medication.*

**ADMINISTRATION OF NON-PATIENT SPECIFIC MEDICATION**

*Pursuant to the Commissioner's regulation, a registered professional nurse may administer medication used in non-patient specific emergency treatment of anaphylaxis. Refer to the Elmont School District Anaphylaxis Protocol.*

**ADMINISTRATION OF PATIENT SPECIFIC MEDICATION**

*Pursuant to SED guidelines, school nurses may provide training to unlicensed school staff in administering Epinephrine Auto-Injector Devices and Glucagon, prescribed by a licensed prescriber, to a student who has been diagnosed with the possibility of severe allergic reaction or severe hypoglycemic reaction, in the event the reaction occurs when the school nurse is not available.*

*Any prescribed medication which requires administration through a subcutaneous, intramuscular, intravenous or rectal route; or prescribed medications being administered through pumps, tubes or nebulizers; or oral, topical or inhalant medication needed by non-self-directed students must be given by school nursing personnel or licensed practical nurses under the direction of school nursing personnel. Administration of such prescribed medications may not be performed by school staff.*

*Licensed health professionals are the only school personnel permitted to calculate insulin dosages, administer insulin, program the insulin pump, refill the reservoir, and change the infusion site because these are a component of medication administration. Unlicensed personnel are not permitted to perform these functions.*

**DISPOSAL OF MEDICATION**

*If medication is to be returned home, the parent/guardian or designated adult must make arrangements to pick up medication.*

*Medication not picked up by the last day of school will be discarded in the presence of a witness.*

**DISPOSAL OF SHARPS, NEEDLES, SYRINGES**

*All sharps, needles and syringes will be disposed in a manner consistent with New York State Law.*

*Disposable sharps, needles and syringes are to be placed in an approved sharps container.*

Legal References

Regulation

Adopted: 3/19/86

Amended: 1/17/95, 6/21/05, 10/18/05, 12/19/07, 2/12/13

*Dear Parents:*

*Each year our school nurses receive requests from parents to administer medication to students during school hours.*

*Oral medication can be given to a student by designated school personnel (nurse and/or classroom teacher.) Request from parent or guardian must be received by the school principal on the designated District form.*

*The following procedure should be implemented:*

- 1. Request from parent or guardian must be received by the school nurse on the designated District form.*
- 2. Student's physician shall provide written orders detailing diagnosis, dosage of medication, time(s) to be administered either on the District form or on physician's stationery. Over the counter, patent remedies (including Tylenol and cough medicine), cannot be administered by school personnel without a written order from the physician.*
- 3. The parent or a designated adult shall deliver the medication to the school health office in a container appropriately labeled by the pharmacy or physician.*
- 4. If medicine needs to be returned home, the parent or a designated adult must make arrangements to pick up the medication.*
- 5. The parent may administer the child's medication in the nurse's office.*
- 6. If untoward effects of medication are noted, medication will be stopped and parent notified.*

Regulation

Adopted: 3/19/86

Amended: 1/18/95 (Approved at Board Meeting 1/17/95), 12/19/07

REQUEST FOR STUDENT TO TAKE MEDICATION IN SCHOOL

State law requires a written request from the physician which indicates the frequency and dosage of a prescribed medication and a written request from the parent to administer the medication. The medication should be delivered to the school nurse by the parent/guardian.

PARENT REQUEST

I hereby request my child, \_\_\_\_\_,  
name  
be given medication prescribed by \_\_\_\_\_,  
physician's name  
at \_\_\_\_\_.  
time

Date \_\_\_\_\_ Signature of parent \_\_\_\_\_

-----  
PHYSICIAN ORDERS

Physician prescription attached or following completed:

Name of Student \_\_\_\_\_

Diagnosis \_\_\_\_\_

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

Dosage \_\_\_\_\_ Frequency \_\_\_\_\_

Untoward effects of medication \_\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_ Signature of Physician \_\_\_\_\_

Telephone Number \_\_\_\_\_

REQUEST FOR STUDENT TO HAVE A PROCEDURE PERFORMED IN SCHOOL

A. PERMISSION TO PERFORM PROCEDURE:

I \_\_\_\_\_ am the parent/guardian of \_\_\_\_\_,  
grade \_\_\_\_\_. I hereby give my permission for my child to have  
\_\_\_\_\_ procedure performed as prescribed  
below by our licensed health care prescriber. The supplies and equipment necessary are to be  
furnished by me in the properly label original containers/wrappings.

Parent/Guardian's Signature: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

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

B. PROCEDURE ORDER:

I request that my patient, as listed below, have the following procedure performs as prescribed:

Name of Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

Reason for Performing: \_\_\_\_\_

Name of Procedure: \_\_\_\_\_

Frequency: \_\_\_\_\_

Time to be performed during school hours: \_\_\_\_\_

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

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

Other Recommendations: \_\_\_\_\_

Emergency Parameters (if any): \_\_\_\_\_

Print Licensed Prescriber/Title: \_\_\_\_\_

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

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

PLEASE INCLUDE OFFICE STAMP AND SIGNATURE

STUDENT SELF DIRECTED - NURSING ASSESSMENT

Student: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

**Physical/Behavioral Limitations:** \_\_\_\_\_

**Name of Medication/Procedure:** \_\_\_\_\_

**Self-Directed Criteria:** (all criteria must be checked ✓ either “yes” or “no”)

A student may be considered to be self-directed if he/she is consistently able to do all of the following:

- A. The student can identify the correct medication or identify the procedure. [ ] yes [ ] no
- B. The student can identify the purpose of the medication or procedure. [ ] yes [ ] no
- C. The student can determine if the correct dosage is being administered. [ ] yes [ ] no
- D. The student can correctly perform the medication administration or administration of the procedure. [ ] yes [ ] no
- E. The student can identify the time the medication/procedure is needed during the school day. [ ] yes [ ] no
- F. The student can describe what will happen if the medication is not taken or the procedure is not performed. [ ] yes [ ] no
- G. The student can refuse to take the medication or to perform the procedure, if the student has any concerns about its appropriateness. [ ] yes [ ] no
- H. The student is able to state side effects/ adverse reactions to to his/her medication or procedures. [ ] yes [ ] no
- I. The student is able to state when to obtain assistance and how to access assistance for self, if needed in an emergency. [ ] yes [ ] no

Continue on next page





**Elmont Union Free School District  
Elmont, New York**

NON-PATIENT SPECIFIC STANDING ORDER: ANAPHYLAXIS

5284

WELFARE

STUDENTS

The purposes of non-patient specific standing orders are for those who experience life threatening allergic reactions in school but who do not have medication or a medication order.

1. The Anaphylaxis Standing Order and Protocol may be enacted and implemented with students during school hours by the Registered Nurse.
2. The District will purchase the necessary medication prescribed in the Anaphylaxis Standing Orders.
3. Only a Registered Nurse can administer the medication prescribed in the non-patient specific order.
4. The medication for non-patient specific orders will be kept locked in the Nurse's Office.
5. The Non-Patient Specific Standing Order for Anaphylaxis and Nursing Protocol will be evaluated and renewed each school year by the school physician.

Legal References

Policy

Adopted: 12/19/07 (approved at Board Meeting 12/18/07)

Amended: 02/12/13

**Elmont Union Free School District  
Elmont, New York**

ALLERGY AWARENESS AND ANAPHYLAXIS

5285 (a)

WELFARE

STUDENTS

As per Public Health Law 2500-h2, specific to The Allergy and Anaphylaxis Management Act (2007), the School District herein establishes an allergy awareness and anaphylaxis policy designed to address the safety and well-being of District students and staff with potentially life-threatening medical needs.

Anaphylaxis is a sudden and severe allergic reaction, which can be fatal, and which requires immediate medical emergency measures be taken.

It is the responsibility of parents with children who have anaphylaxis/life threatening allergies to identify their child(ren) to the principal or designee and provide the healthcare provider prescribed treatment.

While the School District is unable to guarantee educational environments completely free of anaphylactic causative agents (allergens), it recognizes that it has a duty of care to students who are at risk from life-threatening allergic reactions while under school supervision. The Board establishes herewith a communication plan between the student, parents/guardians, school building team, health care providers and school nurse.

The School Team in each school will consist of:

1. School District Administration (Principal, Assistant Principal)
2. School Nurse
3. Teachers

The District staff will:

1. Regularly provide necessary precautions and general training for staff in transportation, classrooms, the cafeteria, or the gymnasium;
2. Regularly provide training by licensed medical personnel/registered professional nurses for all adults in a supervisory role in the recognition and emergency management of specific allergies for specific students;
3. Create appropriate documentation regarding the care of students diagnosed with anaphylactic reactions;
4. Have standing emergency medical protocols for nursing staff;
5. Maintain stock supplies of life saving emergency medications, as allowed by the laws of New York State (NYS), such as EpiPens, in all health offices;
6. Follow specific legal documents duly executed in accordance with the laws of NYS with medical orders regarding the care of specific students with potential life-threatening allergies;

7. Allow self-directed students as assessed by their medical provider and verified by the school nurse to carry life-saving medication as per New York Department of Education Guidelines;
8. Assure the development of classroom, building and District-level strategies for anaphylaxis risk reduction within the school setting.

Legal References

Policy

Adopted: 02/12/13

Amended:

**Elmont Union Free School District  
Elmont, New York**

CONCUSSION MANAGEMENT  
AND RETURN TO PLAY

5286 (a)

WELFARE

STUDENTS

**I. Concussion Management**

The Board of Education of the Elmont Union Free School District adopts the following policy and guidelines to assist in the proper evaluation and management of head injuries.

Concussion is a mild traumatic brain injury. Concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head. Recovery from concussion will vary. Avoiding re-injury and over-exertion until fully recovered represents proper concussion management.

1. Any student demonstrating signs, symptoms or behaviors consistent with a concussion while participating in a school sponsored class, extracurricular activity, or interscholastic athletic activity shall be removed from the game or activity and be evaluated as soon as possible by an appropriate health care professional.
2. The District will notify the student's parents or guardians and recommend appropriate monitoring to parents or guardians.
3. The student will not be permitted to return to school or activity until released by an appropriate health care professional.
4. The school's chief medical officer shall review the recommendations of the student's health care proxy prior to the students return to activity including physical education class and after-school sports.
5. Any student who continues to have signs or symptoms upon return to activity must be removed from play and reevaluated by their health care provider.
6. The medical director has the final authority to clear students to participate in or return to extra-class physical activities in accordance with 8NYCRR 135.4(c)(7)(i).
7. A student will be monitored by District staff daily, following each progressive challenge, physical or cognitive, for any return of signs and symptoms of concussion. Staff members will report any observed return of signs and symptoms to the school nurse or administration. A student will only move to the next level of activity if they remain symptom free at the current level. Return to activity will occur with the introduction of one new activity each 24 hours. If any post-concussion symptoms return, the student will drop back to the previous level of activity, then re-attempt the new activity after another 24 hours have passed. A more gradual progression will be considered based on individual circumstances and a private medical provider's or other specialist's orders and recommendations.

8. The following is the *return to physical activity protocol* based on the Zurich Progressive Exertion Protocol:
- a. Phase 1- low impact, non-strenuous, light aerobic activity such as walking or jogging or ride a stationary bike. No running. If tolerated without return of symptoms over a 24-hour period proceed to;
  - b. Phase 2- higher impact, higher exertion, and moderate aerobic activity such as running or jumping rope. No resistance training. If tolerated without return of symptoms over a 24-hour period proceed to;
  - c. Phase 3- Sport specific non-contact activity. Low resistance weight training with a spotter. If tolerated without return of symptoms over a 24-hour period proceed to; <sup>[1]</sup><sub>[SEP]</sub>
  - d. Phase 4- Sport specific activity, non-contact drills. Higher resistance weight training with a spotter. If tolerated without return of symptoms over a 24-hour period proceed to;
  - e. Phase 5- Full contact training drills and intense aerobic activity. If tolerated without return of symptoms over a 24-hour period proceed to; <sup>[1]</sup><sub>[SEP]</sub>
  - f. Phase 6- Return to full activities without restrictions.
9. After completing the full progression, the student may be cleared to return to competition without restrictions by the school physician.
10. While participating in the RTP protocol, the student/athlete will stay at Stage 2 of the protocol in physical education class until cleared for full participation by the school physician.
11. If any employee of the School District has a concern about the safety and well-being of the student/athlete, they will be expected to notify the nurse or athletic trainer who will communicate this to the school physician.

### Legal References

#### Policy

Adopted: 02/12/13

Amended:

**Elmont Union Free School District  
Elmont, New York**

ADMINISTRATION OF MEDICATIONS: USE OF SUNSCREEN

5287

WELFARE

STUDENTS

Students shall be allowed, year-round, to use sunscreen without a *medical provider order* if:

1. The sunscreen is used for the purpose of avoiding over exposure to the sun and not for medical treatment of an injury or illness. Sun tanning lotion is prohibited from use.
2. The sunscreen used by the student is an FDA approved sunscreen drug product and is approved by the FDA for over-the-counter use. The sunscreen has a minimum SPF of 15. The sunscreen is in the original packaging that has a clearly marked label.
3. The student's parent/guardian provides written permission for the student to carry and use the sunscreen.
4. The student is able to meet the criteria of self-directed.
5. Students who are not self-directed (are unable to give direction to staff and cannot independently apply sunscreen) will continue to need a medical provider order and written permission from the parent/ guardian in order for licensed staff to apply the sunscreen for the student.

Legal References

Policy

Adopted: 02/12/13

Amended:

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

HEALTH & SAFETY PROCEDURES FOR STUDENTS WITH DISABILITIES

5288

WELFARE

STUDENTS

The District recognizes that students with disabilities often have behaviors that may impede his or her learning. The staff needs to ensure that there are building policies, procedures and protocols in place to prevent and address instances of wandering and elopement, particularly for students with cognitive impairments. District policies include:

**Elopement Prevention-**

- Staff will be trained on awareness and signs of elopement
- Staff will understand their role(s)
- Staff will be instructed to notify the teacher and/or building administrators when a behavioral concern about a student, who was not previously considered, arises. The Child Study Team will meet to review the behavioral concerns and discuss whether a functional behavioral assessment and /or a behavior intervention plan is needed through the Committee on Special Education to address the behavioral concerns.
- Building administrators will review procedures each year and provide training to new staff

**Elopement Procedures-**

- All staff should be aware of students who appear to be unsupervised
- Staff will report concerns with a student's behavior immediately to a building administrator, while keeping the student supervised.
- The building administrator will communicate via PA system a school-wide announcement of suspected elopement (ie., notify the main office if you see...)
- Students who are identified by the CSE as prone to elopement should be known to school personnel
- Communication protocols, as outline in the District Health & Safety Plan, will be followed.
- Pre-assignments for building and ground searches will take place
- The building principal will immediately notify the Superintendent and the family.

Legal Reference

Policy

Adopted: 10/14/14

Amended:

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

MENTAL HEALTH & WELL-BEING

5289 (a)

WELFARE

STUDENTS

The Elmont School District recognizes that mental health is a state of well-being in which every individual realizes one's potential, can cope with normal stresses of life, can work productively and fruitfully, and is able to contribute to one's community. It is a dimension of overall health. As part of overall health and wellness, mental health includes: a sense of self-esteem and self-confidence; the ability to identify, express and regulate emotions; the ability to set and achieve goals; recognition of one's creative skills; the ability to expand knowledge and skills; the ability to feel and show empathy for others; the ability to create and maintain satisfying relationships. School plays a key role in promoting mental health in all children and young people, recognizing that student's learning and development is supported by environments that promote mental health. The impact is the greatest when all staff is involved in mental health promotion as it relates to every area of the school, the culture, policies, curriculum and activities. This policy is intended as a guide to all staff, including non-teaching staff and volunteers. It should be read in conjunction with the medical policy in cases where a student's mental health overlaps with or is linked to a medical issue, District confidentiality policies, policies for students with identified special education needs, and other related mental health policies (e.g., wellness, student support and discipline, including alternatives).

The policy affirms our commitment to providing a safe, welcoming and supportive environment that promotes a culture of respect and equity; embeds social and emotional learning into the curriculum, including mental health instruction in Health Education programs; ensures families, students and staff are key partners in mental health and well-being initiatives; and works collaboratively with local health professional and the community.

**To achieve the goals of the Elmont Union Free School District, the District will:**

- promote positive mental health for all staff and students;
- educate and support the school community on a variety of approaches that are culturally sensitive to support mental health;
- increase the skills of students, staff, parents and school community to recognize signs of mental health conditions;
- decrease stigma related to talking about mental health;
- provide support to staff through training, including ways to recognize when students are experiencing mental health challenges;
- link students and families to a range of available supports;
- provide guidance and resources to parents/guardians on how to talk to their children about mental health; and
- provide support to students living with mental health challenges.



**Teaching and Supporting Mental Health**

The mental health component of the health education curriculum will be developed by the appropriate school instructional staff and district mental health support staff to ensure that school staff has appropriate knowledge and support to address mental health challenges both preventively and responsively. When appropriate, staff will be encouraged to collaborate with qualified community mental health professionals. This policy and related supports and curriculum will be consistent with the principles of the whole child and whole school approaches, including multi-tiered support frameworks, and will be offered within a safe and culturally-sensitive environment.

The Elmont Union Free School District's approach will reflect an understanding that mental health literacy includes four key components:

1. How to achieve and maintain positive mental health;
2. Ways to prevent mental health challenges and disorders, identify symptoms of disorders, and the range of available support and treatment;
3. Decrease stigma and encourage appropriate help-seeking behavior; and
4. Increase understanding of the challenges of mental health conditions in everyday life.

Elements of positive mental health include: An understanding of the elements of positive mental health; reducing stigma and promoting recovery by strengthening social determinants of health; and personal resources (such as engaging learning at school; connecting with family, peers and community; believing in one's ability to learn and engage with others; ensuring equitable access to opportunities to learn and engage; and strengthening capacity to advocate for a healthier environment).

Staff will receive regular training about supporting mental health, recognizing, and responding to mental health needs in a developmentally (to include students with special needs) appropriate and culturally sensitive way. The school district will support district-wide professional development on integrating mental health education into the curriculum, and in accessing resources, tools and professional learning to enhance their knowledge and capacity to integrate mental health and well-being content across the curriculum. *The Mental Health & Well-Being Policy* will be distributed through all schools in the district and posted online.

**Implementing and Evaluating the Policy on Mental Health**

The District will establish an implementation and evaluation plan for this policy to monitor its effectiveness and the possible need for modification over time. Towards this end, the District designates the Director of Curriculum & Instruction, Director and Assistant Director of Pupil Personnel Services & Special Education to have operational responsibility for ensuring that the District meets the goals and mandates of this policy.

Designated staff, including school mental health support staff (building psychologists, social workers, nurses and guidance counselor), will also serve as liaisons with community agencies that may help with providing resources. The District will report annually on the progress toward meeting the goals of the policy to the Superintendent of Schools and Board of Education.

The Elmont School District recognizes that every member of the district has an impact on student health and contributes to creating an environment that promotes positive mental health and well-being. All members of our school-community – including students, teachers, support staff, school related professionals, administrators, school board, families and volunteers, will be supported in their efforts to provide an environment that promotes mental health.

The District curriculum will integrate the multiple dimensions of health by including mental health and the relation of physical and mental health so as to enhance student understanding, attitudes and behaviors that promote health, well-being and human dignity throughout K-6.

**The Board of Education (BOE) shall promote necessary district-wide staff awareness and understanding of the Mental Health Education policy by:**

- having it reviewed by the Policy Committee and then adopted in Public Session by the BOE;
- distributing the policy and making it available online;
- supporting district-wide professional development; and
- integrating Mental Health Education & Well-Being into the curriculum.

**The BOE shall promote necessary community awareness of the Mental Health Education Policy by:**

- adopting the policy at a meeting(s) of the BOE;
- highlighting the policy on the district website; and
- promoting positive mental health within all of the school buildings.

**The School District will:**

- provide a curriculum that actively engages and builds students' self-awareness, social awareness, responsible decision-making, self-management and relationship skills, and social and emotional learning;
- support staff in accessing resources, tools and professional learning to enhance their knowledge and capacity to integrate mental health and well-being content across the curriculum;
- establish a whole school/whole child approach to mental health that is consistent with this policy by providing positive, safe and supportive environments and opportunities to build and practice relationship skills, resilience and social and emotional competencies;
- encourage the Building Advisory committee in each school to support efforts creating a safe and supportive environment for students and staff; and
- engage students, families and the community in supporting mental health and well-being in a culturally-sensitive approach.

**Monitoring and Review of Policy**

The Mental Health Education Policy and related curriculum will be monitored and reviewed annually by Central Office Administrators, Building Administrators and the Superintendent of Schools.

**Glossary of Services and Terminology**

Confidentiality Policies: FERPA and HIPPA: An Alphabet Soup Meaning-Confidentiality. Mental Health Clinic staff requirements for confidentiality and sharing of records emanates from the Health Insurance Portability and Accountability Act (HIPPA) and Section 3313 of the Mental Hygiene law.

In addressing parental and student confidentiality rights, schools are governed by the Federal Family Educational Rights and Privacy Act (FERPA) and when addressing Medicaid funding, HIPPA as well. Serving the child in the context of the family is most effective. The goal is to have school and mental health systems work with the parents to encourage their willingness to approve the sharing of information that will assure a consistent school and community approach to addressing the needs of the child and the family. Issues surrounding sharing of information are the crux of many disputes when implementing school-based mental health programs. With informed parental consent, most of these issues disappear. Without parental consent, the mental health provider is generally not able to share individual child information. The partnership should determine how to use aggregate data to assess the effectiveness of the partnership in addressing school-wide outcomes. What information or records can be shared between school and clinic staff?

Informed consent reflects parental understanding about what will be shared, how the information would/could be used and when consent can be withdrawn. The consent cannot be generic. It must be specific and updated to reflect current records and reports. Consider this an ongoing process that must be built into the relationship with the student/parent. In addressing this sensitive area, generally it is helpful to establish a strong partnership that approaches this question first as, “What limited information is needed by staff for each system to more effectively do their job?” Once partners reach a consensus on the specifics of this information, they can address how to go about discussing with the parent the what, who and how that leads to informed consent.

Clinics are governed by Section 3313 of the Mental Hygiene law and HIPPA. They are required to obtain an additional consent of the parent to release the records related to any assessment conducted as a result of screening or any other reason. If the parent does not consent, the clinic is prohibited from releasing the record to the school district.

#### Joint Guidance on FERPA and HIPPA

Needs Assessment: An essential initial step in considering what efforts currently exist and what gaps may exist to achieve a specific goal. A needs assessment is part of an on-going data-based decision-making process which supports the work of teams and collaborative endeavors with stakeholders.

Parity: Mental health parity describes the equal treatment of mental health conditions and substance use disorders in insurance plans. When a plan has parity, it means that if unlimited doctor visits are provided for a chronic condition, like diabetes, then the insurance provider must offer unlimited visits for a mental health condition such as depression or schizophrenia. However, parity does not necessarily equate to good mental health coverage. Comprehensive parity requires equal coverage, not necessarily “good” coverage. If the health insurance plan is very limited, then mental health coverage will be similarly limited even in a state with a strong parity law or in a plan that is subject to federal parity.

#### School-based Interdisciplinary Teams:

- **Multi-Tiered System of Support (MTSS) Team:** a multidisciplinary team that meets regularly at the school to review specific student needs to develop goals and an action plan to address those needs. Typically includes teachers, special education service providers, school counselor, school social worker, school psychologist, administrator, and other faculty and staff as relevant to the student being reviewed.

The parent/guardian of the student is informed of the meeting and often invited to attend or convey their view of what they think the student's needs are.

- RTI/PBIS Team (Response to Intervention; Positive Behavioral Interventions and Supports): a multidisciplinary team that meets regularly at the school to fully review and develop goals to address significant student learning and behavioral needs through evidence-based interventions. Typically includes teachers, special education teacher, literacy/reading specialist, speech/language pathologist, school counselor, school social worker, school psychologist, administrator, parent and other faculty and staff as relevant to the student being reviewed. Student needs and interventions are organized into three tiers: Tier One (whole class interventions), Tier Two (small group or more targeted interventions) and Tier Three (intensive interventions and/or referral).
- Building /District Leadership Team: a multidisciplinary team that meets regularly at the school to review school policies and procedures and develop implementation plans as needed. Typically includes administrators and teacher representatives selected by the faculty.

### Legal Reference

Policy

Adopted: 10/2/18

Amended:

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

CHILD ABUSE PREVENTION AND REPORTING PROCEDURES

5290

WELFARE

STUDENTS

Report of child abuse or maltreatment is mandated under the New York State Child Protective Service Act, Chapter 1039, Social Service Law. Section 413 of the law provides that any professional staff member of the school must report any situation in which they suspect that a child may be abused or maltreated. The law does not require certainty or proof prior to reporting. Willful failure to report child abuse or maltreatment shall be a Class A misdemeanor. Persons who knowingly and willfully fail to report suspected child abuse or maltreatment “shall be civilly liable for the damages proximately caused by such failure.”

**I. Definition of Abused Child**

An “abused child” is a child less than sixteen years of age whose parent, or other person legally responsible for his/her care, inflicts serious physical injury, creates or permits a substantial risk of injury, commits or allows to be committed a sexual offense against the child.

**II. Definition of a Maltreated Child**

A “maltreated child” is a child under 18 years of age who’s physical, mental or emotional condition has been impaired, or is in danger of becoming so, as a result of failure of parent, or responsible “other” to exercise a minimum degree of care in the following areas:

- Supplying inadequate food, clothing, shelter, education, and medical care.
- Lack of proper supervision
- By inflicting excessive corporal punishment.
- By substance abuse that causes lack of self-control.
- By any other acts of a similar serious nature.

**III. Immunity from Liability**

Any person reporting in good faith shall have immunity from civil or criminal liability. The good faith of any person required to report cases of abuse or maltreatment is presumed.

Staff shall comply with the regulation developed by the Superintendent of Schools to report cases of abuse or maltreatment.

Legal Reference

Education Law § 3209-a

Policy

Adopted: 2/18/75

Amended: 4/11/84 (approved at Board Meeting 4/10/84), 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*CHILD ABUSE PREVENTION AND REPORTING PROCEDURES*

5290 (b)

*WELFARE*

*STUDENTS*

*PROCEDURE REGARDING CHILD ABUSE*

*I. Reporting Procedure*

*Any school staff member, suspecting abuse or maltreatment, shall bring the child in question to the attention of the school principal of the suspected situation. The principal or his/her designee will call the New York State Child Abuse and Maltreatment Center (Childline) at (800) 342-3720. The following information is to be given orally to Childline:*

- *Name, address, age of child and his siblings.*
- *Name of parents, guardian, or others living in household.*
- *Name of person suspected of inflicting abuse or maltreatment.*
- *Name and school of reportee. Reportee may request anonymity.*

*The Superintendent shall be notified by the principal of the action taken.*

*II. Follow Up*

- A. Pertinent information shall be shared with Protective Services caseworkers assigned. Communication and follow-up are to be maintained.*
- B. When it is necessary for the Protective Services caseworker to interview the child in school, a school staff member shall be present if it does not interfere with the confidentiality of the case.*
- C. A written report using Form DSS-2221-A must be filed by the reportee with the Nassau County Department of Social Services, Child Protective Services Unit, 900 Ellison Avenue, Westbury, New York within 48 hours of calling Childline (see attached form DDS-2221-A). Reports of suspected child abuse and maltreatment are confidential and may only be made available to those individuals or groups specified by law.*
- D. The District Supervising School Nurse is designated as the school District liaison person with the Nassau County Department of Social Services Child Protective Services Unit. The principal in each building is the person designated to follow up referrals by teachers and to be in contact with the District Supervising School Nurse.*

III. Confidentiality

*To maintain the confidentiality of the suspected adult, a copy of the DSS-221-A report will be forwarded to the Superintendent of Schools by the building principal and maintained in a confidential file in the Superintendent's office.*

*If investigation shows a report to be unfounded, all information concerning the report will be destroyed by Protective Services.*

Legal Reference

*Regulation*

*Adopted: 11/75*

*Amended: 4/78, 4/8, 6/21/05, 7/05/05*

Required \_\_\_\_\_  
Local  X

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

SEX OFFENDER NOTIFICATION

5291

WELFARE

STUDENTS

Notification of Release of Sex Offenders

The Board of Education desires to establish a policy for response by school District personnel in cases where the District receives notification from a local enforcement agency with respect to paroled sex offenders residing within the school District.

In the event such notice is received by the District, the Superintendent, after notification to the Board of Education (notice to the Board shall be for information purposes only and shall not impose upon any Board member the obligation to extend the notice), shall determine whether and to whom such information may be made available. The Superintendent shall take reasonable steps to ensure that the information is conveyed in a lawful and appropriate manner consistent with the best interests of the students of the District and the community in accordance with the guidelines in Regulation 5151.

Legal Reference

Policy

Adopted: 1/20/99 (Approved at Board Meeting 1/19/99)

Amended: 6/21/05, 7/05/05



Required \_\_\_\_\_  
Local \_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

*SEX OFFENDER NOTIFICATION*

5291 (a)

*WELFARE*

*STUDENTS*

*Guidelines Regarding Notification of Release of Sex Offenders*

*The community notification provisions of Megan's Law authorize entities with vulnerable populations to make secondary notification in order to promote public safety and to facilitate the prosecution of sex crimes. In consideration of these purposes, the District shall disseminate complete information on an offender only to those categories of officials, organizations and individuals, who are in a position to use the information to protect likely victims and facilitate the prosecution of sex crimes. Consideration will be given to the offense committed by the offender. Based on the nature of the offense committed by the offender, the Superintendent of Schools will determine if, and to whom notice will be given.*

*Upon receipt of a notification the District will take reasonable steps to confirm that the information contained in the notification pertaining to the offender's status is consistent with the information allowed to be disclosed for a Level 2 or Level 3 sex offender pursuant to the provisions of the Sex Offenders Registration Act. In the event it is inconsistent, the District will contact the local law enforcement agency sending the notification. In the event it is consistent, the District will redistribute a copy of the actual notification as set forth below.*

*Whenever notification is received from any local enforcement agency regarding convicted sex offenders residing within the District's geographical limits, the Superintendent may determine, depending on the facts of each case, to disseminate the notification to the following persons:*

- 1. Building Principals*
- 2. Staff members who regularly greet members of the public visiting the buildings*
- 3. Security Personnel*
- 4. Supervisors of school related organizations or other authorized activities that regularly meet or are regularly conducted on District property.*
- 5. Those members of the staff and community at large who, in the opinion of the Superintendent have an immediate need to be notified of such data in order to promote public safety and facilitate the prosecution of sex crimes.*

*Persons receiving notification are required to inform a responsible District official if they observe, within the school building, on school grounds, or in any other area under the District's jurisdiction, any suspicious person whom they believe meets the description of the sex offender in the notification.*

*SEX OFFENDER NOTIFICATION*

5291 (b)

*Other community residents requesting information regarding the release of sex offenders shall be advised to contact their local law enforcement agency or to call 1-900-288-3838 for the Central Registry maintained by the Division of Criminal Justice Services.*

*The Superintendent shall take the necessary steps to implement these guidelines and to disseminate them to District staff.*

Legal Reference

*Regulation*

*Adopted: 1/20/99 (Approved at Board Meeting 1/19/99)*

*Amended: 6/21/05, 7/05/05*

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

SEXUAL HARASSMENT OF STUDENTS

5292

WELFARE

STUDENTS

Conduct is deemed to be “sexual harassment” when the behavior is deemed inappropriate for that developmental age and when the recipient perceives such behavior as unwelcome. The Board recognizes that sexual harassment of students can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as any individual who foreseeably might come in contact with students on school grounds or at school-sponsored activities.

When an alleged sexual harassment occurs and the District knows about it, immediate and appropriate corrective action shall be taken. Any student who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately so that appropriate corrective action may be taken at once. In the absence of a victim’s complaint, the Board upon learning of or having reason to suspect the occurrence of any sexual harassment, will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of sexual harassment. Such procedures are to be consistent with:

- any applicable provisions contained in the District's policy manual
- the student developmental level
- all applicable Federal and State laws.

Resources, including those provided through the family life curriculum, will be made available to students and employees. School psychologists and social workers will present information to raise awareness of the issues surrounding sexual harassment. Preventive measures to help reduce incidents of sexual harassment will be implemented through the family life curriculum.

A copy of this policy and its accompanying regulation are to be distributed to all personnel and posted in appropriate places.

Legal Reference

Cross Reference

Policy

Adopted: 2/16/00 (approved at Board Meeting 2/15/00)

Amended: 6/21/05, 7/05/05

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

**SEXUAL HARASSMENT OF STUDENTS**

5292 (a)

**WELFARE**

**STUDENTS**

*The following regulation will implement the Board of Education's policy concerning sexual harassment of students.*

*Student-to-student sexual harassment shall be dealt with on a case-by-case basis. The psychologist or social worker, in consultation with designated personnel, shall first interview the alleged victim and the alleged harasser separately. A determination shall be made of whether this in fact meets the legal criterion standards of sexual harassment or if it is more a situation of two students teasing, bullying or harassing each other in an inappropriate manner. Many factors need to be considered when interviewing students. These include, but should not be limited to, the age of the students involved, the students' understanding of sexual terms or sexual gestures, understanding of good touch/bad touch, motivation of actions, past history of their relationship, etc. If deemed appropriate, the parents of both students shall be called and asked to come in for a meeting with the principal and social worker and/or psychologist. If deemed necessary, the social worker or psychologist might arrange to do short-term individual or group counseling if appropriate. If the student is old enough, there shall be a discussion of the legal implications and definition of sexual harassment. Sanctions may range from a reprimand up to suspension of the student from school. Depending on the findings of this process, a case may be referred to the Superintendent of Schools under the sexual harassment policy.*

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

**SEXUAL HARASSMENT BY ADULTS**

*Consistent with federal and state law, and all applicable provisions contained in the District's policy manual, the following procedures shall be employed in handling any report, investigation and remedial action concerning persistent or new allegations of sexual harassment by adults. Students who believe they have been subjected to sexual harassment are to report the incident to the designated staff member, e.g. teacher, psychologist, social worker. The staff member shall notify the Building Principal and the Superintendent of all complaints. A formal complaint form may be filed.*

*Upon receipt of a complaint, a prompt and impartial investigation of the allegations must follow. The students' parents are to be notified. All witnesses shall be interviewed and if requested, the victim shall speak with an individual of the same sex. Complainants and their parents are to be notified of the outcome of the investigation.*

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

*Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law consistent with any applicable provisions in the District's policy manual.*

*If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level.*

*Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate Building Principal or Superintendent to ensure that the harassment has not resumed and that no retaliatory action has occurred. At the discretion of the District, these follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.*

*Upon written request, complainants should receive a copy of any resolution reports filed by the Building Principal or Superintendent concerning his/her complaint.*

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

### Legal Reference

#### Regulation

Adopted: 2/16/00 (approved at Board Meeting 2/15/00)

Amended: 6/21/05, 7/05/05

**SEXUAL HARASSMENT FORMAL COMPLAINT FORM**

*Name and position of complainant* \_\_\_\_\_

\_\_\_\_\_

*Date of complaint* \_\_\_\_\_

\_\_\_\_\_

*Name of alleged sexual harasser* \_\_\_\_\_

*Name and place of incident* \_\_\_\_\_

\_\_\_\_\_

*Description of misconduct* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Name of witnesses (if any)* \_\_\_\_\_

\_\_\_\_\_

*Has the incident been reported before?* \_\_\_\_\_

*If yes, when? To whom?* \_\_\_\_\_

\_\_\_\_\_

*What was the resolution?* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Reasons for dissatisfaction* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# DO NOT USE THIS FORM

SEXUAL HARASSMENT OF STUDENTS

5292 (d)

## SEXUAL HARASSMENT COMPLAINT APPEAL FORM

Name and position of complainant \_\_\_\_\_

\_\_\_\_\_

Date of appeal \_\_\_\_\_

Date of original complaint \_\_\_\_\_

Have there been any prior appeals? \_\_\_\_\_

If yes, when? To whom? \_\_\_\_\_

\_\_\_\_\_

Description of decision being appealed \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Why is the decision being appealed? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

CODE OF SCHOOL CONDUCT AND DISCIPLINE

5300 (a)

CONDUCT

STUDENTS

I. INTRODUCTION

Effective schools provide a safe and orderly climate where children can pursue their educational goal without disruptions and interferences. The Elmont District recognizes its responsibility and commitment to the creation of an environment in which children may live and learn to their full capabilities in harmony with others, where individuals can be helped to find and understand their roles in society, and where the culture and values of our democratic society can be maintained and improved.

The goal of the Elmont District is to help children become responsible, active participants in their environment. Discipline is thus viewed as an integral part of the school curriculum. Teaching includes the development of self-control, and mutual respect for peers and adults.

In order to assure a healthy school climate, parents, school and community must share the responsibility for helping students develop self-discipline. An awareness of school rules on the part of all members of the school community is essential for the maintenance of a safe and orderly climate. All procedures and guidelines must be fair, flexible and in the best interest of children and adults. The guidelines offered in this policy reflect the educational philosophy of the Elmont schools and the spirit of productive social behavior. They have not been constructed for punitive ends, rather they are an attempt to promote and enhance self-discipline.

This code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

II. ESSENTIAL PARTNERS

A. Parents

To achieve a cooperative, wholesome relationship between home and school that is essential to each student's successful development and achievement, all parents are expected to:

1. Recognize that the education of their child (ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time and are picked up on time in strict accordance with the school's arrival and dismissal procedures. Inform school officials of the home situation that may affect student conduct or performance. It is essential that the school is given up-to-date telephone numbers and emergency contact numbers where a family member or friend can be reached at any time in the event of an emergency.



4. Make certain that all necessary absences are reported immediately and properly excused.
5. Provide for their child's health, personal cleanliness and ensure that their children are dressed and groomed in a manner consistent with the student dress code.
6. Guide their child from the earliest years to develop socially acceptable standards of behavior, to exercise self-control and be accountable for his/her actions as required to maintain a safe and orderly environment. Parents need to help their children to deal with peer pressure.
7. Know and understand the rules their child is expected to observe at school: be aware of the consequences of any violation of these rules, and accept legal responsibility for their child's actions.
8. Instill in their child a desire to learn by providing a positive environment conducive to studying and by ensuring the completion of homework assignments. Provide a place for study and ensure homework assignments are completed.
9. Exemplify an enthusiastic and supportive attitude toward school, educators and learning by becoming acquainted with their child's school, its staff, curriculum and activities; by participating in the activities of the PTA; by attending parent-teacher conferences and school functions and by building good relationships with teachers, and other children's parents.
10. Provide supervision to ensure the safe boarding and discharging of students at bus stops.

#### B. Teachers and Support Staff

As the educators who are in more direct contact with children, classroom teachers have greater opportunities to influence the children's conduct. It shall be the educator's responsibility to:

1. Maintain a climate of mutual respect and dignity, which will strengthen student's self-concept and promote confidence for learning.
2. Consider the physical, social, intellectual, and emotional development of the students.
3. Provide appropriate learning opportunities for students by effective planning, motivation, and appropriate challenging instruction.
4. Participate in the establishment of school rules and regulations regarding student behavior: explain these rules to students and require observance of the same.
5. Know school and District rules and policies. Be fair, firm and consistent in enforcing them in classrooms, hallways, restrooms, school buses, on the school campus and at all school-sponsored activities.
6. Confer with support personnel for possible solutions to discipline problems.
7. Inform students of individual classroom behavior expectations.
8. Demonstrate, by word and personal example, respect for all other District employees, for law and order, and self-discipline.

9. Establish and maintain a classroom discipline plan in accordance with the school and District discipline codes.
10. Communicate with parents at regular reporting periods, and at other times when appropriate, regarding the acceptability of a student's conduct, social growth and achievement.
11. Protect the rights of other students by initiating action to remove dangerous or disruptive students in accordance with procedures established in this policy. Teachers need to be responsive to and provide mediation for students seeking assistance regarding disciplinary matter or a potential disciplinary matter.
12. Communicate to students and parents:
  - a. Course objectives
  - b. Marking/grading procedures, performance and behavior.
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline plan
13. Model good behavior in school, at professional meetings, and when meeting with parents. Dress in a professional and clean manner.
14. Maintain confidentiality of students' records, performance and behavior.
15. Report all incidents of violence, harassment, discrimination, or bullying to the Dignity Act Coordinator and building principal.
16. Respond in accordance with provided training to prevent acts of harassment and discrimination.

#### C. School Support Professionals

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student conferences or parent/teacher/student/counselor conferences as necessary as a way to resolve problems.
3. Review with students their progress as needed.
4. Encourage students to benefit from the curriculum and extracurricular programs.
5. Report all incidents of violence, harassment, discrimination, or bullying to the Dignity Act Coordinator and building principal.
6. Respond in accordance with provided training to prevent acts of harassment and discrimination.

#### D. Administrators

As the educational leaders of the school, administrators set the disciplinary climate. It shall be their responsibility to:

1. Create the best teaching/learning situation possible, exercising all authority assigned by the Superintendent of Schools.
2. Develop/refine with the staff, individual school rules and procedures in accordance with State Education and School Board regulations.
3. Inform parents, students, and faculty of system-wide regulations and school rules.
4. Ensure that all system-wide regulations and school rules regarding discipline are applied consistently.
5. Investigate all incidents of violence, harassment, discrimination, or bullying. Take prompt corrective action on referred violations of discipline regulations
6. Inform the parent/guardian, when appropriate and the involved staff member verbally or in writing of actions taken on referred violations.
7. Give firm support to staff members and advise them of appropriate methods of discipline.
8. Maintain a file of all discipline referrals on each student.
9. Report all cases of physical abuse.
10. Report all illegal activities to the appropriate authority.
11. Comply with pertinent State laws governing hearings, suspensions, and students' rights.
12. Be a model of professionalism for staff and students.
13. Ensure that all District staff, students, parents, and visitors are treated with respect and courtesy.
14. Ensure that confidentiality is respected and that all directives given to staff are carried out in an expedient manner.

E. Superintendent

1. Promote a safe, orderly and stimulating school environment that supports active teaching and learning.
2. Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board of Education about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with District administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

6. Set the educational and professional tone for the District.

F. Board of Education

1. Involve student, teacher, administrator, and parent organizations, school safety personnel and other school personnel in developing a code of conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the District’s code of conduct to evaluate the code’s effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

**III. STUDENT CODE OF BEHAVIOR**

School is a place where each child can be guided to develop to his/her fullest potential and where the culture and values of society can be maintained and improved. Within the school framework, discipline is intended to foster student growth while providing an acceptable environment in which to learn.

In keeping with the philosophy that discipline is a means of teaching expected behavior, disciplinary efforts are to be as positive as possible. This means working with students to involve them in defining acceptable behavioral standards and in communicating behavioral expectations with sufficient clarity and frequency to ensure that all parties share common understanding. Children expect and appreciate clear and consistent guidelines. In turn, they should be held accountable for their behavior.

Every individual who enjoys the rights of citizenship in a community must also abide by the rules and regulations by which that community is governed. These guidelines are designed to promote a safe, orderly, healthy and civil school environment for students, parents, teachers, staff and administrators.

Rights

Responsibilities

Students have the right to a free public education within a safe environment free from threats to their persons or property.

- Students have the responsibility to attend school regularly and to be in class on time and prepared to learn.
- Respect the rights and property of others.
- Respect and care for school property.
- Adhere to all school safety and health regulations and procedures.
- Work to the best of their ability in all academic and extra curriculum pursuits and strive toward their highest level of achievement possible.

<u>Rights</u>	<u>Responsibilities</u>
<p>Students have the full rights of citizenship as defined by the Constitution of the United States and its amendments and these rights cannot be abridged, obstructed, or otherwise altered except in accordance with due process of law.</p>	<p>- Students have the responsibility to abide by all prevailing local, state, and federal laws, particularly as they pertain to respecting the rights of others.</p>
<p>Students have the right to express opinions, to take stands to support causes either publicly or privately without unlawful interference as long as such expression causes no disruption of the educational process.</p>	<p>- Students have the responsibility, when exercising their rights of free expression either verbally or symbolically, to avoid the use of obscenities, anger, libelous statements, or personal attacks. Students have the responsibility of seeking assistance from appropriate adult in solving problems that might lead to disciplinary problems.</p>

Below are rules which may aid in the establishment and maintenance of a healthy and productive school climate. While recognizing that there are certain guidelines that are applicable to all educational settings, these suggested rules should be modified to meet the unique needs of each school.

#### General School Rules

- . respect school property
- . treat all people with respect and dignity, regardless of race, gender, creed, religion or sexual orientation.
- . positively comply with the direction of teachers, school administrators or other school employees
- . keep the school litter-free
- . behave in a manner which manifests the best sense of courtesy
- . approach studies with the importance and seriousness necessary for successful completion
- . avoid the use of language action and gestures that are profane, abusive or inappropriate
- . avoid any form of academic misconduct
- . students must demonstrate behavior and use language that is non-threatening to anyone else
- . take responsibility for one's own actions
- . greet visitors and guests and assist them as needed
- . behave in such a way that will bring pride to themselves, their parents, and school at all times
- . behave in a manner that is non-disruptive and non-violent
- . follow District policies while on school grounds
- . weapons or items that may resemble weapons are strictly prohibited on school property

Student behavior must be such so that the safety, health or welfare of others is not endangered. Examples of unacceptable behavior include the following types of conduct: lying, stealing, defamation, discrimination, harassment, intimidation, bullying, selling - using or possessing obscene material, using vulgar or abusive language, smoking, possessing – consuming – selling - distributing or exchanging alcoholic beverages or illegal substances or being under the influence of either.

Students are forbidden to engage in any type of physical force. The District has a zero tolerance policy regarding the use of physical force.

Students who engage in the above behavior are considered to be partaking in prohibited student conduct.

### Expected Behavior

#### Classroom Rules

- . follow all classroom rules
- . leave room only with permission
- . be a polite friend
- . complete assignments neatly and submit them as scheduled
- . maintain texts and notebooks in good order
- . keep desks orderly and free from graffiti
- . use computers and other forms of electronic learning items and all school property only in appropriate ways as directed by the teacher

#### Cafeteria Rules

- . treat food service personnel and other adults with respect
- . use good table manners
- . handle food properly
- . speak softly at all times
- . stay in seat

#### Playground Rules

- . respect and obey all staff
- . use equipment properly
- . play in designated areas only
- . toss only authorized equipment on playground
- . leave the playground area only with permission
- . treat friends and classmates with respect

#### Bathroom Rules

- . use facilities properly
- . respect the privacy of others
- . recognize that bathrooms are a convenience and not a playground
- . keep bathrooms free from graffiti
- . leave bathrooms promptly

Classroom Rules

- . leave only with permission
- . walk quietly
- . follow cafeteria procedures
- . dispose properly of wrappers, leftover food, etc.

Hallways

- . walk quietly
- . stay on the right
- . use water fountain properly
- . respect displays
- . move to and from class quickly and quietly

Bus Rules

- . stay in seat, speak softly
- . keep head, hands, arms in bus
- . follow directions of the driver and bus attendant
- . practice bus safety at all times

Auditorium

- . enter and leave the auditorium quickly and quietly
- . practice audience participation skills i.e., applaud when appropriate, remain silent when not pleased

Bicycle Rules

- . “walk” bicycles on school sidewalks and blacktop
- . do not ride or touch another person’s bike without permission

Arrival and Departure

- . arrive at the appropriate time
- . walk, when entering and leaving school

- . line up quickly and quietly in designated areas
- . follow monitor’s directions
- . follow bus and traffic safety rules
- . use assigned exit and entrance
- . follow appropriate pedestrian laws

Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats in the classroom except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Each building principal or his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Questions concerning dress code shall be directed to the Superintendent of Schools.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

#### **IV. REPORTING VIOLATIONS**

All students should promptly report violations of the code of conduct to a teacher, support professional, the building principal or his or her designee. Any student observing a student possessing a potentially dangerous item or substance on school property or at a school function or threaten to cause bodily harm to others shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

All District staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.



Any potentially dangerous item or substance found shall be confiscated immediately. Notification to the parent of the student involved and the appropriate disciplinary sanction, if warranted, are to take place as soon as possible. Such actions may include permanent suspension and referral for prosecution.

The building principal or his or her designee must immediately notify the Superintendent of Schools. Should the Superintendent deem it necessary, he/she should notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order of security of a school.

## **V. DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS**

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense (e.g. student who initiated the fight, student who bullies others).
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall be disciplined with consideration for behavior related to his/her disability.

### **A. Penalties**

Students who are found to have violated the District's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

## A. Penalties

1. Oral warning – any member of the District staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, support staff, teachers, principal, Superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, coaches, teachers, principal, Superintendent
4. Detention – teachers, principal, Superintendent
5. Suspension from transportation – principal, Superintendent
6. Suspension from athletic participation – coaches, principal, Superintendent
7. Suspension from social or extracurricular activities – activity director, principal, Superintendent
8. Suspension of other privileges – principal, Superintendent
9. In-school suspension - principal, Superintendent
10. Removal from classroom by teacher – teachers, principal
11. Short-term (five days or less) suspension from school – principal, Superintendent, Board of Education
12. Long-term (more than five days) suspension from school – principal, Superintendent, Board of Education
13. Permanent suspension from school – Superintendent, Board of Education.

Suspensions will be noted on the student school record unless modified by the Superintendent of Schools.

## B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

### 1. Detention

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified and the student has appropriate transportation home following detention.

### 2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

### 3. Suspension from athletic participation, extra-curricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the conduct and the penalty involved.

### 4. In-school suspension

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in school suspension" under the supervision of certified teacher.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

## 5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a support professional or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for one day. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class. The teacher must provide written documentation of the student behavior leading to suspension to the school principal.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student **why he or she was** removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a District-established disciplinary removal form and meet with the principal or his/her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the teacher in consultation with the principal or another District administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the teacher, principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery; or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The teacher who ordered the removal will be required to attend the informal conference.

If at the informal meeting the student denies the charges, the teacher must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and the principal.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

- The charges against the student are not supported by substantial evidence.
- The student's removal is otherwise in violation of law, including the District's code of conduct.
- The conduct warrants suspension from school pursuant to Education Law 3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. The classroom teacher is responsible to provide appropriate class work assignments.

Each teacher must keep a complete log (on a District provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

## 6. Suspension from school

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals.

Any staff member may recommend to the Superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

### a. Short-term (5 days or less) suspension from school

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law 3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be to the degree possible in the dominant language or mode of communication used by the parents.

At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so.

The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the board of education with the District clerk within 10 business days of the date of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school

When the Superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceeding or may, 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. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the board 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.

c. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

### C. Minimum Periods of Suspension

#### 1. Students who bring a weapon to school.

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law 3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- The Superintendent's belief that other forms of discipline may be more effective.
- Input from parents, teachers and/or others.
- Other extenuating circumstances.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

#### 2. Students who commit violent acts other than bringing a weapon to school.

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

#### 3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom.

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law 3214 (3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester.



If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis.

In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

#### D. Referrals

##### 1. Counseling

The School Psychologist shall handle all referrals of students to counseling.

##### 2. PINS Petitions

The District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
  - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
  - c. Knowingly and unlawfully possesses marijuana in violation of Penal Law 221.05. A single violation of 221.05 will be a sufficient basis for filing a PINS petition.
3. Juvenile Delinquents and Juvenile Offenders (Not applicable to the age level of K-6 students.)

## **VI. ALTERNATIVE INSTRUCTION**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law 3214, the District will take immediate steps to provide alternative means of instruction for the student.

## **VII. DISCIPLINE OF STUDENTS WITH DISABILITIES**

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

## A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.

A “suspension” means a suspension pursuant to Education Law 3214.

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- a. The Board, the District (BOCES) Superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
  - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
  - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
3. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

4. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

#### B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
  - a. for more than 10 consecutive school days; or
  - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change; in placement based on a pattern of suspension or removal.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

#### C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The District's Committee on Special Education shall:
  - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school District shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose; a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
    - a. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
    - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:
      - 1) conducted an individual evaluation and determined that the student is not student with a disability, or
      - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behavior.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the District, which can include suspension.

3. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

#### D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
  - a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

- 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
  - 2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the District and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of IDEA and its implementing regulations:

- a. The District may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
- b. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

**VIII. USE OF CORPORAL PUNISHMENT BY DISTRICT PERSONNEL**

The use of corporal punishment by District personnel is prohibited. Corporal punishment means any act of physical force upon a pupil for the purpose of punishing that pupil. Corporal punishment shall not mean the use of a reasonable physical force for any of the following purposes:

1. To protect oneself from physical injury.
2. To protect another pupil or teacher or any other person from physical injury.
3. To protect the property of the school or of others. Or
4. To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school District functions, powers or duties, if that pupil 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 in one through four above.

The District shall submit a written semi-annual report to the Commissioner of Education by January 15 and July 15, setting forth the substance of each complaint about the use of corporal punishment received during the reporting period, the results of each investigation, and the action taken in each case.

The principal, upon receipt of a charge of alleged corporal punishment, shall notify the Superintendent of Schools. The principal shall then attempt to determine the facts by conducting interviews with staff involved, the child or children, and the parents of guardians. A written report shall be forwarded to the Superintendent of Schools within 48 hours, which will include the time, place, and date of the alleged incident, as well as the names of all parties involved, and the principal's evaluation and recommendations.

The report should specify the circumstances surrounding the alleged act and names of the witnesses.

The Superintendent of Schools shall conduct any additional investigation that appears warranted in his/her judgment. The Superintendent shall report the incident to the Board of Education with such recommendations as appear justified in his/her judgment.

#### **IX. VISITORS TO THE SCHOOL**

The board encourages parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a member of the School Board, regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.

6. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

## **X. PUBLIC CONDUCT ON SCHOOL PROPERTY**

The following rules and regulations for the maintenance of public order on school property are applicable to students, staff and visitors while they are on Elmont School District property. Nothing herein is intended, nor shall be constructed as limiting or restricting any person's constitutional right to freedom of speech or peaceful assembly.

### A. Prohibited Conduct

No person, either singly or in concert with others shall:

1. Intentionally cause or threaten to do physical injury to any other person nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he/she has a lawful right to do or not to do.
2. Physically intimidate, restrain, harass, detain or, abuse or remove any other person from any place in which he/she is authorized to remain.
3. Willfully destroy property of the District or property under the District's jurisdiction and remove or use such property without authorization, including the personal property of a teacher, administrator, other District employee or any person lawfully on school property.
4. Without permission, expressed or implied, enter in or upon any building, facility, or restricted area for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
5. Enter or remain in any building or facility after it is normally closed, without authorization.
6. Refuse to leave any building or facility after being required to do so by an authorized administrative officer.
7. Obstruct the free movement of persons and vehicles in any place where these rules apply. There must be no violation of the traffic law, parking regulations or other restrictions on vehicles.



8. Disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or any other school program or activity or interfere with the freedom of any person, including invited speakers, to express their views.
9. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
10. Willfully incite, procure or aid others to commit any of the acts herein prohibited.
11. Jeopardize the health and/or safety of others by:
  - a. Throwing stones, bottles or other objects at any time while on school property, or causing such objects to strike school property.
  - b. Using or possessing alcoholic beverages, drugs, or other illegal substances on school grounds, or being under the influence of such either on school property or at a school function.
  - c. Smoking in areas other than those designated by school authority. (No student is allowed to smoke on District property.)
  - d. Possess or use weapons in or on school property or at a function, except in the case of law enforcement officers or except as specifically authorized by the school District.
12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any reasonable order of identifiable school District officials performing their duties.

All organizations or individuals using school facilities must present the "Use of Building Permit" to the custodian on duty. Failure to do so will result in loss of assigned space and time. The issuance of school building and/or grounds permit is subject to the prior condition of a certificate of liability and compliance with all other board policy

#### B. Restrictive Use of School Grounds

##### 1. Cars and Mini-bikes

- a. Cars on school business may enter the school grounds and be parked in areas so designated but no other automobile driving on school grounds is permitted under any circumstances.

- b. Mini-bikes or other motorized vehicles, except authorized vehicles, are not permitted on the school grounds under any circumstances.
- c. The main drive-in gate at each school building will be open. It is the intent of the Board of Education that this will permit police car to enter the school grounds at all times.

## 2. Games and Activities

- a. Games that deface or mar school property are prohibited.
- b. All outdoor activities are to cease April 1st through September 30th, at 9:00 p.m. remainder of year at 6:00 p.m. Participants must leave school grounds immediately after the cessation of such games.

## C. Willful Interference with the Lawful and Authorized Activities of Other

1. Meetings of the Board of Education shall be held as prescribed in the Education law of the State of New York.
2. Spectators, participants and Board members shall conform to reasonable standards of conduct.
3. Disruptive behavior by anyone in attendance may result in suspension of the meeting until a future date or adjournment of the meeting.

## D. Willful Damage to School Property

### Damage to Building and Grounds – Furniture and Equipment –

Malicious damage to buildings, equipment, and/or grounds shall be carefully investigated by the principal or his designee and head custodian in the building affected. Dependent upon the nature and extent of the damage, two courses of action are suggested:

1. If the damage is under \$500
  - a. The head custodian reports to the principal.
  - b. A joint report is filed in duplicate – original to the Superintendent, copies to the Administrators in charge of School Business and the Director of Buildings and Grounds.
  - c. The principal makes a careful investigation to fix the responsibility and to take corrective action if the perpetrators can be identified. It is recommended that the principal collect for damage done by arranging a lump sum or budget payments over a period of time.

A receipt must be given for all money collected. The money should be promptly forwarded to the Business Office with a covering memo outlining the circumstances justifying the amount collected.

2. If the damage is more than \$500
  - a. The same procedure as outlined in the above will be followed.
  - b. The principal will contact the Superintendent or his/her designee for direction relative to reporting to the police department.
3. Parents can be held liable up to \$1,000.00 for vandalism by their children.

#### E. Procedure

All building principals or their designees, during school hours, shall act as the chief administrative officers for their own school buildings and grounds. They shall be responsible for and shall have authority over the actions of students, professional and classified employees, visitors, and persons hired to perform special tasks. All principals shall keep the Superintendent or his/her designee informed of activities in their building.

A person who violates any of the provision of the above rules and regulations shall be directed to leave the premises (if licensee or invitee) or be subject to appropriate disciplinary actions (if a student, faculty or staff member of the District).

Any employee of Elmont Union Free School District witnessing willful injury to any person on school property shall report same to the Superintendent or his designee for prosecution or other appropriate disposition.

The chief administrative officer or his designee may apply to the public authorities for aid which he deems necessary in causing the ejection of any violators of these rules and regulations and he may request the School District's attorney to apply to any court or appropriate jurisdiction for an injunction to restrain the violation or threatened violation of such rules and regulations.

#### F. Intruders

In the event that an unauthorized person trespasses on school property or attempts to use school facilities including buildings, grounds, or equipment, the following procedures will be observed:

1. If the intruder is in a school, the principal shall be notified.
2. If the intruder is unwilling to leave the school building or school property upon request, the Chief Security Officer and the Superintendent shall be notified.

3. The Chief Security Officer shall notify the local police in the event that the security officers are unable to deal with the intruder. The Chief Security Officer will request guidance from the Superintendent, or the Superintendent's designee, before notifying the police. In such instances, the Superintendent shall promptly notify the members of the Board of Education.

\*These regulations apply whether or not school is in session.

## **XI. DISSEMINATION AND REVIEW**

### A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code of conduct available on the school website.
3. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
4. Providing all new employees with a copy of the current code of conduct when they are first hired.
5. Making copies of the code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the code of conduct. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The Board of Education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the code and the District's response to code of conduct violations. The committee will be made up of representatives of students, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

**XII. DEFINITIONS**

For purposes of this code, the following definitions apply.

“Disruptive student” means an elementary student enrolled in the Elmont UFSD who is substantially disruptive of the educational process or substantially interferes with the authority of the teacher or other adult in a supervisory position over the classroom. (Education Law, section 3214 (2-a) (b))

“Parent” means parent, guardian or person in parental relation to a student. (Education Law, section 3212 (1))

“School Property” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus. (Education Law, section 2801 (1))

“School Function” means any school-sponsored extra-curricular event or activity. (Education Law, section 2801 (1))

“Violent Student” means a student under the age of 21 who:

1. Commits or attempts to commit an act of violence upon a school employee, or attempts to do so.
2. Commits or attempts to commit while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon or an item that resembles a weapon.
4. Displays, while on school property or a school function, what appears to be a weapon or an item that resembles a weapon.
5. Threatens, while on school property or at a school function, to use a weapon or an item that resembles a weapon.
6. Knowingly and intentionally damages or destroys or attempts to damage or destroy the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys or attempts to damage or destroy school District property.

“Weapon” means a firearm as defined in 18 USC 921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death. This includes items that resemble or appear to be a weapon. (Education Law, section 3214 (2-a), (a) and section 3214 (2-a), (3), (4), (6) and 18 USC 921)

### **XIII. SOME PRACTICAL SUGGESTIONS FOR TEACHERS**

- A. Give pupils the impression that you expect perfect order.
- B. Learn the names of all pupils as soon as possible.
- C. Give no unnecessary orders or directions – no repetitions.
- D. An explanatory statement, preparatory to giving a direction or order, reduces the possibility of confusion or disobedience.
- E. Insist upon a reasonable compliance with those directions which are given.
- F. Don't let things go. (Nip disorder in the bud.)
- G. Keep the machinery of class management simple.
- H. Plan lessons and all work well.
- I. Keep the class busy on worthwhile work and activities.
- J. Use rewards and punishments judiciously – watch for and reward desirable actions.
- K. Avoid punishing in anger. (It's the child, not the offense, that must be considered.)
- L. Don't punish the group for the offense of an individual.
- M. Don't make threats.
- N. Severe penalties should not be used for minor offenses.
- O. The teacher should never give the impression that she has exhausted her supply of punishments or rewards.
- P. Avoid forcing an issue with a disobedient pupil before the class.
- Q. When a child is punished, keep the door open for him to return to good graces of the class and the teacher.
- R. Have a sense of humor.
- S. Be fair and consistent in your decisions.
- T. Have an element of surprise – something new – in the class work.
- U. Seat pupils so that opportunities for infraction are lessened.

## LIST OF OFFENSES AND CORRESPONDING CORRECTIVE MEASURES

Offenses	Possible Corrective Measures	No. Corrective Measures
Assault	7, 8, 9, 21	1. Conference with student and warning.
Cheating	1, 9	2. Before or after school detention.
Class Cutting	1, 2, 8, 9, 11, 12, 19, 20	3. In-house detention.
Copying homework	9	4. Clean-up.
Destruction of property	4, 5, 7, 8, 21	5. Pay-up.
Disrespect	1, 3, 7, 8, 9, 11, 13	6. Suspension (in-house).
Disruptive Behavior	2, 3, 7, 8, 9, 11, 13, 15	7. Suspension (home).
Extortion, Bullying harassment or discrimination	1, 6, 7, 9, 11	8. Phone conference with parents.
Excessive Absences (legal)	11	9. Personal conference with parents.
Excessive Absences (illegal)	12, 13, 14	11. Letters to parents.
False Alarms	7, 8, 22, 23	12. Team Impact Conference.
Fireworks	7, 8, 26	13. Referral to school services.
Forgery		14. Referral to outside agencies.
Fighting	1, 2, 8	15. Exclusion from class.
Failure to report to detention	6, 9	16. Exclusion from school.
Gambling	8, 27	17. Exclusion from event.
Harrassment/ discrimination of students	28	18. Class make-up.
Infraction of health office responsibilities	1, 8	19. Daily report card.
Lateness (legal)	1, 8	20. Weekly report card.
Lateness (illegal)	1, 9	21. Police notification
Littering	1, 4	22. Fire Marshal's notification.
Loitering	21	
Leaving school without permission	1, 2	23. Eviction from school activities
Misuse of cafeteria privileges	3, 8	24. Withdrawal of library privileges.
No absence notes	1, 11	25. Withdrawal of school bus privileges.
Obscene notes	7, 11, 26	26. Confiscation.
Obscene talk	1, 6, 7, 9	27. Make-up detention.
Profanity	1, 7, 11	28. Inform DASA Coordinator and Principal
Possession of drugs or alcohol	7, 21	
Smoking in building	7, 4, 6	
Smoking on school bus	7, 25	
School misbehavior	25	
Snowball throwing	1, 2, 3	
Theft	7, 21	
Tardiness to school	1, 2	
Tardiness to class	1, 2	
Obligations – textbooks	5	

Obligations – library	5
Use of alcohol	7, 9

Legal Reference

Policy

Adopted: 10/69

Amended: 4/16/86, 8/22/01 (approved at Board Meeting 8/21/01), 7/05/05, 7/2012, 9/12/12  
09/10/13



**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

DIGNITY FOR ALL STUDENTS ACT

5301 (a)

CONDUCT

STUDENTS

- I. **Purpose:** The Board of Education of the Elmont Union Free School District is committed to providing an educational environment that promotes respect, dignity, and equality. The Board recognizes that acts of discrimination, harassment, bullying, taunting and/or intimidation are detrimental to student learning and achievement. These behaviors interfere with the mission of the school District to educate its students, and disrupts the operation of its schools. Such behavior affects not only the students who are its targets, but also those individuals who participate in, and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, harassment, bullying, taunting and/or intimidation (verbal and non-verbal), against students by students and/or employees on school property, (which includes, among other things, school buses, and at school functions, which means school-sponsored, extra-curricular events activities) and/or occurs off school property and creates, or would foreseeably create, a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

II. **Definitions:**

**Harassment** - The Dignity Act (Education Law §11[7]) defines harassment as the creation of a hostile environment by conduct or by threats (verbal or non-verbal), intimidation and/or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional harm or physical injury; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such conduct, verbal threats, intimidation or abuse, includes, but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (which includes a person's actual or perceived sex, as well as gender identity and expression).

**Bullying** – unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying can occur before and after school hours, in a school building or places like a playground or bus, while a child is traveling to or from school or on the Internet (**cyberbullying**).

Children who are bullied and those who bully others could have serious, lasting problems. Additionally, (according to the USDE), bullying generally involves the following characteristics:

- a. An Imbalance of Power: Children who bully use their power, such as physical strength, access to embarrassing information, or popularity, to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- b. The Intent to Cause Harm: The person bullying has a goal of causing harm.
- c. Repetition: Bullying behaviors generally happen more than once or have the potential to happen more than once.

Examples of bullying include, both verbal and non-verbal acts, but are not limited to:

**Verbal**: Name-calling, teasing, inappropriate sexual comments, taunting, and threatening to cause harm.

**Social**: Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public.

**Physical**: Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's things, and making mean or rude hand gestures

**Cyberbullying**, shall mean harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

**Hazing**: The Penal Law defines hazing as a person intentionally or recklessly engaging in conduct during the course of another person's initiation into or affiliation with any organization, which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury (Penal Law §120.16).

Under the Penal Law, it is also considered hazing, even when physical injury does not occur, if a person intentionally or recklessly engaged in conduct during the course of another person's initiation into or affiliation with any organization, which created a substantial risk of physical injury to such other person or a third person (Penal Law §120.17).

**Discrimination**: Unfair treatment of one person or group, usually because of prejudice about actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

### III. Policy Objectives

By adopting and publishing this Policy, it is the intention of the Board of Education to:

- a. Amend the Code of Conduct to include the Dignity Act

- b. Learn about and identify the early warning signs and precursor behaviors that can lead to discrimination, harassment, bullying, taunting or intimidation.
- c. Gather information about discrimination, harassment, bullying, taunting and/or intimidation on school property at school functions directly from students (through surveys, and other mechanisms) and off school property (creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abused might reach school property); analyzing and using the data gathered to assist in decision-making about programming and resource allocation.
- d. Establish clear school-wide and classroom rules about discrimination, harassment, bullying, taunting or intimidation through a District code of conduct, developed in accordance with Education Law.
- e. Training adults in the school community to respond sensitively and consistently to discrimination, harassment, bullying, taunting or intimidation.
- f. Raising awareness among school staff, through training, of school experiences of student populations specified in the Dignity for All Students Act, including but not limited to: students of difference races, colors, weights, national origins, ethnic groups, religion, religious practices, mental or physical abilities, sexual orientations, genders or gender expression, and sex; social stigma in the school environment, gender norms in the school environment, and strategies for preventing and responding to discrimination, harassment, bullying, taunting or intimidation and/or other forms of anti-social and/or violent behavior.
- g. Providing adequate supervision, particularly in less structured areas, including, but not limited to, hallways, cafeterias, school buses and playgrounds.
- h. Raising parental awareness and involvement in discrimination, harassment, bullying, taunting or intimidation prevention and intervention.
- i. Providing examples of positive behaviors that are age appropriate.
- j. Instituting policies and practices that create a safe and secure learning school environment.
- k. Using educational opportunities or curricula, including, if applicable, the Individual Educational Plan (IEP), to address the underlying causes and effects of discrimination, harassment, bullying, taunting or intimidation.

**IV. Training, Implementation of Policy and Reporting of discrimination, harassment, bullying, taunting or intimidation.**

- a. All students in grades pre-kindergarten through sixth grade, shall have instruction in civility, citizenship and character education, at the beginning of each school year, including specific instruction on the Dignity Act Code of Conduct through the Social-Emotional Curriculum.

- b. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for other, with an emphasis on discouraging acts of harassment, bullying, cyber-bullying, discrimination, observance laws and rules, courtesy, dignity and other traits which will enhance the quality of their experience in and contributions to the community. Such component shall include instruction of safe, responsible use of the internet and electronic communications.

Copies of the Code of Conduct, written in plain language, in an age appropriate version, will be distributed to all students at an assembly in the beginning of each school year.

- c. Information on the Code of Conduct, including the Dignity Act and the Dignity Act Coordinators, written in plain language, will be provided to all persons in parental relation to students at least once per school year as determined by the school District.
- d. Provide training to school staff on harassment, bullying, and discrimination to enable them to:
  - (1) Prevent and respond to acts of harassment, bullying and discrimination and intimidation.
  - (2) Raise awareness and sensitivity of school employees to potential discrimination, harassment, bullying, discrimination and intimidation.
  - (3) Effective use of measured, balanced and age appropriate responses to instances of harassment, bullying or discrimination by students, with remedies that follow a progressive model that makes appropriate use of intervention, discipline and education.
- e. In each school building, the school social worker shall be designated as the Dignity Act Coordinator (DAC). (If unavailable, the building principal will serve as the alternate DAC.) This individual will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. The DAC will be provided with training which addresses the social patterns of harassment, bullying (including cyberbullying) and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion practice, disability, sexual orientation, gender or sex. The DAC will be provided with training in strategies for effectively addressing problems of exclusion, bias and aggression in educational settings.

When harassment has occurred, staff must take prompt and effective steps to end it, eliminate any hostile environment and prevent it from reoccurring. Staff will implement these steps, regardless of whether the student, who is the object of the harassment, makes a complaint, asks the staff and/or the school to take action or identifies the harassment as a form of discrimination.

- f. School employees who witness or are made aware, by students and or parents (oral or written reports), of discrimination, harassment, bullying, taunting and/or intimidation will immediately inform the DAC of the incident, (no later than one school day; written report no later than two school days), who will conduct a prompt investigation and report each incident on a timely basis to the building Principal.

Corrective measures and/or administrative action will be determined on a case by case basis to appropriately address incidents of discrimination and/or harassment. These measures are designed to correct the problem behavior, prevent another occurrence, and protect the targeted student(s). These actions may include:

- Peer support groups, corrective instruction or other relevant learning experience
  - Positive support intervention
  - Behavioral assessment or evaluation
  - Behavioral management plans, that are closely monitored
  - Student counseling and/or parent conferences
- g. The Superintendent or designee shall promptly notify the appropriate local law enforcement agency when it is believed the incident constitutes criminal conduct.
- h. Retaliation against any individual, who, in good faith, reports, or assists in the investigation of harassment, bullying and discrimination is prohibited.
- i. At all times, complaints will be documented, tracked and handled in accordance with the policies, procedures and the Code of Conduct, of the Elmont Union Free School District.
- j. In the case of a report of alleged staff-to-student harassment and/or discrimination, reporting, investigation, and response must follow all applicable school District policies and procedures, including contractual provisions and due process obligations related to staff-to-student misconduct.

## **V. Communication and Monitoring**

- a. The Code of Conduct including The Dignity Act will be posted on the school website. Constituent groups, including, but not limited to, administration, staff, parents, students and community members will have an opportunity to provide input on the Dignity Act Policy at the Board of Education Meeting, annually, when the policy is re-affirmed.
- b. The Dignity Act Coordinator, who shall be employed by the school District and licensed and/or certified by the Commissioner, as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator, school supervisor or Superintendent of schools, shall be approved by the Board of Education annually.
- c. The name and contact information of the Dignity Act Coordinator shall be shared with all school personnel, students and persons in parental relation, on the school website; and be posted in highly visible areas in each school building, at administrative offices of the District, and included in the plain language summary of the Code of Conduct and Dignity Act Policy provided to all person in parental relation to the students before the beginning of each school year.

- d. The Board of Education will receive the annual VADIR report, as well as other relevant data, for each school and for the District as a whole, with particular attention to the trends in incidents of discrimination, harassment and bullying. Based on the review of the data, the Board may consider action, including but not limited to modification of this policy and additional training.

Legal Reference

Policy

Adopted: 9/12 (approved at Board Meeting 9/12/12)

Amended: 9/10/13

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

SCHOOL UNIFORM POLICY

5305

CONDUCT

STUDENTS

- I. Statement of Policy: All elementary school students in the Elmont Union Free School District shall, within the parameters set forth below, follow the non-mandatory uniform policy.
- II. While not mandatory, it is the policy of the Board of Education and the District Administration to set a dress requirement for our students because:
- a. Research has shown that school uniforms assist in enhancing the environment in public schools, help to facilitate and maintain an effective learning environment, and keep the focus of the classroom on learning.
- b. School uniforms:
- Decrease morning stress in decision making about what to wear
  - Reduce distractions for students and reduce peer pressure
  - Improve and expand academic excellence
  - Positively influence a school's image in the community and motivate school spirit
  - Increase school safety
  - Instill a sense of pride and discipline among students
  - Positively affect classroom discipline
  - Are cost effective and may save families money
  - Encourage discipline and respect for self
- III. Non-Mandatory School Uniform Policy requires for all students in Kindergarten through Grade 6:
- a.
- IV. Families may elect not to comply:
- When noncompliance derives from financial hardship
  - When noncompliance derives from disability
  - When wearing a uniform violates a student's sincerely held religious belief.

Legal Reference:

Policy

Adopted:

Amended:

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

VIOLENT OR DISRUPTIVE INCIDENT REPORTING

5310

CONDUCT

STUDENTS

The Board of Education is committed to promoting and maintaining the safety of all students, staff and visitors to the schools. Consistent with this commitment and in accordance with state law and regulation, the District shall submit an annual report to the Commissioner of Education regarding violent or disruptive incidents in the form prescribed by the Commissioner.

Reporting Requirement

Each Building Principal shall be responsible for preparing on a regular basis a report of all the violent or disruptive incidents that have occurred in the building and forwarding the report to the Superintendent of Schools. The Superintendent shall be responsible for compiling the reports received from the Building Principals into the annual report and submitting the report to the Commissioner. The report shall contain all the information required by law and shall be filed with the Commissioner of on or before September 30<sup>th</sup> of each year.

Each Building Principal shall be responsible for assuring that copies of each report at the building level are retained for the period prescribed in the records retention schedule issued by the State Education Department and published as Appendix I to the Commissioner's Regulations.

Confidentiality

Any violent or disruptive incident report prepared in accordance with law shall be available for inspection by the State Education Department upon request. All names and other personally identifiable information included in any report shall be confidential and shall not be disclosed to any person for use by any person for purposes other than the reporting purposes in Education Law §2802, except as otherwise authorized by law.

Legal Reference: Education Law §2802 (Uniform Violent Incident Reporting System)  
8 NYCRR 100.2 (gg) (Uniform Violent Incident Reporting System)  
8 NYCRR 185.11 (Appendix I) (Records Retention and Disposition Schedule ED-1)

Policy

Adopted: 7/05/05

Amended: