



**JEFFERSON CENTRAL
SCHOOL DISTRICT
POLICY MANUAL**



**JEFFERSON CENTRAL SCHOOL
BOARD OF EDUCATION POLICY**

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0001

NOTICE OF NON-DISCRIMINATION SECTION 504 OF THE REHABILITATION ACT TITLE IX AND TITLE VII SEXUAL HARASSMENT POLICY

This policy applies to both students and employees.

The District does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability (including but not limited to gender dysphoria) or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

If any person believes that the District or any of the District's staff or any third party has failed to apply or has inadequately applied the principles or regulations of (1) Title VII of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3), 504 of the Rehabilitation Act of 1973, or (4) The Boy Scouts of America Equal Access Act of 2001, that person may bring forward a complaint, which shall be referred to as a grievance, to the District's Compliance Officer, Section 504 Coordinator or the United States Office for Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html> .

The compliance officer, on request, will provide a copy of the District's grievance procedure to any employee or student of the District.

A copy of each of the acts and regulations upon which this notice is based will be made available upon written request directed to the District's Compliance Officer and Section 504 Coordinator.

The words *person* and *complainant* shall include an employee as well as a student of the District.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



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Policy # 0002

SEXUAL HARASSMENT POLICY

It is the policy of the District that all employees and students have a right to work or study in an environment free of discrimination on the basis of sex, sexual orientation, or gender identity which encompasses freedom from sexual harassment. The District strongly disapproves of sexual harassment of its employees or students in any form, and states that all employees as well as students at all levels of the District must avoid offensive or inappropriate sexual or sexually harassing behavior at school, on school grounds, school functions, and on school transportation and will be held responsible for ensuring that such workplace or Academic Environment is free from sexual harassment. Specifically, the District prohibits the following:

- Unwelcome sexual advances;
- Requests for sexual favors, whether or not accompanied by promises or threats with regard to the student-teacher, student-student or employment relationship;
- Other verbal or physical conduct of a sexual nature made to any employee or student that may threaten or insinuate either explicitly or implicitly that any person's submission to or rejection of sexual advances will in any way influence any decision regarding that person's employment, evaluation, wages, advancement, assigned duties, shifts, academic performance, or any other condition of employment, academic or career development;
- Any verbal or physical conduct of a sexual nature or regarding orientation or that has the purpose or effect of substantially interfering with a person's ability to perform the individual's duties;
- Any verbal or physical conduct of a sexual nature that has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment.
- Any verbal or physical conduct regarding gender or sexual orientation that has the purpose of creating a hostile or offensive working or academic environment.

Such conduct may result in disciplinary action up to and including dismissal or suspension.



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Other sexually harassing conduct in the workplace, whether physical or verbal, committed by supervisors or non-supervisory personnel or students is also prohibited. This behavior includes but is not limited to commentary about an individual's body, sexually degrading words to describe an individual, offensive comments, off color language or jokes, innuendos, and displaying sexually suggestive objects, books, magazines, photographs, cartoons, pictures, including but not limited to electronic media.

Employees or students who have complaints of sexual harassment by anyone in the school environment, including any supervisors, co employees, students, or visitors are urged to report such conduct to the compliance officer so that the District may investigate and resolve the problem. If the complaint involves the compliance officer, or if the person for any reason is uncomfortable in dealing with the compliance officer, the employee or student may go to the Superintendent or a person appointed by the Superintendent to handle the complaint.

The District will endeavor to investigate all complaints as expeditiously and as professionally as possible. Where investigations confirm the allegations, appropriate corrective action will be taken.

The District will endeavor to maintain the information provided to it in the complaint and investigation process as confidentially as possible, consistent with the laws of the State and, if applicable, the collective bargaining agreement.

There will be no retaliation against employees or students for reporting sexual harassment or assisting the District in the investigation of a complaint.

The procedure to investigate any complaint shall be consistent with the Anti-Discrimination Policy.

Adopted: July 2, 2019

Second Reading: July 2, 2019

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Policy # 0003

WELLNESS POLICY

It is the policy of the Board of Education, pursuant to the Healthy, Hunger-Free Kids Act of 2010, that:

- a) Nutrition education shall be integrated into the district health curriculum at all academic levels consistent with the State's health education standards.
- b) The benefits of physical activity shall be integrated into the district physical education curriculum and health curriculum at all levels and implemented within the school on a regular basis.
- c) The district shall provide food to students in accordance with State and Federal nutritional guidelines.
- d) District Nutritional Guidelines for food prepared and served in the District shall be in accordance with the Nutrition Standards for School Meals, set from time to time, by the USDA Food and Nutrition Service. It shall be the responsibility of the Food Service Manager to ensure District compliance.
- e) A plan for measuring implementation of this policy shall be created and monitored by the Superintendent or designee and the Board further designates the responsibility of ensuring the school district meets the criteria of this policy to the Superintendent.
- f) Local Wellness Policies and Procedures shall be developed in conjunction with parents, students, representatives of the school food authority, physical education teachers and school health officials, representatives of the school administration, and members of the public.
- g) This policy shall be published from time to time to parents and students and shall be placed upon the District website.

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Amended:



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0004

VOTER PROPOSITIONS

Unless otherwise required by law, all propositions submitted by anyone other than the Board of Education must be submitted by written petition to the Board of Education, at least 30 days prior to the meeting or election considering the proposition. The petition must include at least 25 signatures in support from those eligible to vote on the proposition.

Adopted: July 2, 2019
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Policy # 0005

ACCESS TO SCHOOL DISTRICT RECORDS UNDER PUBLIC OFFICER'S LAW ARTICLE 6

It is the policy of the Board of Education to afford the public access to school district records and documents as stipulated in Article 6 of the New York State Public Officers Law.

The district's Superintendent, as chief executive officer of the district, shall be responsible for insuring compliance with these regulations. He/she shall recommend one or more individuals for annual appointment by the Board as Records Access Officers.

The Records Access Officer shall have the duty of coordinating the District's response to public requests for access to records. The Records Access Officer is responsible for assuring that District personnel:

- a. Maintain an up to date subject matter list.
- b. Assist the requester in identifying requested records, if necessary.
- c. Upon locating the records, take one of the following actions:
 - i. Make records promptly available for inspection; or,
 - ii. Deny access to the records in whole or in part and explain in writing the reasons therefor.
- d. Upon request for copies of records:
 - i. Make a copy available upon payment or offer to pay established fees, if any; or,
 - ii. Permit the requester to copy these records.
- e. Upon request, certify that a transcript is a true copy of records copied.
- f. Upon failure to locate records, certify that:
 - i. The District is not the legal custodian for such records;



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- ii. The records of which the District is a legal custodian cannot be found after diligent search.

The District records shall be available for public inspection and copying at the district office.

The District shall accept requests for public access to records and produce records during all hours the District offices are regularly open for business.

Requests for Public Access to Records.

- a. Where request for records is required, such request may be oral or in writing. However, a written request shall not be required for records that have been customarily available without written request. Requests will be accepted by e-mail.
- b. A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records shall supply information regarding dates, file designations or other information that may help to describe the records sought.
- c. If a record sought cannot be supplied within five business days of receipt of a request, the District shall furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within ten business days after the date of acknowledgment of receipt of the request, the request may be construed as a denial of access that may be appealed.
- d. The District shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to Public Officers Law, Section 87 2.
 - i. The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
 - ii. The subject matter list shall be updated not less than twice per year. The date of the most recent updating shall appear on the first page of the subject matter list.
- e. No records may be removed by the requester from the office where the record is located without the permission of the Chief Executive Officer.



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Denial of Access of Records.

- a. The Board President shall hear appeals for denial of access to records under the Freedom of Information law.
- b. Denial of access shall be in writing stating the reason and advising the requester of his/her right to appeal to the Board President, who shall be identified by name, business address and business telephone number.
- c. If the District fails to provide requested records promptly as required by law, such failure shall be deemed a denial of access by the District.
- d. Any person denied access to records may appeal within 30 days of denial.
- e. The time for deciding the appeal by the Board President shall commence upon receipt of written appeal identifying:
 - i. The date and location of request for records;
 - ii. The records to which the requester was denied access; and
 - iii. The name and return address of the requester.
- f. The District shall transmit to the Committee on Open Government, copies of all appeals upon receipt of an appeal. Such copies shall be addressed to:

**Committee on Open Government
Department of State
162 Washington Avenue
Albany, NY 12231**

- g. The School Board President shall inform the requester and the Committee on Open Government of the decision in writing within seven business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government in the same manner as set forth in subdivision f of this section.
- h. A final denial of access to a requested record shall be subject to court review, as provided in Article 78 of the Civil Practice Law and Rules.



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Fees

There shall be no fee charge for the following:

- i. Inspection of records;
- ii. Search for records; or,
- iii. Any certification pursuant to this bylaw.

A charge for copies of records shall be as follows:

- i. The fee for copying records shall be 25 cents per page for photocopies not exceeding 9 x 14 inches.
- ii. The fee for copies of records not covered by paragraph i above shall not exceed the actual reproduction cost as defined by Public Officers Law.

Records Retention

School district records shall be maintained and preserved in accordance with the Local Government Records Law” which is contained in Article 57-A of the state’s Arts and Cultural Affairs law. The district will utilize the records retention schedule (Schedule ED-1) published by the Education Commissioner’s office to ensure appropriate retention and destruction of school district records.

Public Notice.

Once each year the District shall publicize in a conspicuous location and/or by publication in the local newspaper having general circulation in the District:

- a. The location where public records shall be made available for inspection and copying.
- b. The name, title, business address and business telephone number of the designated Records Access Officer.
- c. The right to appeal by any requester denied access to a record for whatever reason and the name and business address of the person to whom an appeal is to be directed.



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Policy # 0006

NOTIFICATION OF BREACH OF SECURITY

Adopted: July 2, 2019
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The Superintendent or his/her designee shall notify the owner of any private information within a reasonable time frame when the District experiences a breach of the security of its computer system. Such notification may occur by either written or electronic notice.

For purposes of this policy, private information means personal information in combination with either a person's social security number, driver's license number or non-driver identification card or account number, credit card or password which would permit access to an individual(s) financial account.

Breach of security means unauthorized acquisition of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District.

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Second Reading: July 2, 2019
First Reading: June 18, 2019



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Policy # 0007

PARENTAL INVOLVEMENT (TITLE I PROGRAMS)

The Board of Education encourages participation of parents of students eligible for Title I services in all aspects of their child's education. In order to facilitate parental participation, the District will:

1. Involve parents in the development of the school's Title I plan and Title I programming as required by federal regulation.
2. Involve parents in school activities of Title I schools as required by federal regulation.
3. Involve parents of children in Title I programs in decisions regarding how funds designated for parental involvement activities are to be spent.
4. Assist parents of children in Title I schools in understanding such topics as the state's academic content, student achievement standards, state and local academic assessments, Title I requirements and how to monitor a child's progress and work with educators to improve the achievement of their children;
5. Provide materials and training to help parents of children in Title I schools work with their children to improve their children's academic achievement, such as literacy training and using technology as appropriate to foster parental involvement;
6. Educate teachers, pupil services personnel, principals and other staff in Title I schools with the assistance of parents about the value and use of parent contributions and in how to reach out, communicate with, and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and school;
7. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities in Title I schools with local pre-school programs.

The Board of Education hereby directs the building principal of a Title I school to ensure that a building level parental involvement plan is generated with the participation of that building's parents. In addition to those goals stated above, each such building level plan will describe the details for:

1. Convening an annual meeting at a convenient time to inform parents of their school's participation in Title I programs and explain Title I requirements and rights of parents to be



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involved. All parents of children participating in Title I programs will be invited to the meeting;

2. Involving parents in an organized, ongoing and timely way in the planning, review and improvement of Title I programs including the planning, review and improvement of the school's parent involvement policy;
3. Providing parents of participating children with timely information about programs, a description and explanation of the curriculum in use in Title I programs, the forms of academic assessment used to measure student progress, the proficiency levels the students are expected to meet, and, if requested by parents, opportunities for regular meetings to formulate suggestions and to participate as appropriate in decisions relating to the education of their children or respond to any such suggestions as soon as practicable;
4. Developing a school-parent compact jointly with parents that outlines how the parents, school staff and students will share responsibility for improved student academic achievement and detailing the means by which the school and parents will build and develop a partnership to help all children achieve the state's standards.

The compact must include:

- (a) a description of the school's responsibility to provide high quality learning curriculum and instruction in a supportive and effective learning environment that enables children served in Title I schools to meet the State's student academic achievement standards;
- (b) describe the ways in which each parent will be responsible for supporting their child's learning such as monitoring attendance, homework completion, television watching, volunteering in their child's classroom and participating as appropriate in decisions relating to the education of their child and the positive use of extracurricular time;
- (c) addressing the importance of communication between teachers and parents on an ongoing basis including, but not limited to, annual parent teacher conferences including a discussion of how the compact relates to the individual child's achievement, frequent reports to parents on their child's progress, reasonable access to staff, opportunities to volunteer and participate in the child's class, and observation of classroom activities.

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Policy # 0008

INTERPRETATION SERVICES FOR PARENTS AND PERSONS IN PARENTAL RELATIONSHIP WHO ARE HEARING IMPAIRED

1. **DEFINITIONS:** For purposes of this subdivision:
 - (i) **HEARING IMPAIRED** shall include any hearing impairment, whether permanent or fluctuating, the result of which prevents a meaningful participation in school district meetings or activities.
 - (ii) **MEETING OR ACTIVITY** shall mean those school-initiated meetings or activities attended by parents or persons in parental relationship who are hearing impaired, which are specific to the academic and/or disciplinary aspects of their child=s educational program, including, but not limited to, parent-teacher conferences; child study or building level team meetings; planning meetings with school counselors regarding educational progress and career planning; suspension hearings or any conference with school officials relating to disciplinary actions.
2. **SCHOOL DISTRICT MEETINGS AND ACTIVITIES:** At any meeting or activity which is conducted by the board of education, trustees, school district or a district school and attended by parents or persons in parental relationship who are hearing impaired, such board of education or trustees shall provide interpreter services at no charge to such parents or persons in parental relationship, provided that a written request therefore is received by the superintendent at least three business days prior to the event at which the interpreter is needed. In the event that an interpreter of the deaf is unavailable, the school district shall make other reasonable accommodations which are satisfactory to the parents or guardians.

Examples of other potential reasonable accommodations include: adjourning the meeting until an interpreter is available, providing amplification or other equipment to assist the hearing impaired individual or providing the individual with a written summary of the meeting within a reasonable time after the meeting.

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0009

CODE OF ETHICS

A local code establishing standards of conduct for officers and employees of the School District.

BE IT RESOLVED by the Board of Education of the School District as follows:

SECTION 1.

Pursuant to the provisions of section eight hundred six of the General Municipal Law, the Board of Education of the School District recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our school system. It is the purpose of the local code to promulgate these rules of ethical conduct for the officers and employees of the School District. These rules shall serve as a guide for official conduct of the officers and employees of the School District. The rules of ethical conduct of this local code as adopted, shall not conflict with, but shall be in addition to, any prohibition of article eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

SECTION 2.

DEFINITION:

- (a) Municipal Officer or Employee means an officer, board of education member, teacher, or employee of the School District, whether paid or unpaid, including members of any administrative board, committee, or other unit thereof.
- (b) Interest means a pecuniary or material benefit accruing to an officer, teacher, or employee unless the context otherwise requires.



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

SECTION 3.

STANDARD CONDUCT

Every officer, teacher or employee of the School District shall be subject to and abide by the following standards of conduct:

(a) **GIFTS** - They shall not directly or indirectly solicit any gifts; or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could be inferred that the gift was intended to influence him, in the performance of his official duties or was intended as reward for any official action on his part.

(b) **CONFIDENTIAL INFORMATION** - They shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

(c) **INVESTMENTS IN CONFLICT WITH OFFICIAL DUTIES** - They shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transactions, which creates a conflict with his official duties.

(d) **PRIVATE EMPLOYMENT** - They shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interest when such employment or service creates a conflict with or impairs the proper discharge of his official duties.

SECTION 4.

DISTRIBUTION OF CODE OF ETHICS - The Superintendent of the School District shall cause a copy of this Code of Ethics to be distributed to every officer, board of education member, teacher and employee employed or appointed thereafter shall be furnished a copy before entering upon the duties of his office of employment.

SECTION 5.

PENALTIES - In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be suspended or removed from office or employment, as the case may be, in the manner provided by law.

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0010

SPECIAL EDUCATION PROGRAMS AND RELATED SERVICES

The Board of Education recognizes its responsibility for providing special education and related services which are appropriate for the individual disabled student needs and allow the student to be involved and progress in the general education curriculum. In an effort to achieve this goal, the Board shall determine an appropriate special education program for each disabled student upon receiving from the Committee on Special Education (CSE) recommendations for special education services. The CSE shall provide the Board with a written recommendation for each disabled student which includes:

- (a) classification of a student's disabling condition;
- (b) recommendations for a special education program and related services;

Upon request, the CSE shall provide the Board with a summary of tests or reports upon which recommendations are based.

The Board of Education shall also ensure adequate space is allocated in the District for special education programs.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0011

SIGNIFICANT DISPROPORTIONALITY BY RACE/ETHNICITY

It is the policy of the Board of Education to publicly report on any revisions to its policies, procedures or practices after a finding by the State Education Department that the District has inappropriate policies, procedures or practices resulting in a significant disproportionality by race/ethnicity in the suspension, identification, classification or placement of students with disabilities.

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Second Reading: July 2, 2019

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0012

DISTRIBUTION OF INDIVIDUALIZED EDUCATION PLANS (IEP'S)

The Administration shall develop practices and procedures to ensure that each regular education teacher, special education teacher, related service provides, and other service providers who are responsible for the implementation of a student's individualized education program (IEP) shall be provided a paper or electronic copy of the student's IEP prior to the implementation of such program, and that the contents of the IEP shall remain confidential and shall not be disclosed to any other person.

Such practices and procedures shall require the Chairperson of the Committee on Special Education (CSE) and Committee on Preschool Special Education (CPSE) to designate, prior to the implementation of the IEP, a professional employee of the school district with knowledge of the student's disability and education program to inform each teacher, related service provider and other individual with IEP implementation responsibility who would not be provided a copy of the student's IEP, including but not limited to a teacher assistant, a teacher aide, and a school bus driver when special transportation is specified on the IEP, of their responsibility relating to the implementation of the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP.

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0013

DISABLED STUDENTS PARTICIPATION IN SCHOOL DISTRICT PROGRAMS

All students with disabling conditions residing in the District shall have the opportunity to participate in School District programs including extracurricular programs and activities which are available to all other pupils enrolled in the public schools of the District. The Board directs the CSE Chairperson to develop procedures implementing 8 NYCRR § 200.6 (a) in the District.

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Policy # 0014

PRE-REFERRAL INTERVENTION STRATEGIES AND RESPONSE TO INTERVENTION

Prior to referral to the Committee on Special Education (CSE), a student suspected of having a disability must be provided with appropriate interventions to allow a reasonable opportunity for remediation of the student's performance prior to referral for special education. The Superintendent is directed to develop appropriate pre-referral interventions and develop and implement school wide approaches which may include a response to intervention process pursuant to Section 100.2(ii) of the Commissioner's Regulations.

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Second Reading: July 2, 2019

First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0015

APPOINTMENT AND TRAINING OF APPROPRIATE SPECIAL EDUCATION PERSONNEL

The Board of Education shall appoint and train only appropriately qualified personnel including members and chairpersons of the Committee on Special Education (CSE) and the Committee on Preschool Special Education (CPSE) as well as special education teachers and other service providers to carry out functions identified in Part 200 of the Commissioner's Regulations and under § 504 of the Rehabilitation Act and IDEA. Administrative procedures may be developed pursuant to this policy as needed by the district's administration.

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0016

ALTERNATIVE FORMAT OF INSTRUCTIONAL MATERIALS

The Administration shall develop practices and procedures to ensure that all instructional materials to be used in the schools of the district are available in a usable alternative format for each student with a disability, as defined by Education Law and the Rehabilitation Act of 1973, in accordance with the student's educational needs and course selection, at the same time as such instructional materials are available to non-disabled students.

The Board of Education will give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats.

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0017

DISABLED STUDENT RECORDS POLICIES AND PROCEDURES

Personally identifiable data, information or records pertaining to a student or a preschool child shall not be disclosed to any person other than the parent of such student or preschool child except as allowed under IDEA, Part 200 of the Commissioner's Regulations, the Family Educational Rights and Privacy Act (FERPA), and the District's FERPA policy. Notice of the policy will be given in the same manner as the District's FERPA policy.

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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0018

SIGNIFICANT DISPROPORTIONATE SERVICES POLICY

The Board of Education hereby designates the Superintendent to establish practices and procedures consistent with IDEA, New York Education Law and their implementing regulations to ensure proportionate representation of racial and ethnic groups in the District's special education programs and services, and/or with respect to the suspension of students with disabilities. However, the Board of Education recognizes its responsibility to ensure that the District publicly reports on revisions of its policies, procedures and practices upon a finding that the District has inappropriate policies, procedures or policies resulting in a significant disproportionality by race/ethnicity in the suspension, identification, classification and/or placement of student with disabilities.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0019

COMMITTEE ON PRESCHOOL SPECIAL EDUCATION

The Board of Education shall provide all preschool children with disabling conditions the opportunity to participate in special education programs and services for which they may be eligible. The Board authorizes the Superintendent of Schools to establish administrative practices and procedures to carry out this responsibility. Included within the administrative practices and procedures are the following:

1. Procedures for locating and identifying all preschool children with disabling conditions who reside in the District and are eligible to attend a preschool program in accordance with the relevant provisions of the Education Law. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);
2. Procedures to ensure that parents of preschool children with disabling conditions have received and understand the request for consent for evaluation of their child;
3. Procedures for developing an individualized education program (IEP) for each eligible preschool age child with a disabling condition;
4. Appointing and training appropriately qualified personnel including the members of the CPSE;
5. Maintaining lists of State Education Department approved preschool programs within the county and adjoining counties in which the District is located; and
6. Procedures for reporting to the State Education Department the number of preschool children with disabling conditions that are being served as well as those not served.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0020

DECLASSIFICATION OF DISABLED STUDENTS

The Board of Education directs the Superintendent (or his/her designee) to establish appropriate administrative procedures for declassification of students with disabilities who no longer require special education services.

Those procedures must include:

- a. factors for declassifying students where appropriate;
- b. process for reevaluating the student prior to declassification; and
- c. procedures for provision of educational and support services to the student upon declassification.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0021

IMPARTIAL HEARING OFFICER

The district is committed to making every effort to amicably resolve differences involving the educational programs for students with disabilities. The district shall attempt to resolve concerns regarding a child's program informally through a resolution meeting as required by Commissioner's Regulation. If the parent(s) and district are unable to resolve the complaint via informal means, the impartial hearing process will be utilized.

In the event of a hearing called pursuant to Part 200 and/or Part 201 of the Commissioner's Regulations pertaining to a disabled child, an Impartial Hearing Officer shall be appointed by the Board of Education in a manner consistent with Commissioner's Regulations § 200.5 (i) and (j).

The Impartial Hearing Officer may not be a person who is an employee of this District or who may have a personal or professional interest which would conflict with his or her objectivity in the hearing.

Commissioner's Regulations establish a maximum rate for compensation for board-appointed Impartial Hearing Officers. The board may establish a rate for compensation equal to or less than the established maximum rate.

In addition, the district shall agree to reimburse the Impartial Hearing Officer for travel at the board-approved reimbursement rate (IRS rate per mile traveled) and shall also afford reimbursement for reasonable lodging and/or meal expenses upon timely presentation of appropriate receipts for such expenses.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0022

DISTRIBUTION OF IEP'S

The Administration shall develop practices and procedures to ensure that each regular education teacher, special education teacher, related service provided, and other service provider who is responsible for the implementation of a student's individualized education program (IEP) shall be provided a paper or electronic copy of the student's IEP prior to the implementation of such program, and that the contents of the IEP shall remain confidential and shall not be disclosed to any other person.

For an electronic copy of the IEP, the individuals responsible for the implementation of a student's IEP shall be notified and trained on how to access such IEPs electronically, prior to its implementation. Such practices and procedures shall require the CSE/CPSE chairperson to designate, prior to the implementation of the IEP, a professional employee of the district with knowledge of the student's disability and education program to inform each teacher, related service provider and other individual(s) with IEP implementation responsibility of their responsibility relating to the implementation of the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0023

PARTICIPATION OF CHILDREN WITH DISABILITIES IN STATE AND DISTRICT-WIDE ASSESSMENTS

It is the policy of the Board of Education that students with disabilities receive appropriate accommodations necessary to measure the academic achievement and functional performance of the disabled student in the administration of District-wide assessments. To the extent feasible, the universal design principles will be utilized in developing and administering any District-wide assessment programs.

In designing and administering District-wide assessment programs, it is the responsibility of the Superintendent or his designee to:

1. appropriately train all staff participating in developing District-wide assessments in the principles of universal design. Those principles include, but are not limited to:
 - (a) development of instructional and assessment materials that are varied and diverse;
 - (b) development of tests that do more than accommodate physical, sensory, or cognitive disabilities;
 - (c) development of tests that are flexible and promote alternatives;
 - (d) development of tests that are inclusive.
2. ensure that the Committee on Special Education routinely considers each individual student with disabilities particular access issues in developing an individualized education plan;
3. create a classroom environment that respects and values diversity;
4. employ a variety of curriculum delivery methods;
5. make information accessible by all students so as to allow each student to fully participate in the District's curriculum;
6. encourage different methods of communication from students to teachers and students to students so each student may fully participate in the District's curriculum;



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7. provide multiple ways for students to demonstrate learned knowledge by fully including disabled students in the District-wide assessment program in respect to both access and scoring.

The Board of Education directs the Superintendent or his designee to provide an annual report to the Board of Education regarding the success in implementing universal design principles in the District's District-wide assessment program.

Ref: 8 NYCRR § 200.2(b)(13-14)

8 NYCRR § 200.4(d)(2)(vi-vii)

New York Education Law §§ 1604(29-a); 1709 (4-a); 2503(7-a); 2504(7-a)

34 CRF § 300.44

20 USC § 401(35)

20 USC § 1412(a)(16)(E)

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0024

SECTION 504 ANNUAL NOTICE

In accordance with the Rehabilitation Act of 1973, Section 504, the School District shall provide a free appropriate public education to each qualified disabled child who resides in the School District regardless of the nature or severity of the disability. The School District shall educate each qualified disabled child with children who are not disabled to the maximum extent appropriate to the needs of the disabled child, and shall also ensure that disabled children participate with non-disabled children in nonacademic and extra-curricular activities to the maximum extent appropriate.

The School District shall conduct preplacement evaluations, and shall establish standards and procedures consistent with Section 104.35. Periodic re-evaluation shall be conducted of children who have been provided special education or related services. Placement decisions shall draw upon information from a variety of sources and shall be made by a group of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.

The School District shall establish and implement a system of procedural safeguards that includes placement options that include parent/guardians participation to examine relevant records, an impartial hearing with the opportunity for participation by the parent and representation by counsel, and a review procedure.

Ref: 34 CFR 104.36-37

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0025

INTERNET PROTECTION POLICY AND ACCEPTABLE USE POLICY

General Information

Internet access will be provided to students in accordance with the terms of this policy. Internet access from school computers is reserved solely for educational purposes. Use by outside groups is prohibited. Use by student clubs and organizations is limited to those times when the Internet access points are not in use for instruction, and shall be limited to educational purposes and governed by this policy. Access to the Internet will be under the direction and supervision of the staff assigned to the particular Internet access area or computer.

The School District reserves the right to monitor all Internet activity including transmission and receipt of e-mail. Use of e-mail is limited to School District purposes.

Every computer in the district having Internet access shall not be operated by a student unless Internet access from the computer is subject to filtering software. Such filtering software shall be designed so that images which are obscene, pornographic or harmful to minors shall not be displayed. Such filtering software shall also be designed and it shall operate so that images or language which advocate or promote violence or hatred against particular individuals or groups of individuals or promotes the superiority of one racial, ethnic or religious group over another shall not be displayed. For purposes of this policy, the phrase harmful to minors means any picture, image, graphic image file, or other visual depiction that, taken as a whole, and with respect to minors, appeals to prurient interest in nudity, sex or excretion; depicts, describes or represents in a patently offensive way with respect to what is suitable for minors an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals and, taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.



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PROHIBITED CONDUCT

No student shall while using a computer or other device connected to the Internet:

1. Access, transmit or retransmit material which promotes violence or advocates destruction of property, including information concerning the manufacture of destructive devices, such as explosives, fireworks, smoke bombs, incendiary devices or the like;
2. Access, transmit or retransmit any information which is harmful to minors as that phrase is defined in this policy.
3. Access, transmit or retransmit material which advocates or promotes violence or hatred against particular individuals or groups of individuals or advocates or promotes the superiority of one racial, ethnic or religious group over another.
4. Access, transmit or retransmission of digital images of a sexual or pornographic nature.
5. Use or possesses bootleg software or applications (*Apps*). Bootleg software means any software which has been downloaded or is otherwise in the user's possession without the appropriate registration of the software, including the payment of any fees owing to the owner of the software. Applications or *Apps* includes software specifically written for phones or tablets.
6. Use encryption software from any access point within the School District.
7. Transmit credit card or other personal identification information, including home addresses or telephone numbers from any School District computer.
8. Transmit e-mail through an anonymous remailer.
9. Access the Internet from a School District computer using a non-School District Internet account.
10. Use an instant messenger service or program, Internet Relay Chat, Facebook, Twitter, or other social media site or other forms of direct electronic communication, or enter a chat room without the express permission of the staff member supervising the computer resource.
11. Commit or attempt to commit any willful act involving the use of the network which disrupts the operation of the network within the School District or any network connected to the Internet, including the use or attempted use or possession of computer viruses or so-called hacking or other unlawful activities on line.
12. Disable or attempt to disable filtering software. However, such filtering software may be disabled for bona fide research or other lawful purposes, when the building principal of the building



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in which such research or other lawful activity will be conducted has given written permission to disable the filtering software.

In addition to those penalties set forth in the student discipline code, a violation of this Internet policy may also result in loss of Internet privileges.

Opinions, advice, services, and all other information expressed on line are those of the on-line authors and not of the district. The Internet contains information pertaining to a variety of subjects. Not all of this information is accurate or reliable, particularly where the advice of medical, legal, accounting, or other professionals would be appropriate. Users are advised not to rely on advice found on the Internet. The School District is not responsible for such advice.

The School District does not guarantee or imply that access to the Internet will always be available when students want access or that the software provided by the district will always work as intended. The School District is not responsible for failures in the operation or technical functioning of the Internet or the computers or software used to access the Internet.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0026

STUDENT ATTENDANCE

ATTENDANCE

The Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the Board expects to minimize the number_of unexcused absences, tardiness, and early departures (referred to in this policy as “ATEDs”), encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student ATEDs and develop effective intervention strategies to improve school attendance.

Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures and the consequences of non-compliance. To ensure that students, parents, teachers and administrators are notified of and understand this policy, the following procedures shall be implemented.

- A plain language summary of this attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
- Parents will receive a plain language summary of this policy at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.
- When a student is absent, tardy, or leaves early from class or school without excuse, designated staff member(s) will notify the student’s parent(s) of the specific ATED, remind them of the attendance policy, and review ATED intervention procedures with them.
- A back-to-school event will be held at the beginning of each school year to emphasize that every day of attendance counts, explain this policy, and stress the parent’s responsibility for their ensuring their children’s attendance.
- School newsletters and publications will include periodic reminders of the components of this policy.
- The district will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.
- All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.
- Copies of this policy will also be made available to any community member, upon request.



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- The district will share this policy with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATED's and to work toward identifying and addressing cases of educational neglect.
- Parent(s)/Guardian(s) may be required to submit medical documentation to the attendance office for a child who has a total of five consecutive days or seven or more absences in a school quarter.

Excused and Unexcused Absences

Excused ATEDs are defined as absences, tardiness, and early departures from class or school due to personal illness, illness or death in the family, impassable roads or weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, or such other reasons as may be approved by the appropriate building administrator.

All other ATEDs are considered unexcused absences.

All ATEDs must be accounted for. It is the parent's responsibility to notify the school office within 24 hours of the ATED and to provide a written excuse upon the student's return to school.

General Procedures/Data Collection

- Attendance will be taken during each class period.
- At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the designated staff member(s) responsible for attendance.
- Attendance data will be analyzed periodically to identify patterns or trends in student absences. If patterns emerge, district resources will be targeted to understand and eliminate barriers to attendance.
- Continuous monitoring will be conducted to identify students who are absent, tardy, or leave class or school early. A student will be considered chronically absent if they miss ten percent or more of the school year. Satisfactory attendance is missing five percent or less of school over the course of the year. If a pattern of ATED's for an individual student is identified a designated staff person(s) will follow-up in accordance with this policy.

Consequences of Excessive ATED's

A designated staff member(s) will contact the student's parents and the student's guidance counselor in the event that a student's record reveals excessive ATED's, excused and/or unexcused. Excessive ATED's is defined as: five consecutive day, seven per quarter. Such staff member(s) shall remind parents of the attendance policy, explain the ramifications of excessive ATEDs, stress the importance of class attendance and discuss appropriate intervention strategies to correct the situation.



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Unexcused ATEDs may result in disciplinary action consistent with the district's code of conduct. Those penalties may include, for example, detention or denial of the privilege of participating in or attending extracurricular events.

In addition, a designated staff member will contact local Child Protective Services (CPS) if they suspect that the child is being educationally neglected. The designated staff member will provide CPS with the information necessary to initiate a report. If other staff members suspect education neglect, they must follow the procedures outlined in Board policy and regulation 5460, Child Abuse in a Domestic Setting, and advise the Superintendent.

Attendance/Grade Policy

The Board of Education recognizes an important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation as well as student performance on homework, tests, papers, projects, etc.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused ATEDs may affect a student's class participation grade for the marking period.

At the high school level, any student with more than nine unexcused ATEDs for one-half year or 18 unexcused ATEDs for a full year may not receive credit for that course. However, students with properly excused ATEDs may make up the work for each ATED, and those ATEDs will not count toward the minimum attendance standard.

To ensure that parents and students are aware of the implications of this minimum attendance requirement, the teacher or other designated staff member(s) will advise the student and contact the parent(s) by telephone and mail at appropriate intervals prior to the student reaching nine or 18 unexcused ATEDs.

In implementing the policy set forth above, students who are unable to attend school or a class on a given day due to their participation in a school-sponsored activity (i.e., music lessons, field trips), may arrange with their teachers to make up any work missed. This also applies to any student who is absent, tardy or leaves early from school or a class due to illness or any other excused reason.

All students with an excused ATED are expected upon their return to consult with their teachers regarding missed work.

Only those students with excused ATEDs will be given the opportunity to make up a test or other missed work and/or turn in a late assignment for inclusion in their final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question.



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Ref: Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225

8 NYCRR §§104.1; 175.6

Social Service Law §34-a

Adopted: July 2, 2019

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Policy # 0027

BYLAW PERTAINING TO STUDENT RECORDS: POLICIES AND PROCEDURES

Definitions

For the purpose of this policy, the school district has used the following definitions of terms:

Student - Any person who attends or has attended a program of instruction sponsored by the school district.

Eligible Student - A student or former student who has reached age 18 or is attending a post-secondary school.

Parent - Either natural parent of a student unless his or her rights under the FERPA (Family Educational Rights and Privacy Act) has been removed by a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records - Any records (in handwriting, print, tape, film, microfilm, microfiche or other medium) maintained by the school district, an employee of the district or an agent of the district which is related to a student except:

- Any personal records kept by a school staff member which meet the following tests:
 - (a) It was made as a personal memory aid;
 - (b) It is in the personal possession of the individual who made it;
 - (c) Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute.
- Employment records which are used only in relation to a student's employment by the school district. (Employment for this purpose does not include activities for which a student receives a grade or credit in a course).
- Alumni records which relate to the student after he or she no longer attends classes provided by the school district and the records do not relate to the person as a student.



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Personal Identifiable Information - Any data or information that makes the subject of the records known. This includes the student's name, the student's parents' or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics or any other information which would make the student's identity known.

Annual Notification

Within the first three weeks of each school year, the school district will publish in the legal section of a newspaper having general circulation in the district, a notice to parents and eligible students of their rights under the FERPA in the form shown bellows.

Model Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the [Name of school ("School")] receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the [School] to amend a record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.



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One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent



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or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))



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- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as “directory information” under §99.37. (§99.31(a)(11))

Statement of Rights

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act and this policy:

- (1) The right to inspect and review the student's education records;
- (2) The right to exercise a limited control over other people's access to the student's education records;
- (3) The right to seek to correct the student's education records in a hearing if necessary;
- (4) The right to report violations of the FERPA to the Department of Education; and
- (5) The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches age 18 or enrolls in a post-secondary school. The student then becomes an eligible student.

Under the No Child Left Behind Act of 2001, schools receiving Title I money must release names, addresses and telephone listings to military recruiters upon request. Parents have the right to request that information not be released to military recruiters without prior written consent.



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LOCATION OF EDUCATION RECORDS

| Types | Location | Custodian |
|--|--|---|
| Cumulative school records | Office of School Principal | School Principal (list the names of schools) |
| Cumulative School Records (former student) | Office of Superintendent | Superintendent (address of the superintendent's office) |
| Health Records | Office of School Principal | (See Location Above) |
| Speech Therapy Records Psychological Records | Office of Education for Disabled Students | District Office (list location) |
| School Transportation | School Bus Garage | Director of Pupil Transportation (list address) |
| Special Test Records | Office of School Principal | (See Location Above) |
| Occasional Records (student education records not identified about such as those in the superintendent's office, in the school attorney's office, in the personal possession of a teacher) | Student's School (principal will collect and make available) | School Principal |

Procedure to Inspect Education Records

Parents of students and eligible students may inspect and review the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies.

Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so that these records may be inspected at one site. However, if parents and eligible students wish to inspect records where they are maintained, school principals will accommodate their wishes.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.



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The principal (or other custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other custodian) will make the needed arrangements as promptly as possible and notify a parent or an eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If, for any valid reason such as working hours, distance between records location sites or health, a parent or an eligible student cannot personally inspect and review a student's education records, the school district will arrange for a parent or an eligible student to obtain copies of the records. See below for information regarding fees for copies of records.

When the records contain information about students other than the child or the eligible student involved, a parent or an eligible student may not inspect and review the records of other students.

Fees for Copies of Records

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, it may be waived in part or entirely by the record custodian. However, the district reserves the right to make a charge for copies such as transcripts it forwards to potential employers or to colleges and universities for employment or admissions purposes.

The FERPA requires a school district to provide copies of records:

- (1) When the refusal to provide copies effectively denies access to the records by a parent or an eligible student;
- (2) At the request of a parent or an eligible student when the school district has provided the records to third parties by the prior consent of the parent or an eligible student; or
- (3) At the request of a parent or an eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. This fee will be from no cost to 25 cents per page.

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience will be 25 cents per page plus postage if mailing is involved.



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Use of Student Education Records

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine school officials. An official is:

- (1) A person duly elected to the school Board;
- (2) A person certified by the State and appointed by the school Board to an administrative or supervisory position;
- (3) A person certified by the State and under appointment to the school Board as an instructor;
- (4) A person employed by the school Board as a temporary substitute for administrative, supervisory or instructional personnel for the period of his or her performance as a substitute; or
- (5) A person employed by or under appointment to the school Board to perform a special task such as a secretary, a clerk, the school Board attorney or auditor for the period of that person's performance as an employee or contractor.

School officials who meet the criteria listed above will have access to student's records if they have a legitimate educational interest in doing so. A legitimate educational interest is the person's need to know in order to:

- (1) Perform an administrative task required in the school officials position description approved by the school Board;
- (2) Perform a supervisory or instructional task directly related to the student's education; or
- (3) Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid.

The school district only will release information from or permit access to student's education records with a parent or an eligible student's prior written consent except that the school superintendent or a person designated in writing by the superintendent may permit disclosure:

- (1) When a student seeks or intends to enroll in another school district or in a post-secondary school. The district will not further notify parents or eligible



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students prior to such a transfer of records. Parents and students have a right to obtain copies of records transferred under this provision.

- (2) When certain Federal and State officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district.
- (3) To parties who provide or may provide financial aid to a student to:
 - (a) Establish the student's eligibility for the aid;
 - (b) Determine the amount of financial aid;
 - (c) Establish the conditions for the receipt of the financial aid;
 - (d) Enforce the agreement between the provider and the receiver of financial aid.
- (4) If a State law adopted before November 19, 1974 required certain specific items of information to be disclosed in personally identifiable form from student records to State or local officials.
- (5) When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid or improve instruction. Such study may not permit personal identifiable information of parents or students by individuals other than representatives of the organization. Such information must be destroyed when no longer needed.
- (6) To accrediting organizations to carry out their accrediting functions.
- (7) To parents of eligible students if the parents claim the student as a dependent as defined by the Internal Revenue Code.
- (8) To comply with a judicial order or lawfully issued subpoena. The district will make a reasonable effort to notify the student's parents or the eligible student before making a disclosure under this provision.
- (9) In connection with a health or safety emergency under conditions described below.
- (10) If the disclosure is an item of directory information and the student's parents or an eligible student has not refused to allow the district to designate that item as



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directory information for that student.

(11) Disclosure to a parent of a student who is not an eligible student or the student.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

- (1) The official deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
- (2) The information is necessary and needed to protect the health and safety of the student or other individuals;
- (3) The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; and
- (4) Time is an important and limiting factor in dealing with the emergency. (The health or safety exception shall be strictly construed)

School district officials may release information from student's education records if the student's parents or the eligible student gives his prior written consent for the disclosure. The written consent must include at least:

- (1) A specification of the records to be released;
- (2) The reasons for the disclosure;
- (3) The person or the organization or the class of persons or organizations to whom the disclosure is to be made;
- (4) A parent or an eligible student's signature; and
- (5) The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parents or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will not release information contained in student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be redisclosed without the parents or eligible student's prior written consent.



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Records of Requests for Access and Disclosure Made From Education Records

The school district will maintain an accurate record of all requests for it to disclose information from or to permit access to a student's education records and of information it discloses and access it permits with some exceptions listed below. These records will be kept with, but will not be a part of, each student's Cumulative School Records. It will be available only to the record custodian, the eligible student, the parents of the student or to Federal, State or local officials for the purpose of auditing or enforcing federally supported educational programs.

The records will include at least:

- (1) The name of the person or agency that made the request;
- (2) The interest the person or agency had in the information;
- (3) The date the person or agency made the request; and
- (4) Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain these records as long as it maintains the student's education records. Such records may be inspected by the parent or eligible student or the school official or that person's assistant responsible for the custody of the records.

These records will not include requests for access or access granted to parents of the student or to an eligible student, requests for access or access granted to officials of the school district who have a legitimate educational interest in the student, requests for, or disclosure of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent of the student or an eligible student or the disclosure is authorized by such prior consent, or for requests for, or disclosures of, directory information designated for that student.

Procedures to Seek to Correct Education Records

Parents of students and eligible students have a right to seek to change any part of the student's records they believe is inaccurate, misleading or in violation of the student's rights. (NOTE: Under the FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course).

For the purpose of outlining the procedures to seek to correct education records, the term incorrect will be used to describe records that are inaccurate, misleading or in violation of the student's



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rights. The term correct will be used to describe records that are accurate, not misleading and not in violation of the student's rights. Also, in this section, the term requester will be used to describe a parent of a student or an eligible student who is asking the school district to correct the records.

To establish an orderly process to review and correct education records for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision - When a parent of a student or an eligible student finds an item in the student's education records which he or she believes is inaccurate, misleading or in violation of student rights, the parent immediately should ask the record custodian to correct it. If the records are incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the records are changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the records to the requester's satisfaction or the records do not appear to be obviously incorrect, the custodian will:

- (1) Provide the requester a copy of the questioned records at no cost;
- (2) Ask the requester to initiate a written request for the change; and
- (3) Follow the procedure for a second level decision.

Second Level Decision - The written request to correct a student's education records through the procedure at this level should specify the correction the requester wishes the district to make. It should at least identify the item the requester believes is incorrect and state whether the requestor believes the item:

- (1) Is inaccurate and why;
- (2) Is misleading and why; or
- (3) Violates the student's rights and why.

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, the custodian will:

- (1) Study the request;
- (2) Discuss it with other school officials (the person who made the records or those who may have a professional concern about the district's response to the request);



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- (3) Make a decision to comply or decline to comply with the request; and
- (4) Complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the records should be corrected, the custodian will effect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education records to make certain the records are in order and the correction is satisfactory.

If the custodian decides the records are correct, the custodian will make a written summary of any discussions with other officials and of the custodian's findings in the matter. The custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision - The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney or the school Board (in executive session). The superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it will take longer, the superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the superintendent decides the records are incorrect and should be changed, the superintendent will advise the record custodian to make the change. The record custodian will advise the requester of the change as the custodian would if the change had been made at the second level.

If the superintendent decides the records are correct, the superintendent will prepare a letter to the requester which will include:

- (1) The school district's decision that the records are correct and the basis for the decision.
- (2) A notice to the requester that the requestor has a right to ask for a hearing to present evidence that the records are incorrect and that the district will grant such a hearing.
- (3) Instructions for the requester to contact the superintendent, or an official designated by the superintendent, to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The district will not be bound by the requester's positions on these items but will, so far as possible, arrange the hearing as the requester wishes).



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- (4) That the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth Level Decision - After the requester has submitted (orally or in writing) that person's wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the district will hold the hearing and whom the superintendent has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records are incorrect as shown in the requester's written request for a change in the records (second level).

Within two weeks after the close of the hearing, the hearing officer will submit to the school superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit recommendations, based solely on the evidence presented at the hearing, that the records should be changed or remain unchanged.

The school superintendent will prepare the district's decision within three weeks of the hearing. That decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The district's decision will be based solely on the evidence presented at the hearing. The superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

- (1) If the decision is that the district will change the records, the superintendent will instruct the record custodian to correct the records. The record custodian will correct the records and notify the requester as at the second level decision.
 - (a) If the decision is that the district will not change the records, the superintendent will prepare a written notice to the requester which will include:
 - (b) The school district's decision that the records are correct and will not be changed.
 - (c) A copy of the summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision.
 - (d) A statement advising the requester that the requestor may place an explanatory statement which states the reasons the requestor disagrees with



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the school district's decision or the reasons the requestor believes the records are incorrect in the student's education records.

Final Administrative Step in the Procedure - When the school district receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education records as long as it maintains the questioned part of the records. The statement will be attached to the questioned part of the records and, whenever the questioned part of the records are disclosed, the explanatory statement also will be disclosed.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0028

PROTECTION OF PUPIL RIGHTS POLICY

The Board of Education recognizes that student surveys are a valuable tool in determining student's needs for educational services. Parents have the right to inspect all instructional materials that will be used for a survey analysis or evaluation as part of a US Department of Education - funded program. In addition, no minor student may, without parental consent, take part in a survey analysis or evaluation funded in whole or in part by the United States Department of Education that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's parents;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. Religious practices, affiliations or belief of the student or the student's parents;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents have the right to inspect upon their request any instructional material which is used as part of the educational curriculum. Instructional material is defined by the Board of Education as instructional content that is provided to a student regardless of format including printed or representational materials, audiovisual materials, materials in electronic or digital formats (such as materials accessible through the internet). It does not include tests or academic assessments.



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A parent who wishes to inspect and review instructional material shall submit a request in writing to the building principal. Upon receipt of such request, arrangements will be made by the building principal to provide the parent access to instructional materials requested within 30 calendar days after the request has been received by the principal.

It is the policy of the Board of Education not to permit the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing it to others for that purpose. This does not apply to collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services.

Parents shall also have the option upon provision of written notice to the district to opt the student out of any non-emergency, invasive physical examination or screening of their student which is required as a condition of attendance administered by the school or school personnel. The term invasive physical examination mean any medical examination that involves exposure of private body parts or any act during such examination that includes incision, insertion or injecting into the body but does not include a hearing, vision or scoliosis screening. Further, it does not include any examination necessary to protect the immediate health or safety of the student or other students.

Parents and eligible students shall be notified of the policy at least annually at the beginning of the school year and when enrolling students for the first time in school.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



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Policy # 0029

CHILD ABUSE

In accordance with Education Law § 3209-a, the Board of Education directs the Superintendent to develop a set of procedures detailing the District's responsibilities pursuant to Article Six of the Social Services Law pertaining to abused and maltreated children. Those procedures shall specify the procedures to be followed regarding:

1. Mandatory reporting requirements of suspected child abuse or neglect;
2. Procedures for reporting child abuse and neglect including which District personnel are required to report;
3. Provisions for taking a child into protective custody;
4. Mandatory reporting of deaths;
5. Immunity from liability and penalties for failure to report; and
6. Obligations for provision of services and procedures necessary to safeguard the life of a child.

The District shall establish and implement a training program for all District personnel regarding the policies and procedures for reporting child abuse and neglect.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0030

EXTRACURRICULAR AND FIELD TRIP POLICY

When the District has provided transportation to students to a school sponsored field trip, extracurricular activity or other similar event involving the use of School District transportation services, the School District shall return all students to the point of departure unless the parent or legal guardian of the student has provided the District with written notice authorizing an alternative form of return transportation of such student. If intervening circumstances make School District transportation of any one student impractical, then a chaperone shall remain with the student until the parent(s) or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical and such student and the parent(s) or legal guardian are together in the same location.

Adopted: July 2, 2019

Second Reading: July 2, 2019

First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0031

INVESTMENT POLICY

1. SCOPE

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

2. OBJECTIVES

The primary objectives of the School District's investment activities are, in priority order,

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

3. DELEGATION OF AUTHORITY

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

4. PRUDENCE

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

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs,



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not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

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

5. DIVERSIFICATION

It is the policy of the School District to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

6. INTERNAL CONTROLS

It is the policy of the School District for all moneys collected by any officer or employee of the government to transfer those funds to the treasurer within five business days of deposit, or within the time period specified in law, whichever is shorter.

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

7. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

| <u>Depository Name</u> | <u>Maximum Amount</u> | <u>Officer</u> |
|------------------------|-----------------------|----------------|
|------------------------|-----------------------|----------------|

8. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, § 10, all deposits of School District, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by at least one of the following:

a. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML § 10.

b. i. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest,



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if any. A qualified bank is one whose commercial paper and other unsecured short term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk based capital requirements, or

ii. In lieu of or in addition to the deposit of eligible securities, the officers making a deposit may, in the case of an irrevocable letter of credit issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one hundred percent of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.

c. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

9. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by depositary or a third party bank or trust company subject to security and custodial agreements as determined by the treasurer.

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

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



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10. PERMITTED INVESTMENTS

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

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL § 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the School District;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Certificates of Participation (COPs) issued pursuant to GML § 109 b. Obligations of this School District, but only with any moneys in a reserve fund
- Obligations of this School District, but only with any moneys in a reserve fund established pursuant to GML §§ 6 c, 6 d, 6 e, 6 g, 6 h, 6 j, 6 k, 6 m, or 6 n.

All investment obligations shall be payable or redeemable at the option of the School District within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the School District within two years of the date of purchase.

11. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The School District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the School District conducts business must be credit worthy. Banks shall provide their most recent



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Consolidated Report of Condition (Call Report) at the request of the School District. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

12. PURCHASE OF INVESTMENTS

The treasurer is authorized to contract for the purchase of investments:

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

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

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

13. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.



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- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Adopted: July 2, 2019
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JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0032

POLICY AND PROCEDURES GOVERNING PROCUREMENTS OF GOODS AND SERVICES

I. DETERMINATION OF WHETHER PUBLIC BIDDING IS REQUIRED

The Superintendent shall determine whether public bidding is required. If the determination is made that public bidding is not required because of the cost of acquisition, the Superintendent shall make a written certification specifying the estimated cost and the basis of such determination. The cost of a particular item will be based on the total acquisition cost of the same or similar items during the entire school year or the term of the contract. Such certificate shall be filed with the Clerk of the District.

II. PROCEDURES WHEN PUBLIC BIDDING REQUIRED

The Administration shall develop administrative procedures to make sure public bidding requirements are followed when public bidding is required by law.

Best Value: The District may award contracts on the basis of best value as defined by General Municipal Law and Local Finance Law in addition to the basis of lowest responsible bidder or other method wherever permitted by law.

Cooperative Purchasing: In addition to any other manner of procuring permitted by law, the District may procure from contracts let by the United States Government, or any agency thereof, any state or any other county or political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with General Municipal Law 103 and made available for use by other governmental entities

III. PROCEDURES PURSUANT TO GENERAL MUNICIPAL LAW 104-B WHEN PUBLIC BIDDING NOT REQUIRED

The following procedures shall be followed regarding all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law § 103 (1).

If the determination is made that bidding is not required because the law does not require competitive bidding for the particular event, product, or services, the Superintendent shall file with the Clerk of the Board a written opinion by the school attorney so stating.



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The resolution of award shall make reference to the certification or opinion filed with the Clerk of the Board.

WHEN PARTICULAR ALTERNATE PROPOSALS SHALL BE USED

In relation to acquisitions in excess of \$1,000, written quotations shall be obtained after the solicitation of proposals from at least three vendors. Quotations from current catalogs, including the current State contract catalog, shall be considered a written proposal.

If the cost of acquisition shall be \$1,000 or less, the procedure for acquisitions in excess of \$1,000 may be followed, or oral quotations may be obtained. When oral quotations are received, a written memorandum shall be maintained indicating, at least, the date of the quotation, the name of the company, the person who gave the quote, the item quoted, and the actual quotation.

All documentation shall be filed with the Clerk of the Board and the Board shall, in its resolution of award, make reference to the quotations received and the fact that the documents regarding the quotations are filed with the Clerk of the Board.

PROCEDURE WHEN AWARD IS NOT MADE TO THE LOWEST SUPPLIER

An award need not be awarded to the lowest supplier when:

- the bidder is not a responsible bidder.
- the language submitted by the bidder imposes conditions which, in the written opinion of the school Superintendent or attorney, are not in the best interests of the district.
- the bidder fails to demonstrate that the item or service can be delivered at the appropriate time.
 - the proposed product, in the written opinion of the Superintendent, is not compatible with the products which interact with the product desired to be acquired.
 - in relation to professional services, that there is an existing relationship and such continued relationship is in the best interests of the district.
 - in relation to professional services, that the experience or educational basis is not the same. It is the desire of the Board to acquire the best professional services available to meet the needs of the district. When proposals are received for professional services, the Board shall consider the professional experience of the applicants in rendering similar services to other school districts or to this school district. When professional services are awarded on the basis of experience and background, the resolution of the Board shall identify the various elements considered in making the award.



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- The District shall give preference in purchasing instructional materials to any vendor able to provide those materials in alternative formats.

WHEN NO BID IS RECEIVED

When the procedures are followed and no bid is received, the Board of Education shall, by resolution, set forth another method to follow to obtain a quote. The procedures shall then be followed.

PROCEDURES OF § 103 (1)

In all situations, the Superintendent may elect to follow the procedures of General Municipal Law § 103 (1) even though bidding is not required by law or the anticipated cost is under the statutory limits.

ANNUAL REVIEW

This policy shall be reviewed annually. The annual review shall take place during the first six weeks of the beginning of the school year. This policy shall be considered a continuing policy unless modified by resolution of the Board.

PRIOR CONSULTATION

Before enacting this resolution, comments concerning the policies and procedures were solicited from the Superintendent, Assistant Superintendents, individuals in the business office, building principals and other administrators, as well as the clerk, treasurer, internal auditor, and purchasing agent.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



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Policy # 0033

PEST MANAGEMENT POLICY

Pest Management Policy Statement

Structural and landscape pests can pose significant problems for people and property. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of the Jefferson Central School District to incorporate integrated pest management (IPM) procedures for control of structural and landscape pests. The objective of this program is to provide necessary pest control while minimizing pesticide use.

Pest Management Plan

The School District will manage pests to:

1. Reduce any potential human health hazard or threat to public safety.
2. Prevent loss or damage to school structures or property.
3. Prevent pests from spreading into the community, or to plant and animal populations beyond the site.
4. Enhance the quality of life for students, staff and others.

The IPM plan will address each of these goals. The IPM program will specifically address strategies for pest identification, preventive actions, establishment of tolerance threshold levels, monitoring, response actions, public notification, education, and recordkeeping.

IPM Coordinator

An IPM coordinator will be appointed by the Board of Education. The coordinator will be responsible for implementing the IPM policy and drafting and implementing the IPM plan. The coordinator's responsibilities will include, but not be limited to, the following:

1. Drafting an IPM plan.
2. Implementing the IPM plan.



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3. Assuring notifications comply with applicable State laws and regulations, specifically Education Law § 409-h and this policy.
4. Recording all pesticide use in accordance with Education Law § 409-h and other applicable State laws and regulations.
5. Recording all pest sightings by staff, students and parents.
6. Meeting with pesticide applicators to share information on what pest problems are present in the school.
7. Assuring that all of the PCR's recommendations on maintenance and sanitation are carried out where feasible.
8. Assuring that any pesticide use is done when school is not in session or when the areas can be completely secured against access by school staff or students.
9. Maintaining the District's 48 hour notification list.
10. Evaluating the school's progress on the IPM plan.
11. Assuring that all individuals employing the use of pesticides are properly trained and certified in the use of such pesticide.
12. Any other duties required by State law or Regulation or the Board of Education pertaining to pest control or IPM policy.

Pesticide Applicators

Pesticide applications may only be performed by individuals currently certified by the New York State DEC as pesticide applicators or by a certified pesticide technician or an apprentice working under the direct on-site supervision of a certified applicator pursuant to DEC Regulation Part 325.7. Further, pesticide applicators must be over the age of 21 years old as recommended by the DEC.

Selection of Pesticides

The IPM plan shall include the use of mechanical, biological and physical treatments for pest control to be implemented prior to the use of specific toxic pesticides. When pesticide use is necessary, the Board of Education, Superintendent, or IPM coordinator must approve the pesticide for school use. The school's preferred pesticide for use would be pesticide baits and pesticide sprays with the single word CAUTION as a warning.



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Notification

The school shall provide written notification to all staff and persons in parental relation at the beginning of each school year. Such notices shall contain the following information:

- a. A statement that pesticide products may be used periodically throughout the school year.
- b. A statement that schools are required to maintain a list of staff and persons in parental relationship who wish to receive 48 hours prior written notification of pesticide applications at relevant facilities, and instructions on how to register with the school to be on such list for notification; the name of the school representative and contact number to obtain further information.
- c. If a child enrolls after the beginning of the school year, such notification shall be provided to that child within one week of enrollment.
- d. The school shall also provide notification within ten days of the end of the school year and within two school days of the end of winter recess and spring recess and within two days of the end of summer school. Such notification shall provide written notice to all staff and persons in parental relationship listing the date, location and product used for each application which required prior notification and each emergency application made at relevant facilities during the period of time since the previous notice. Such notification shall also include a statement that schools are required to maintain a list of staff and persons in parental relationship who wish to receive 48 hours prior written notification of pesticide applications and instructions on how to register with the school to be on such list for prior notification and how to obtain further information about the products being applied including warnings that appear on the labels of pesticides that are pertinent to the protection of humans, animals or the environment and the name of a school representative or contact number for additional information.
- e. All individuals requesting written notification 48 hours in advance of pesticide application shall be given such notice within a minimum of 48 hours prior to any such pesticide application. Such notification shall include the following information:

The specific date and location of the application at the facility. If the application is an outdoor application, the notice will provide two alternative dates for application in case weather prohibits application on the first date of application. Further, such notice shall provide the product name and pesticide registration number assigned by the United States Environmental Protection Agency. The following statement shall also be contained within the 48 hour notice:

This notice is to inform you of a pending pesticide application to a school facility. You may wish to discuss with the designated school representative what precautions are being taken to protect your child from exposure to these pesticides. Further information about the product(s) being applied, including any warnings that appear on the label of the pesticide(s) that are pertinent to the protection of humans, animals or the environment, can be obtained by calling the National



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Pesticide Telecommunications Communications Network information phone number 1-800-858-7378 or the New York State Department of Health Center for Environmental Health Info Line at 1-800-458-1158.

Finally, this notice shall contain the name of the school representative and contact number for additional information.

Emergency Applications

In the case of an emergency application of a pesticide to protect against imminent threat to human health, IPM coordinator shall make a good faith effort to supply written notice required pursuant to this section. Further, upon making such emergency application, the IPM coordinator shall notify the Commissioner of the Department of Health on the appropriate form of the pesticide applied and the reason for such application.

Education

Staff, students, pest managers, parents, and the public will be informed about potential school pest problems, the IPM policies, procedures and their respective roles in achieving the desired pest management objectives.

The Board of Education shall review the IPM plan and pest control policy on an annual basis to ensure compliance with § 409-h of the Education Law.

Adopted: July 2, 2019
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First Reading: June 18, 2019



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Policy # 0034

CONDITIONAL APPOINTMENTS

The Administrator in charge of the program in which the conditional hire or emergency conditional hire is employed shall take such steps as are prudent and necessary to insure the protection of children in the charge of the conditional appointee or emergency conditional appointee.

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Policy # 0035

DRUG-FREE WORKPLACE

The Board of Education prohibits the manufacture, distribution, dispensing, possession and/or illegal use of any controlled substances in the workplace. "Workplace" shall mean any site on school grounds, at school sponsored activities, or any place in which an employee is working within the scope of his/her employment or duties. "Controlled substances" shall include drugs which are illegal because they have no legitimate medical purpose, and drugs which have legitimate medical uses but are highly addictive.

The Superintendent of Schools or his/her designee shall implement related regulations which outline the requirements of the federal Drug-Free Workplace Act of 1988.

Ref: Drug-Free Workplace Act (DFWA), P.L. 100-690
Controlled Substances Act, 21 USC 812
21 CFR 1300.11-1300.15
34 CFR Part 85 (U.S. Dept. of Ed. Regulations under the DFWA)
Civil Service Law §75
Education Law §3020-a
Patchogue-Medford Congress of Teachers v. Board of Education,
70 NY2d 57 (1987)

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Second Reading: July 2, 2019
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Policy # 0036

EMPLOYEE'S PERSONALLY IDENTIFIABLE INFORMATION

The District shall not, unless otherwise required by law, publicly post or display an employee's Social Security number, print a Social Security number on any identification badge or card, including any time card, place a Social Security number in files with unrestricted access, or communicate an employee's personally identifying information to the general public. For purposes of this section, personal identifying information shall include Social Security number, home address or telephone number, personal electronic mail (e-mail) address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

Reference: New York Labor Law § 203-d

Adopted: July 2, 2019

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First Reading: June 18, 2019



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Policy # 0037-R

ALCOHOL AND DRUG TESTING OF DRIVERS REGULATION

Any employee who holds the title of "Bus Driver" or "Head Bus Driver" or who operates a commercial motor vehicle or holds a commercial driver's license ("CDL") and performs or is ready to perform a safety-sensitive function shall be subject to alcohol and controlled substance testing. An employee having any questions concerning the district's policy or regulation, state law or the federal regulations shall contact the Superintendent of Schools.

Any treatment, rehabilitation program or discipline will be provided in accordance with district policy and/or collective bargaining agreements and any applicable state and federal laws and regulations.

I. Covered Employees

Covered employees include district employees who hold the title of "Bus Driver" or "Head Bus Driver" or who operate a commercial motor vehicle, perform or ready to perform a safety-sensitive function, and are required to obtain a commercial driver's license. Such employees include:

1. drivers of vehicles designed to transport 16 or more passengers, including the driver;
2. drivers of commercial motor vehicles whose manufacturer's rating is 26,001 lbs. or more;
or
3. any other employee who may drive, service or inspects a listed vehicle (e.g., a mechanic who performs test drives, repairs, inspects or loads or unloads a listed vehicle).

Such employees include, but are not limited to full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed or under lease to an employer or who operate a commercial motor vehicle at the direction or with the consent of the district.

Drivers will be removed from their safety-sensitive functions if they violate the district's policy or federal regulations pertaining to the possession or consumption of alcohol or controlled substances. A driver is performing a safety-sensitive function when:

1. waiting to be dispatched, unless the driver has been relieved from duty;



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2. inspecting, servicing or conditioning any commercial motor vehicle;
3. driving a commercial motor vehicle;
4. attending a vehicle being loaded or unloaded;
5. performing the driver requirements of the federal regulations pertaining to accidents;
6. attending to a disabled vehicle ; and
7. as defined in 49 CFR Section 328.107 of the Federal Regulations.

Covered employees are required to be in compliance with district policy and regulation:

- when performing any on-duty safety-sensitive functions, including all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility; and
- during all time spent providing a breath sample, saliva sample or urine specimen and travel time to and from the collection site in order to comply with random, reasonable suspicion, post-accident, return-to-duty or follow-up testing.

II. Prohibitions and Consequences

The Supervisor of Transportation or his/her designee shall prohibit an employee from driving a listed vehicle or performing other safety-sensitive duties if the employee:

1. possesses, consumes or is reasonably believed to possess or have consumed alcohol or a controlled substance, while on duty;
2. has consumed or is under the influence of alcohol or a controlled substance within six hours before duty;
3. has an alcohol concentration of 0.02 or higher, or tests positive for controlled substances;
or
4. refuses to take a required alcohol or controlled substance test. Refusal to submit shall mean the failure to provide adequate breath or urine without a valid medical explanation, receipt of verified adulterated or substituted drug test result, or to engage in conduct that clearly obstructs the testing process, such as a failure to arrive for the drug testing or failure to sign the alcohol testing form prior to specimen collection.



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An employee is prohibited from consuming alcohol within eight hours after being involved in an accident, or before undergoing a post-accident test, if such a test is required. Illegal drug use by drivers is prohibited on or off duty.

Any employee who tests 0.02 or greater but less than 0.04 will be removed from driving and other safety-sensitive duties until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

In the event that an employee has a breath alcohol concentration of 0.04 or greater, has tested positive for a controlled substance or has refused to take a test, he or she will, in addition to immediate removal from driving and any other safety-related duties, and must be referred to an SAP.

Before the District considers returning an employee to a safety sensitive position, the employee must minimally complete the following:

1. has been evaluated by a substance abuse professional ("SAP") certified pursuant to 49 CFR Section 40.281;
2. the SAP has determined that the employee has complied with and has successfully completed any prescribed education and/or treatment issued by SAP; and
3. has received a negative test result from an observed return to duty test.

Upon return to duty, the employee will be subject to follow-up testing.

While New York Law permits the use of medical marijuana, federal law still prohibits its use. Therefore, any driver tested under the federal regulations, who tests positive for marijuana, even if such use is based upon a lawful certification under state law, will be found to have violated the federal regulations.

III. Types of Testing

The Superintendent of Schools and the Director of Transportation shall ensure that the following alcohol and drug tests are conducted and that any employee who is required to take an alcohol or controlled substance test shall be notified prior to the test that it is required pursuant to



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federal regulations or, in the case of pre-employment alcohol testing, that such test is required by state law and district policy.

1. Pre-employment: Controlled substance and alcohol tests will be conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. These tests will also be given when employees transfer to Bus Driver or Head Bus Driver position, or a safety-sensitive function.
2. Post-accident: Alcohol and controlled substance tests will be conducted if a driver is involved in an accident in which:
 - a. there has been a fatality; OR
 - b. the driver has received a citation for a moving violation in connection with the accident pursuant to the time limitations specified in federal regulations AND EITHER
 1. there is an injury treated away from the scene of the accident
 2. there is a disabled vehicle towed from the scene.
3. Reasonable Suspicion: Alcohol and controlled substance tests will be conducted if the Transportation Supervisor or other school official who has completed the minimum two hours of training has a reasonable suspicion that the driver has violated district policy and regulation. A “reasonable suspicion” must be based on specific, contemporaneous, articulable observations concerning the driver’s behavior, appearance, speech or body odors that are characteristic of controlled substance or alcohol misuse. Alcohol tests can only be done just before, during or just after the employee drives a listed vehicle or performs other safety-sensitive duties. The supervisor who makes the determination of reasonable suspicion cannot do the testing.
4. Random Testing: Random alcohol tests shall be conducted annually at a minimum rate required by the Federal Motor Carrier Safety Administration. Random alcohol tests must be conducted just before, during or just after the employee drives a listed vehicle or performs other safety-sensitive duties.

Random controlled substance tests shall be conducted annually at a minimum rate required by the Federal Motor Carrier Safety Administration. Random controlled substance tests may be conducted at any time.

Random alcohol and controlled substance tests must be unannounced and spread reasonably throughout the calendar year.



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5. Return-to-Duty Testing: An employee who refused to take a test or has engaged in prohibited alcohol and controlled substance use, except for alcohol concentration of between 0.02 and 0.04, shall be required to take an alcohol or controlled substance test and achieve a satisfactory result before returning to duty in the safety-sensitive position. If removal was due to alcohol use, a satisfactory result will be less than 0.02 alcohol concentration. If removal was due to controlled substance use, a satisfactory result will be one that is verified as negative. The test will not be administered until the employee has been evaluated by a substance abuse professional and has complied with any treatment recommendations.
6. Follow-Up Testing: After an employee who was found to violate the district's policy against alcohol and controlled substance use returns to duty, he or she will be subject to at least six unannounced tests in the first 12 months following the employee's return to duty. Follow-up testing may be extended for up to 60 months from the date of the employee's return to duty. Follow-up alcohol testing may only be conducted before, during or after the driver has performed his or her driving duties.

IV. Testing Procedures

A. Alcohol Testing Procedures

Alcohol testing will be conducted with evidential breath testing (EBT) devices approved by the National Highway Traffic Safety Administration. An approved non-evidential screening device may be used to perform screening tests but not for confirmation alcohol tests. The employee and the Breath Alcohol Technician conducting the test must complete the alcohol testing form to ensure that the results are properly recorded.

1. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test.
2. If the alcohol concentration is 0.02 or greater, a second or confirmation test must be conducted. The confirmation test must be conducted using an EBT that meets the requirements of federal regulations.
3. If the confirmation test results indicate an alcohol concentration from 0.02 to 0.03999, the employee will be restricted from duty for at least 24 hours from the time of the test.



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4. If the confirmation test results indicate an alcohol concentration equal to or greater than 0.04, the employee will be removed from all safety-sensitive duties and no return to duty will be permitted until the employee has successfully passed required return-to-duty tests. The employee must also be reviewed by a Substance Abuse Professional and comply with his/her recommendations. Follow-up tests will also be required.

5. For post-accident testing, the results of breath or blood tests conducted by law enforcement officials will be accepted as long as the testing conforms with federal and state requirements for alcohol testing and the results are made available to the district.

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

B. Drug Testing Procedures

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

1. Regulations require that each urine specimen be divided into one “primary” specimen and one “split” specimen.
2. All urine specimens are analyzed for the following drugs, drug metabolites (by-products of the body metabolizing a drug), or classes of drugs:
 - a. Marijuana metabolite
 - b. Cocaine metabolites
 - c. Amphetamines
 - d. Opioids (including natural opiates such as codeine, morphine, heroin, and semi-synthetic opioids such as hydrocodone, hydromorphone, oxycodone, and oxymorphone)
 - e. Phencyclidine (PCP); and



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- f. and as such may be identified in 49 CFR 40.85.
3. If the primary specimen confirms the presence of one or more of these drugs, the employee has 72 hours to request that the split specimen be sent to another certified lab for analysis. [Note: The employee must be removed from driving duties at this time-- pursuant to federal regulations, the driver's removal cannot await the result of split sample.]
4. All drug test results will be reviewed and interpreted by a physician (also called a Medical Review Officer) before they are reported to the district.
5. If the laboratory reports a positive result to the Medical Review Officer (MRO), the MRO shall interview the employee to determine if there is an alternative medical explanation for the drugs found in the employee's urine specimen. If the employee provides appropriate documentation and the MRO determines that it is legitimate medical use of a prohibited drug, the drug test result is reported as negative.
6. If the MRO reports a positive drug result, the employee must be evaluated by a substance abuse professional and follow his/her recommendations prior to taking a return-to-duty test. Follow-up testing is also required.
7. For post-accident testing, the results of urine tests conducted by law enforcement officials will be accepted as long as the testing conforms with federal and state requirements for controlled substance testing and the results are made available to the district.

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

V. Training

The Supervisor of Transportation and every other person designated to determine whether reasonable suspicion exists to require an employee to undergo reasonable suspicion testing must receive at least one hour of training on alcohol misuse and at least one additional hour of training on controlled substance use which they will use in making their determinations.



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VI. Recordkeeping and Reporting

The Transportation Supervisor shall ensure that alcohol and drug testing records are maintained pursuant to applicable regulation and are available, if requested, for submission to the federal government or any State or local officials with regulatory authority over the employer or any of its drivers.

The following personal information must be reported to the Department of Transportation Clearinghouse for employees subject to DOT testing:

- A verified positive, adulterated or substituted drug test result;
- An alcohol confirmation test with a concentration of 0.04 or higher;
- An employer's report of actual knowledge of on duty alcohol use, pre-duty alcohol use, alcohol use following an accident, and controlled substance use;
- A substance abuse professional's report of the successful completion of the return to duty process;
- A negative return to duty test; and
- An employer report of completion of follow up testing.

VII. Required Notification

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

Each covered employee is required to sign a statement certifying that he/she has received this information. The district shall maintain the original signed certification until the employee's employment is discontinued. The district will provide a copy of the certification to the covered employee upon request.

VIII. Penalties

Any treatment, rehabilitation program or discipline will be provided in accordance with district policy and/or collective bargaining agreements and any applicable state and federal laws and regulations.



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

In addition, in accordance with New York State law, a driver convicted of driving a listed vehicle with one or more student passengers while impaired by the use of drugs or alcohol will have his/her license revoked for one year and is subject to fines ranging from \$500 to \$5,000 and/or imprisonment. Any driver convicted more than once in 10 years for such crimes will have his/her license revoked for three years and is subject to a fine of \$1,000 to \$5,000 and/or imprisonment.

Adopted: July 2, 2019
Second Reading: July 2, 2019
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Policy # 0038

DISSECTION OF ANIMALS - OPT-OUT POLICY

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project that shall be approved by such student's teacher. The student's objection must be sustained in writing by the student's parent or legal guardian.

Students who perform alternative projects who do not perform or witness dissection of animals shall not be penalized.

This policy shall be published and distributed to student, parents or legal guardians in the same manner as the plain language version of the code of student conduct. The policy shall be available upon request in any school building in which courses involving dissection of animals are offered. The policy shall also be distributed to parents and students enrolled in a course involving the dissection of animals at least once at the beginning of the school year.

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Policy # 0039

MEDICAID COMPLIANCE POLICY

It is the policy of the Board of Education that all School District practices regarding Medicaid claims for services be in compliance with all applicable federal and State laws and regulations. To prevent, detect, and report incidents of Medicaid fraud and abuse, the School District will develop and implement an effective Compliance Program. The Administration shall develop such a program to meet the requirements of applicable law and regulations.

Reference: New York State Public Health Law §32.

New York State Social Services Law §363-d

New York State Regulations 18 NYCRR § 521.3

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Policy # 0040

EDUCATION OF HOMELESS CHILDREN AND YOUTH POLICY

The No Child Left Behind Act of 2001 and Commissioner's Regulations allow a homeless child or a person in a parental relationship to a homeless child or when the homeless child is living in a shelter, for runaway or homeless use the Director of the shelter to designate this District as the District of attendance for the homeless child when this District is either the School District of current location, the School District of origin, or is a School District participating in a Regional Placement Plan.

A homeless child or youth is a child under the age of 21 and is defined in accordance with the McKinney Vento Homeless Assistance Act and Commissioner's Regulations § 100.2 (x). The term homeless child, however, shall exclude children living in foster care or otherwise placed through a government agency into a family home at board, school for the mentally retarded, hospital or other institution for care, custody and treatment of children under the direction of the Department of Social Services, Office of Mental Health or the Division for Youth. An unaccompanied youth shall be treated as a homeless child.

The District will presume upon enrollment that attendance in the district of origin is in the child's best interests unless doing so is contrary to the child's request. In making a determination of the child's best interests, the District will consider any student-centered factors but will give priority to the child's request. If the District determines attendance in another District would be in the child's best interests, a written explanation shall be provided.

Homeless child and youth shall be entitled to access to District programs on the same basis as all other District students. Homeless student and youth shall be to the extent possible, integrated with non-homeless children.

Students who obtain permanent housing part way through the year are entitled to remain in the school for the remainder of school year. Transportation will be provided by the district of origin.

Where the student is temporarily living in a Runaway and Homeless Youth (RHY) shelter outside of the school district the student has designated to attend, the RHY shelter may provide transportation and will be fully reimbursed by the New York State Education Department (NYSED). If the RHY shelter is unwilling or unable to provide transportation, the school district must provide transportation and will be fully reimbursed by NYSED.



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The School District designates the Guidance Counselor as the Local Educational Liaison for homeless children and youth for the District. In addition to any other duties required by law, this person shall be responsible for reporting to the Board of Education on an annual basis the number of homeless children in the District, the placement of these children, and any suggestions for lowering any barriers to enrollment, attendance, school success and retention of homeless children and youth in the District.

Where the District receives a completed Commissioner's form designating the District as the school of attendance for a child and disputes issues relating to school enrollment or school selection of that student, the following shall occur:

1. the student shall be immediately enrolled in the designated school;
2. prior to making a final determination on the disputed issue, the Superintendent or Superintendent's designee shall afford the student or person in parental relation to the student an opportunity to submit information to the District addressing the disputed issue;
3. the Superintendent or Superintendent's designee shall render a decision in writing and provide a copy to the student or person in parental relation.

A written decision shall include an explanation of the school's decision and a statement regarding the right to appeal the decision to the Commissioner of Education as required by law. If the decision is appealed, the student remains enrolled pending the Commissioner's determination.

The School District will collect and transmit to the Commissioner of Education in accordance with the Commissioner's rules, a report containing information the Commissioner determines necessary to assess the educational needs of homeless children and youths.

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Policy # 0041

CONCUSSION MANAGEMENT POLICY

The Board of Education recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and recreational activity and can have serious consequences if not managed carefully. Therefore, the District adopts the following policy to support 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 are the cornerstones of proper concussion management.

While district staff will exercise reasonable care to protect students, head injuries may still occur. Physical education teachers, coaches, nurses and other appropriate staff will receive training to recognize the signs, symptoms and behaviors consistent with a concussion. Any student exhibiting those signs, symptoms or behaviors 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. The Coach will notify the student's parents or guardians and recommend appropriate monitoring to parents or guardians.

If a student sustains a concussion at a time other than when engaged in a school-sponsored activity, the district expects the parent/legal guardian to report the condition to the School Nurse so that the district can support the appropriate management of the condition.

The student shall not return to school or activity until authorized to do so by an appropriate health care professional. The school's chief medical officer will make the final decision on return to activity including physical education class and after-school sports. 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. The Superintendent, in consultation with appropriate district staff, including the chief school medical officer, will develop regulations and protocols to guide the return to activity.

www.nysphsaa.org/safety/pdf/DraftPolicyConcussionManagement.pdf

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0042

THE DIGNITY FOR ALL STUDENTS ACT - CYBERBULLYING

The Board is committed to providing a school environment that is free from harassment, bullying and discrimination. Harassment, discrimination, intimidation or bullying and acts of cyberbullying, as defined by New York Education Law Article Two and the Regulations of the Commissioner §100.2 by students, staff or visitors toward students are strictly prohibited. Therefore, in accordance with such laws and regulations, conduct of this nature is subject to discipline in accordance with the District's Code of Conduct and the Internet Safety and Acceptable Use Policies.

Reports of harassment, bullying and discrimination shall be made to the Building Principal, Superintendent or the Principal's or Superintendent's designee. Students and parents / guardians may make an oral or written report of harassment, bullying or discrimination to District teachers or Administrators.

District employees who witness harassment, bullying or discrimination, or who receive an oral or written report of harassment, bullying or discrimination, shall promptly orally notify the Building Principal, Superintendent or Building Principal's or Superintendent's designee not later than one school day after employee witnesses or receives a report of harassment, bullying or discrimination. After oral notification, the District employee shall file a written report with the Building Principal, Superintendent or Principal's or Superintendent's designee not later than two school days after making the oral report.

The Building Principal, Superintendent or Principal's or Superintendent's designee shall lead or supervise a thorough investigation of all reports of harassment, bullying or discrimination, and ensure that said investigations is completed promptly after receipt of any written reports made.

In the event an investigation verifies harassment, bullying or discrimination, the District shall take prompt actions reasonably calculated to end the harassment, bullying or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment, bullying or discrimination was directed. Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying or discrimination, is strictly prohibited.

Individuals whose behavior is found to be in violation of this policy will be subject to discipline or removal from the premises in accordance with school policy, including the Code of Conduct. If appropriate, individuals may also be referred to law enforcement officials.



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The Building Principal shall make a regular report on data and trends related to harassment, bullying and discrimination to the Superintendent.

The Superintendent shall establish procedures and guidelines that will include, but not be limited to, staff training and professional development, the method of reporting an incident believed to be in violation of this policy, the procedure for investigation and the prohibition of retaliation for reporting an incident. The District shall also provide required instruction supporting development of a school environment free of harassment, bullying and discrimination having an emphasis on discouraging acts of harassment, bullying (including cyber bullying) and discrimination and including instruction in the safe, responsible use of the Internet and electronic communication.

The Board will review this policy from time to time, but no less than annually, and will make any necessary modifications as required by the applicable laws and regulations.

This policy and any amendments or addendums shall be published in the student handbook and on the District website. At least once each school year, the District shall provide all employees, students and parents or persons in parental relation with a written or electronic copy of this policy and any other policy created by the District in compliance with the Dignity for All Students Act.

If the Superintendent or Principal designates a staff member to receive oral or written reports of harassment, bullying, or discrimination, then the Superintendent or Principal shall publish the name and title of the designee to the school community as an addendum to this policy.

Ref:

Anti-discrimination Policy; Sexual Harassment Policy, Code of Conduct; Internet Safety Policy; Acceptable Use Policy; NY Educ. Law §10-13; 8 NYCRR §100.2

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0043

GRADUATION CEREMONY POLICY

Participation in the graduation ceremony and related activities will be based on satisfactory completion of all graduation requirements, or as otherwise set forth in this policy. Exceptions may be made with the approval of the Superintendent. A student who has earned either a Career Development and Occupational Studies (CDOS) Commencement Credential or a Skills and Achievement Commencement Credential (SACC) by the time the student's ninth-grade cohort reaches graduation may participate in that graduation ceremony and related activities.

If a student who participates in the graduation ceremony by earning a CDOS or SACC subsequently meets the requirements for either a Regents or local high school diploma, the student may participate in the graduation ceremony of that graduating class as well.

A student who participates in graduation ceremonies by earning a CDOS or SACC is entitled to continue in the student's educational program until the end of the school year in which the student turns 21 years old, or until the student earns a Regents or local high school diploma.

The District shall provide annual written notice to all students and their parents/guardians of the requirements of this policy.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0044

MEAL CHARGE AND PROHIBITION AGAINST MEAL SHAMING POLICY

Free Meal Benefit - Free eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. A la carte items or other similar items must be paid/prepaid.

Reduced Meal Benefit - Reduced eligible students will be allowed to receive a breakfast of their choice for \$.25 and lunch of their choice for \$.25 each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Full Pay Students - Students will pay for meals at the school's published paid meal rate each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Adopted: July 2, 2019
Second Reading: July 2, 2019
First Reading: June 18, 2019



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0046

ELIGIBILITY POLICY

The board of education recognizes that athletics, co-curricular, and extracurricular activities are a vital part of a student's overall education. This policy is intended to provide guidelines to insure that students are aware that their participation in all athletic, co-curricular, and extracurricular activities is predicated on their meeting ambitious academic requirements.

Students in grades 7-12 not performing satisfactorily (passing grade: 65%) in one or more academic courses shall be required to develop an academic improvement plan (for each failing course) and show consistent academic improvement as a condition for continued participation in all athletic, co-curricular, and extracurricular activities.

Procedures for administration of this policy will be developed by a committee appointed by the Superintendent and subject to the Superintendents final approval.

Any parent or student who feels that one or more teachers have improperly withheld verification of a student's academic improvement plan or satisfactory academic progress may appeal the teacher's decision. Prior to appeal, the student and/or parent must have alerted the teacher to his/her concerns and afforded the teacher with an opportunity to justify his/her actions. If the student/parent is still dissatisfied he/she may request (in writing) that the building principal conduct an informal review of the student's progress. The principal, upon review of the student's progress, may uphold the teacher's decision or facilitate a conference including the parent, student, and teacher to discuss alternative remedies. Following the conference, the principal shall respond to the student and his/her parent in writing with a formal decision on their appeal. The principal shall deliver his/her decision within two school days following the parent/student/teacher conference. During the student's appeal, the student shall remain ineligible.

All decisions of the building principal (regarding appeals) are final.

Adopted: December 18, 2018

Second Reading: December 18, 2018

First Reading: November 20, 2018



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0048

INDEPENDENT EDUCATIONAL EVALUATION

INTRODUCTION

The Jefferson Central School District has adopted this policy in order to explain the rights of parents and the responsibilities of the School District with regard to independent educational evaluations and to avoid any misunderstandings.

If the parent disagrees with the evaluation conducted by the School District, the parent has a right to request an independent educational evaluation at public expense. The District may, in turn, request the parent to specify the areas of disagreement with the evaluation to show that its evaluation is appropriate, and may initiate an impartial formal hearing if it believes its evaluation is appropriate and does not intend to pay for the evaluation requested by the parent.

An independent educational evaluation means an evaluation conducted by a person who is not employed by the school district responsible for the education of the child. Such an evaluation is for the purpose of determining a child's eligibility for special education or related services, and for planning to meet the child's educational needs.

Parents of children with disabilities have the right under Federal and State laws and regulations to obtain an independent educational evaluation at public expense under certain conditions. (Commissioner of Education Regulations, Part 200.5(a)(1)(vi); Federal Regulations 34 CFR 300.503) A parent does not have the right to an independent evaluation if the School District has not conducted and completed its evaluation of the child.

PUBLIC EXPENSE

Public expense means that the School District either pays for the cost of the independent educational evaluation or ensures that the evaluation is otherwise provided at no cost to the parent provided that the cost does not exceed the monetary amount established in this policy by the District. The amounts set forth in this policy are also those amounts which the District will pay when scheduling its own outside evaluations. Requests for an exception to the rates set forth should be forwarded in writing to the Chairperson of the Committee on Special Education (CSE) or Chairperson of the Committee on Preschool Special Education (CPSE).



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RESPONSIBILITIES

When an independent educational evaluation is requested and approved by the School District and an evaluator is selected by the parent from an approved list, it becomes the responsibility of the person chosen to contact the School District to set forth in writing the services to be performed, the cost involved, the method of payment, dates of classroom visitations and discussions with school staff, and when a written report will be submitted.

The School District has the responsibility to designate a 70 mile geographic area within which the parents would be limited in their search for an independent educational evaluator. The School District will not consider at public expense independent educational evaluators outside the county in which it is located or any adjoining county. Requests for an exception to the geographic area set forth should be forwarded in writing to the Chairperson of the CSE or CPSE as appropriate.

ADMINISTRATIVE PROCEDURES

1. Upon completion of the evaluation conducted by the School District and appropriate notice being given to the parent, the parent is requested but not required to send written notice of a request for an independent educational evaluation within forty-five (45) calendar days from the date of receipt of the School District's evaluation.
2. The School District will not pay more than \$1,200 for a comprehensive independent educational evaluation that would meet the requirements under Commissioner's regulations, which may require an individual psychological evaluation, a physical examination, a social history and other suitable examinations and evaluations as may be necessary to ascertain the physical, mental and emotional factors which may contribute to the suspected disability.
3. The School District has established a list of specific rates and qualified professionals in private practice in this county and adjoining counties or employees of other public agencies to whom parents may go to secure an independent educational evaluation. The School District will pay for an evaluation performed by an employee of any other public school district or BOCES within the county or any adjoining county whom the parent chooses to employ as an independent



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educational evaluator at the then-current hourly rate paid to that licensed or certified individual which the School District would pay were it to request such an evaluation.

4. The School District will pay for an independent educational evaluation or assessment only if conducted by an individual who possesses current license or certification from the New York State Education Department in the area of the evaluation. The School District will permit parents to select any independent educational evaluator who is in the county in which the School District is located or within any adjoining county at the time the parent makes the request, as long as the individual selected by the parent is appropriately certified or licensed by the State of New York.

5. An independent education evaluation requested by a parent which typically would not be conducted by school certified-licensed personnel would require the parent to demonstrate that unique circumstances justify such an evaluation.

6. The independent educational evaluation must be conducted in accordance with the federal and State regulations, which require that, at a minimum:

- (a) tests and other evaluation materials
 - (1) are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so;
 - (2) have been validated for the specific purpose for which they are used; and
 - (3) are administered by trained personnel in conformance with the instructions provided by their producer.
- (b) tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- (c) tests are selected and administered so as best to ensure that when a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired



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sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

- (d) no single procedure is used as the sole criterion for determining an appropriate educational program for a child.
- (e) the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

7. The School District, upon receiving a request for reimbursement for an independent educational evaluation, will forward an acknowledgment letter to the parent with a copy to the evaluator within ten calendar days after receipt of the request. Any information needed by the School District to reach a decision regarding payment will be set forth in the letter.

8. If denial for reimbursement is indicated, the reason(s) for that denial, as well as the School District's intention immediately to initiate a hearing regarding such denial, will be forwarded to the parent in writing with a copy also being forwarded to the evaluator. If the District agrees to pay for the evaluation, the parent and the evaluator will be notified by letter.

Ref: 20 USC §1415(d)(2)(A)

34 CFR §300.502

8 NYCRR §§ 200.1(z); 200.5(a-c) and (g)

Adopted: September 18, 2018

Second Reading: September 18, 2018

First Reading: August 21, 2018



JEFFERSON CENTRAL SCHOOL BOARD OF EDUCATION POLICY

Policy # 0049

VOTER PRE-REGISTRATION OF STUDENTS

In accordance with the New York State Elections Law, the Board establishes a practice of registering and pre-registering student at the age of 16 years old to vote. Upon turning 18 years old, the students will then be automatically registered with the Board of Elections. The District will not tie voter registration to any course requirement or graded assignment. The Superintendent is directed to develop procedures for voter registration and pre-registration of students.

NYS Elections Law 5-500

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