

## STUDENT POLICIES GOALS

Students are the focal point of all district operations and must receive the primary attention of the Board of Trustees and all staff members. Consequently, the Board will spend most of its time in study, deliberation, and policy formulation on matters directly related to student welfare.

The Board recognizes the individual worth of each student. The Board and staff accept the responsibility of helping each student to develop his/her capacity for intellectual, physical, emotional, and social growth. The Board acknowledges that a student's growth is influenced by his/her environment, both at home and in school. Therefore, the district shall strive to create an environment in which the student may learn to live and adapt successfully in an ever-changing world, in order to become a responsible and productive member of society.

The Board and district staff shall work together to achieve the following goals:

1. to tailor the learning program to each student's learning styles, interests, and aspirations;
2. to protect and observe the legal rights of students;
3. to enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success;
4. to provide an environment in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens; and
5. to promote faithful attendance and good work.
6. Provide a positive social and emotional environment that monitors and reflects good character.

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: January 10, 2023

## EQUAL EDUCATIONAL OPPORTUNITIES

Every individual should be encouraged to develop and achieve to his or her potential. The district, therefore, shall provide every student with equal educational opportunities regardless of race, color, creed, sex, national origin, religion, age, economic status, marital status, or disability.

An educational environment will be fostered that provides equal educational opportunity for all students. Educational programs and services will be designed to meet the needs of all students and shall not discriminate based upon any of the above-mentioned factors. No student will be excluded on such basis from participating in or having access to any course offerings, student athletics, counseling services, employment assistance, extracurricular activities or other school resources.

Ref: Americans with Disabilities Act of 1990, 42 U.S.C. ^12131-12134  
Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII  
Executive Order 11246, 1965, amended by Executive Order 11375  
Educational Amendments of 1972, Title IX; 45 CFR, Parts 81, 86  
Education for all Handicapped Children Act (P.L. 94-142)  
Vocational Rehabilitation Act of 1973, 3504 *Brown v. Board of Education*, 347 U.S. 483 (1954)

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 13, 2023

## SEXUAL HARASSMENT OF STUDENTS

The Board of Trustees is committed to safeguarding the right of all students within the school district to learn in an environment that is free from all forms of sexual harassment. Conduct is deemed to be sexual harassment when the recipient perceives such behavior as unwelcome. It is irrelevant that the harasser had no intention to sexually harass the person. The Board recognizes that sexual harassment of students can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as employees, board members or any individual who foreseeably might come in contact with students on school grounds or at school-sponsored activities. When an alleged sexual harassment occurs and the district knows about it, they shall take immediate and appropriate corrective action.

The Board, consistent with state and federal law, therefore condemns all unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition of academic advance, or which may have the purpose or effect of creating an intimidating, hostile, or offensive learning environment. The Board also prohibits any retaliatory behavior against complainants or any witnesses.

Any student who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately, pursuant to 5020.1 -R, so that appropriate corrective action, up to and including discharge of an employee or suspension of a student, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged sexual harassment. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct, will ensure that an investigation is promptly commenced by appropriate individuals.

The superintendent is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of sexual harassment. Such procedures are to be consistent with any applicable provisions contained in the district's policy manual, collective bargaining agreements, the tenure laws as well as other federal and state laws on sexual harassment. Training programs shall be established for students and employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment.

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

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. 31681  
***Franklin v. Gwinnett County Public Schools, 112 S. Ct. 1028 (1992)***  
***Meritor Savings Bank, FSB v. Vinson, 411 U.S. 57 (1986)*** 34 CFR  
 39106.8; 106.9

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 13, 2023

## SEXUAL HARASSMENT OF STUDENTS REGULATION

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

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

1. unwanted sexual behavior, which may include touching, verbal comments, sexual name calling, spreading sexual rumors, gestures, jokes, pictures, leers, overly personal conversation, cornering or blocking student's movement, pulling at clothes, attempted rape and rape;
2. ~~a female~~ any student in a ~~predominantly male~~ class subjected to sexual remarks by students or teachers who regard the comments as joking and part of the usual classroom environment; ~~and~~
3. ~~purposefully limiting or denying female students access to educational tools, such as computers;~~

### *Procedures*

The Board of Trustees shall designate the ~~school nurse~~ superintendent as a Compliance Officer to carry out the district's responsibilities. In addition, the Board will designate a second individual, the ~~school counselor~~ Director of Health and Safety, for ensuring compliance with Title IX in regard to sexual harassment so that students who believe that they have been subjected to sexual harassment will have a second avenue of complaint, if the alleged harasser is the Compliance Officer.

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

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

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

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

Students who believe they have been subjected to sexual harassment are to report the incident to the Compliance Officer or the second designee as described above. The Compliance Officer or designee shall notify the superintendent of all complaints. The student can pursue his/her complaint informally or file a formal complaint.

*Investigation of a Complaint*

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

*Informal Complaints*

In addition to notification to the Compliance Officer or the Board's designee as described above, students who believe they have been subjected to sexual harassment may request that an informal meeting be held between themselves and the superintendent. The student may also request a meeting with a counselor or administrator of the same sex. Parents or guardians of the student shall be notified of their right to attend the interview with their child. The purpose of such a meeting will be to discuss the allegations and remedial steps available.

The superintendent will then promptly discuss the complaint with the alleged harasser. The alleged harasser shall be informed of his/her right to representation by counsel. Should the alleged harasser deny the allegations, the superintendent is to inform the complainant of the denial and request a formal written complaint to file with his/her report to the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of the complaint shall accompany the superintendent's report with a recommendation for further action.

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

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

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

*Formal Complaints*

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

## 5020.1-R

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

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

### *Remedial Action*

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

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

### *Post Remedial Action*

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

### *Complaint Records*

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

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

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

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: January 13, 2022

**SEXUAL HARASSMENT FORMAL COMPLAINT FORM**

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

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

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

Date and place of incident \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

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

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

\_\_\_\_\_

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

\_\_\_\_\_

Reasons for dissatisfaction with prior resolution of informal complaint \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 13, 2022

## RACIAL HARASSMENT OF STUDENTS

The Board of Trustees is committed to safeguarding the rights of all students within the school district to learn in an environment that is free from racial\* discrimination, including racial harassment. The Board recognizes that racial harassment of students can originate from a person of the same or different race of the victim including peers, employees, board members or any individual who foreseeably might come in contact with students on school grounds or at school-sponsored activities.

Racial harassment of students consists of different treatment on the basis of race and is recognized in two different forms:

1. when the district's employees or agents, acting within the scope of official duties, treat a student differently than other students solely on the basis of race; or
2. when the education environment is not kept free from discrimination because the harassing conduct is so severe, pervasive or persistent that it interferes with or limits the ability of a student to participate in or benefit from the services, activities or privileges provided.

The Board also prohibits any retaliatory behavior against complainants or any witnesses.

Any student who believes that he/she has been subject to racial harassment should report the alleged misconduct immediately, pursuant to 5020.2-R, so that corrective action, up to and including discharge of an employee or suspension of a student, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged racial harassment. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect the occurrence of any racial harassment, will ensure that an investigation is promptly commenced by appropriate individuals.

The superintendent is directed to develop and implement specific procedures on reporting, investigating and remedying allegations of racial harassment. Such procedures are to be consistent with any applicable provisions contained in the district's policy manual, collective bargaining agreements, the tenure laws as well as other federal and state laws on racial harassment.

A copy of this policy and its accompanying regulation is to be distributed as part of the handbook.

*\*For the sake of simplicity and clarity, the term "race" shall be used throughout this policy to refer to all forms of discrimination prohibited by Title VI-- that is, race, color, and national origin.*

Adoption: December 10, 1998  
 Reviewed: ~~June 9, 2014~~ January 13, 2023



## RACIAL HARASSMENT OF STUDENTS REGULATION

The Board of Trustees will implement the following regulation concerning any racial discrimination or racial harassment of students. A student can be subject to racial harassment by a student, employee, board member or any individual who foreseeably might come in contact with the student on school grounds or at school activities. The following are examples of the type of incidents racial harassment which might constitute racial harassment:

1. unwanted verbal comments, racial name calling, racial or ethnic slurs, slogans, graffiti;
2. school security treating black students more severely than white students;
3. intimidating actions such as cross-burning or painting swastikas; and
4. teacher repeatedly treating minority students in a racially derogatory manner.

### *Procedures*

The Board shall designate a Compliance Officer to carry out the district's responsibilities for redressing grievances. In addition, the Board will designate a second individual for ensuring compliance with Title VI so that students who believe that they have been subjected to racial harassment will have a second avenue of complaint, if the alleged harasser is the Compliance Officer.

The superintendent shall notify all students and employees of the name, office address and telephone numbers of both designees. In addition, the Board through this regulation has established grievance procedures that provide for prompt investigation and equitable resolution of student racial harassment complaints.

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

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

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

Students who believe they have been subjected to racial harassment are to report the incident to the Compliance Officer or the second designee as described above. ~~The Compliance Officer or designee shall notify the superintendent of all complaints.~~ The student can pursue ~~his/her~~ **their** complaint informally or file a formal complaint.

### *Investigation of a Complaint*

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

### *Informal Complaints*

In addition to notification to the Compliance Officer or the Board's designee as described above, students who believe they have been subjected to racial harassment may request that an informal meeting be held between themselves and the superintendent. The student may also request a meeting with a counselor or administrator of the same race. Parents or guardians of the student shall be notified of their right to attend the interview with their child. The purpose of such a meeting will be to discuss the allegations and remedial steps available.

The superintendent will then promptly discuss the complaint with the alleged harasser. The alleged harasser shall be informed of his/her right to representation by counsel. Should the alleged harasser deny the allegations, the superintendent is to inform the complainant of the denial and request a formal written complaint to file with his/her report to the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of the complaint shall accompany the superintendent's report with a recommendation for further action.

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

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

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

### *Formal Complaints*

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

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

## **5020.2-R**

The superintendent or the Board shall take immediate, appropriate and corrective action upon a determination of racial harassment. The superintendent or the Board shall notify the complainant of any finds and action taken.

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: January 13, 2023

## STUDENTS WITH DISABILITIES PURSUANT TO SECTION 504

The Board of Trustees shall ensure that no student is discriminated against in programs or activities receiving federal financial assistance. Individuals protected by Section 504 of the Rehabilitation Act of 1973 are those individuals who: have a physical or mental impairment which substantially limits one or more major life activities (e.g. caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working); have a record of such impairment; or are regarded as having such an impairment. Students who qualify for protection under Section 504 are: of an age during which non-disabled children are provided preschool, elementary or secondary education services; of an age during which it is mandatory under state law to provide such educational services to disabled children; or to whom a state is required to provide a free appropriate public education (e.g. under IDEA).

The Board shall identify, evaluate, refer, place, provide adaptations for and review all eligible students with disabilities. Students with disabilities pursuant to Section 504 shall be provided a free appropriate public education which may include, but is not limited to, providing a structured learning environment; repeating and simplifying instructions about in-class and homework assignments; supplementing verbal instructions with visual instructions; using behavioral management techniques; adjusting class schedules; modifying test delivery; using ~~tape~~ **audio** recorders, computer-aided instruction, and/or other audiovisual equipment; selecting modified textbooks or workbooks and tailoring homework assignments or modification of nonacademic times such as lunchroom, recess and physical education.

The Board shall adopt a grievance procedure to resolve Section 504 complaints and designate an individual to coordinate compliance with Section 504. The Board shall ensure that students with disabilities and their parents are notified annually of the Board's responsibilities under Section 504.

Cross-ref: 4321, Programs for Students with Disabilities  
5310, Student Discipline 5313.3, Student  
Suspension 9110, Equal Employment  
Opportunity

Ref: Rehabilitation Act of 1973, 29 USC 99794 et seq. (Section 504) 34  
CFR Part 104  
Individuals with Disabilities Education Act, 20 USC 391400 et seq.  
(IDEA)  
Education Law, 994401 et seq. (Article 89)  
8NYCRR Part 200

Adoption: December 10, 1998

Reviewed: June 9, 2014

**Revised: January 13, 2023**

## PRAYER IN THE SCHOOLS

It is the policy of the Board of Trustee to not prevent, or otherwise deny participation in, constitutionally protected prayer in the district's schools, consistent with guidance issued by the U.S. Secretary of Education, and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

This policy supersedes any other Board policy that might be inconsistent with it.

Adoption: May 20, 2003

Reviewed: ~~June 9, 2014~~ January 13, 2023

## **EDINBURG COMMON SCHOOL DISTRICT**

### **Comprehensive Attendance Policy**

The Board of Trustees of the Edinburg Common School recognizes that regular school attendance is a major component of academic success. Student interaction with teachers, staff and other students in the classroom enhance the academic learning experience and provides a basis by which students can demonstrate mastery of subject matter.

The Board recognizes that it is imperative that all members of the school community are aware of this policy, its purpose, procedures and the consequence of non-compliance.

In this regard and pursuant to section §104.1 of the Regulations of the Commissioner of Education, the Board of Trustees adopts this comprehensive attendance policy, containing the following components:

- Overall objectives of the policy
- Specific strategies to accomplish these objectives
- Definitions of ATEDS (unexcused absences, tardiness, and early departures)
- Attendance Program (SchoolTool) identifying type of absence(s) and reasons for absence(s), tardiness and early dismissal(s).
- Student Attendance and Effect on Promotion/Retention
- Disciplinary Sanctions
- Parental Notification
- Intervention strategies to identify patterns of student absence, tardiness or early departure.
- Designated staff responsible for tracking and intervening with attendance issues and successes.
- Board of Trustee annual review of Comprehensive Attendance Policy.
- Notification of School Community of Policy and Updates
- District response to removal of potential barriers to success due to absenteeism of homeless students. (McKinney-Vento Homeless Assistance Act and SSA/2015)

#### **OVERALL OBJECTIVES OF ATTENDANCE POLICY**

- Through implementation of this policy, the Board of Trustees expects to minimize the number of unexcused absences, tardiness and early departures. (ATED'S)
- To encourage students to attend school every day, on time, for entire day.
- To maintain an adequate recordkeeping system that is in accordance with Education Law.

- To identify patterns of student ATED's.
- To develop effective intervention strategies to improve school attendance.
- To improve retention of homeless students through supported attendance practices.

## **SPECIFIC STRATEGIES IN PLACE TO ACHIEVE GOALS AND OBJECTIVES**

The record of attendance will set forth the following for each pupil:

- Name
- Date of birth
- Full names of parents or guardians
- Address(s) where pupil resides
- Phone numbers where the parents or guardians may be contacted
- Record of pupil's attendance on each day of scheduled instruction

Attendance will be recorded on an ongoing basis throughout the school day and entered into the SchoolTool program. All ATEDS will be recorded as excused or unexcused in accordance with the standards found in section 3 of this policy.

## **DEFINITIONS OF ATED'S**

### **EXCUSED ABSENCE**

The Board of Trustees has determined the following reasons to be deemed **EXCUSED** in the case of absenteeism, tardiness and/or early dismissal:

- Illness
- Illness or death in the family
- Unsafe travel conditions
- Religious observance
- Medical appointments
- Quarantine
- Required court appearances
- Participation in a school-sponsored activity
- Absences due to circumstances related to homelessness
- Other reasons as approved by superintendent

### **UNEXCUSED ABSENCE**

All other pupil absence, tardiness or early dismissal is considered by the Board of Trustees to be **UNEXCUSED**.

### EARLY DISMISSAL

In those rare cases when a student must leave school early, such as medical appointments, religious observances, court appointments, etc., the following procedures must be followed:

Early dismissal notes ~~should be brought to the main office~~ **will be collected** by 9 AM. The student's name will be placed on the dismissal list and distributed to the staff.

**Parent/Guardian must enter the building, sign in at the main office window, and be prepared to show identification and sign out his /her child.** *Students may only leave when escorted by a parent/guardian.*

The early dismissal will be entered into SchoolTool immediately as excused or unexcused.

At times it is necessary for parents to call in to notify the office that they need to pick up a child early. A note is still necessary.

Students reporting to school late or leaving school early for appointments will **not** be permitted to practice or play in a game that same day **UNLESS** documentation is submitted from the physician at the appointment.

### TARDINESS

Edinburg Common School students should be in the building by 8:00 AM.

**If arrival is after 8:00 AM, the student must be accompanied into the building by an adult and signed in at the main office window.** A reason for the tardiness should be documented.

The tardiness will immediately be entered in SchoolTool as either **excused** or **unexcused**.

~~Accumulated tardiness will result in progressive attendance interventions including:~~

- ~~• Letter to parents/guardians after two tardies in a marking period.~~
- ~~• Lunch Detention after five tardies in one marking period.~~
- ~~• Recess detention and parent conference after ten tardies in a marking period.~~



## **ATED'S EFFECT ON EXTRACURRICULAR ACTIVITIES**

Students reporting to school late or leaving school early for appointments will not be permitted to practice or play in a game that same day UNLESS documentation is submitted from the physician at the appointment.

## **PARENT/ GUARDIAN RESPONSIBILITIES FOR NOTIFICATION**

It is the responsibility of the parents/guardians to notify the attendance officer or main office by telephone (518 863-8412 ext. 24) by 8:00 AM on the day of tardiness, absence or early dismissal. When using the **24-hour messaging system**, leave your child's name, date of absence and reason for absence.

A written excuse will be sent to school with your child within 48-hours of their return to school. It will include student name, date of absence, tardiness or early dismissal, and reason for ATED.

Students who are absent for ~~five~~ **three** consecutive days due to illness, must present a written document from their physician and a written excuse from their parent/guardian upon their return. If documentation is not received, the parent/guardian will be contacted by the ~~superintendent~~ **nurse**.

Parents transferring students out of the district must provide written proof of enrollment in the receiving district within (7) seven days. **If proper documentation is not received within seven business days you will receive a letter asking for proof of enrollment. If proof of enrollment is not received, then the issue will be turned over to Child Protective Services or Social Services for investigation.**

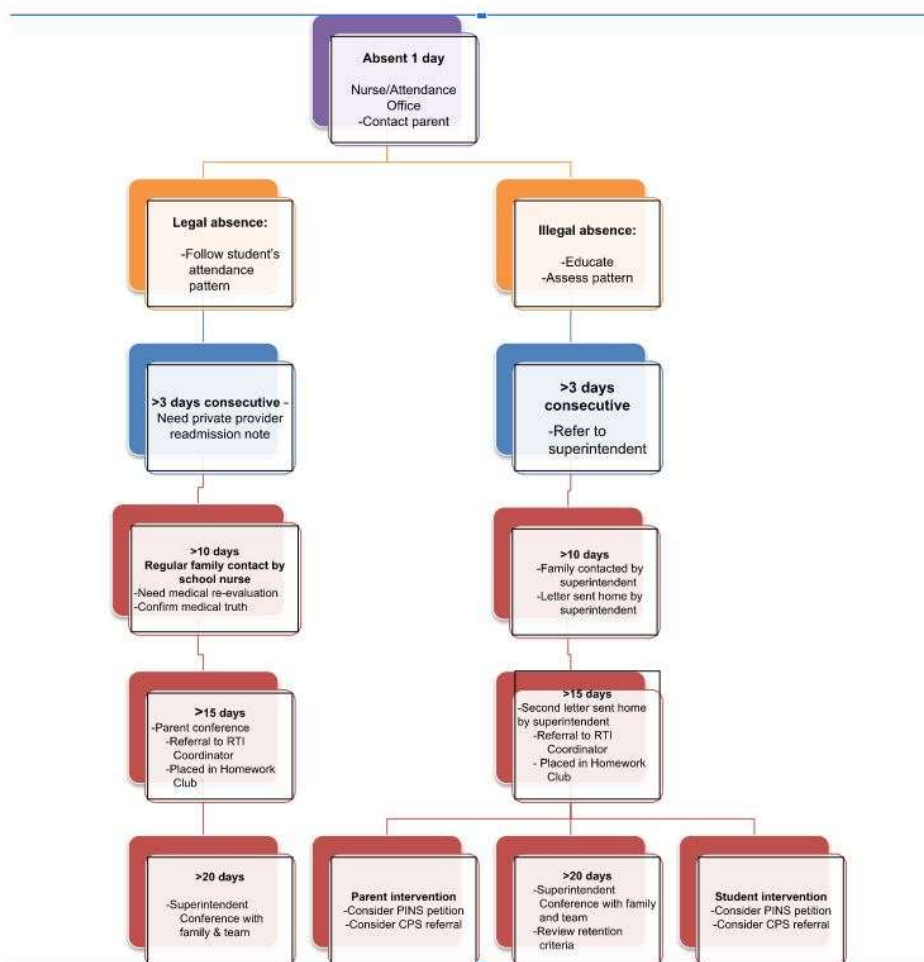
## **DISCIPLINARY SANCTIONS**

The Board of Trustees recognizes that pupil attendance may be affected by the use of disciplinary sanctions to discourage unexcused pupil absences, tardiness and early dismissals from school.

## **RESPONSE TO INTERVENTION (RTI)**

The Edinburg Common School District acknowledges that chronic absenteeism creates learning gaps for our students in all content and curriculum areas. While the superintendent and Attendance Officer work closely with our families to decrease the number of absences, students that have reached >15 days (legal or illegal) will be referred to the RTI Coordinator for services. Students will receive a minimum of 3 x 30-minute sessions per week to cover materials missed. Students will also be referred to the Homework Club when in session. Days >20 (legal or illegal) ~~can~~ **will** be considered for Child Protective Service (CPS) or Person in Need of Supervision (PINS) reports.

# ECS Absence Response Flow Chart



## PARTIES RESPONSIBLE FOR STUDENT ATTENDANCE AT ECS

The superintendent, in partnership with the Attendance Officer, will be charged by the Board of Trustees to be the person(s) responsible for reviewing pupil attendance records and initiating appropriate actions to address unexcused pupil absence, tardiness and early departures. The interventions will be consistent with the Comprehensive Attendance Policy of Edinburg Common School.

## **NOTIFICATION OF SCHOOL COMMUNITY OF COMPREHENSIVE ATTENDANCE POLICY**

- A plain language summary of Edinburg Common School's Comprehensive Attendance Policy will be included in *student's handbooks* and will be **reviewed with students parents** during open **house** at the start of the school year.
- *Parents* will have access to a plain language summary of this policy **via ECS website** at the start of the school year.
- When a student is absent, tardy, or leaves class or school early without an excuse, designated staff member(s) will notify the student's parent/guardian **by phone** and mail of the specific ATED, remind them of the attendance policy, and review ATED intervention procedures with them.
- The district will provide a copy of the comprehensive attendance policy and 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 the school year to review the attendance policy to clarify individual roles in its implementation. **Faculty will notify superintendent and Attendance Officer of suspected homeless status of any student, causing absenteeism and/or tardiness.**
- Copies of this policy will be made available to any **community member**, upon request.
- The Edinburg Common School 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.

## **MCKINNEY-VENTO HOMELESS ASSISTANCE ACT**

The Board of Trustees recognizes that the absence of a stable living arrangement can have a devastating impact on educational outcomes for youth. In this regard and pursuant to the McKinney-Vento Homeless Assistance Act (1987), the district will:

- Appoint a McKinney-Vento liaison to identify and serve homeless students and their families. The liaison will provide public notice to homeless families and facilitate access to school services.
- Eliminate barriers to enrollment by enrolling students without immediate access to required documents.
- Eliminate barriers to attendance by assisting with transportation needs.

- Eliminate barriers to educational success by accepting homeless youth into a supportive and positive environment so they may achieve their maximum potential.

**BOARD OF TRUSTEES ANNUAL REVIEW OF COMPREHENSIVE**  
**ATTENDANCE POLICY**

The Board of Trustees will appoint an Attendance Officer annually who will be responsible for tracking attendance, contacting parents by phone, and coordinating with the building principal/superintendent.

The district will review yearly trends on student attendance records if needed and if such records show a decline in student attendance, the Board will revise the Comprehensive Attendance Policy and make any revisions to the plan it deems necessary to improve student attendance.

Cross ref:

4710, Grading Systems  
5151, Homeless Children  
5300, Code of Conduct  
5460, Child Abuse in a Domestic Setting

Ref:

42 USC §11432(g)(1)(I) (McKinney-Vento Homeless Assistance Act)  
Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225  
8 NYCRR §§104.1; 175.6  
Social Service Law §34-a

Adoption date: December 10, 1998

Revised: ~~July 6, 2022~~ January 10, 2023

## STUDENT ATTENDANCE REGULATION

1. The district will make available to each student and his/her parent or guardian a copy of the attendance policy at the beginning of each school year.
2. The policy will be available in the administrative office. A condensed version will be included in the Parent Handbook.
3. Attendance will be taken at the beginning of each day and reported to the attendance officer each school day.
4. ~~On the fifth unexcused absence from school, the designated staff person will notify the parent.~~
5. If the information in a student's attendance record needs to be corrected, it is to be corrected immediately and notice of such change sent to the appropriate school personnel.
6. Attendance dates will be analyzed periodically to identify patterns or trends in student absences.
7. Final Report Cards will not be released until all written attendance forms /excuses have been received. ~~Final report cards will be released to parents when all written attendance forms/excuses have been received to complete the document.~~

Adoption: December 10, 1998

Revised: ~~June 9, 2014~~ January 10, 2023

## SCHOOL CENSUS

Pursuant to the Education Law, every two years a school census will be taken which will include all minors between birth and 18 years of age and those with disabilities, from birth until the age of 21.

The census must be prepared and filed with the superintendent on or before the fifteenth of October. All information regarding persons with disabilities under the age of 21 must be filed annually with the BOCES District superintendent.

Ref: Education 933212, 3240 et. seq. 8  
NYCRR 3200.2

Adoption: December 10, 1998  
Reviewed: ~~June 9, 2014~~ January 10, 2023

### COMPULSORY ATTENDANCE AGES

All children are required by New York State law to attend school full time, in a public, private or parochial school, unless exempt from attendance in conjunction with current law or regulation, and approved by the State Education Department from the first day of session in September of the school year in which the minor becomes six years of age through the last day of the school year in which such minor becomes 16 years of age, unless exempt from attendance in conjunction with current law, and approved by the State Education Department.

The Board of Trustees, through the superintendent, is responsible for enforcement check of the Compulsory Education Law.

Cross-ref: 1741, Home Instruction  
5155, Student Withdrawal from School

Ref: Education Law 33171 1; 3201; 3202(1-a); 3205; 3206; 3208;  
3225 8NYCRR3101 Family Court Act 33711 et seq.

Adoption: December 10, 1998  
Reviewed: ~~June 9, 2014~~ January 10, 2023

### ENTRANCE AGE

Children who reach their fifth birthday on or before December 1 st of the year of matriculation may be admitted to kindergarten. Proof of age must be presented in the form of a birth certificate, baptismal certificate, or passport.

A child who has regularly attended and satisfactorily completed a year's work in a kindergarten which is duly registered with the State Education Department will be enrolled in the first grade.

The Board of Trustees authorizes the superintendent to establish any and all rules, regulations, and procedures necessary to implement and maintain this policy.

Ref: Education Law 93709; 1712; 2503; 2514; 2555; 3202; 3205; 3210

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 10, 2023



## SCHOOL ADMISSIONS

The district shall provide a public education to all persons between the ages of five and 21 who have not received a high school diploma and are entitled to attend school. If such persons reside in the district, they may attend without payment of tuition. Residence is defined as both physical presence and intent to remain in the district. A completed admission package and proof of residency are required before admittance is granted and may be required throughout the student's career in the Edinburg Common School District.

Upon registration, all new students shall be required to present:

1. Documentation of age: a birth certificate (original or certified transcript, including a foreign birth certificate) or a passport (including a foreign passport). If neither of these are available, the District may consider other evidence, which has been in existence for at least two years, such as: government issued identification, school photo I.D. with date of birth, consulate identification card, hospital or health records, military dependent I.D. card, documents issued by government agencies, court-issued documents, Native American tribal documents, or records from non-profit international aid agencies or voluntary agencies, an adoption record, or previously verified school records;
2. Record of immunizations and a health certificate from a licensed physician, and
3. Documentation of District residency: A minimum of three (3) forms of documentation are required as proof of residency. **More than three (3) may be required by the District.** Examples of acceptable forms of documentation include, but are not limited to, mortgage/deed or lease documents to a house/condominium/apartment, a statement by the parent/guardian's landlord, property owner or co-tenant, or a statement by a third party relating to physical presence in the District, a pay stub, income tax form, telephone or utility bills or other bills, membership documents based upon residency, official driver's license, learner's permit, or non-driver identification, rent payment receipts, a copy of a money order for payment of rent, a letter from a parent's employer that is written on company letterhead, voter registration document, or a state- or other government-issued ID, documents issued by federal, state, or local agencies, or judicial custody orders or guardianship papers showing residency.

**The District shall not request or require a Social Security card or number**, or any information which would tend to reveal the immigration status of the child, the parent, or the person in parental relation, in any forms, meetings or other communication, at the time of and/or as a condition of enrollment.

The District shall review all submitted documentation, and make a determination of a student's eligibility to attend District schools as soon as possible, but within three business

days of initial enrollment, or four days if the documentation is presented on the third day. The District may verify documentation of age from a foreign country, but will not delay enrollment during verification. At any time during the school year, notwithstanding any prior determination to the contrary, the District may make a determination that a student is not eligible to attend the District's school, subject to the procedures outlined in the regulations of the Commissioner of Education.

Cross-ref: 5155, Student Withdrawal from School

Ref: Education Law 99903; 904; 3202;  
3208 Public Health Law 92164

Adoption: December 10, 1998

Revised: January 12, 2021

Reviewed: ~~June 9, 2014~~

January 10, 2023

## HOMELESS CHILDREN

The Board of Trustees recognizes its responsibility under federal (McKinney-Vento) and state laws and regulations to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their identification, enrollment, attendance, or success in school which may exist in district practices. The Board will provide homeless children attending the district's schools with access to the same free and appropriate public education and other school programs and activities, including publicly funded preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, ~~trailer parks~~, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital or; is a migratory child who qualifies as homeless. An unaccompanied youth is a homeless child not in the physical custody of a parent or guardian.

To assist in determine eligibility for services under the McKinney-Vento Act, the district shall use a housing questionnaire for all enrolling a homeless child has the right to attend school in either the school of origin (i.e., where he/she resided before becoming homeless), or the school he/she was last enrolled, the school in the district of current location, (i.e. where he/she currently resides as a result of his/her homelessness) that he/she is entitled to attend based on attendance zone or general eligibility, or a school in a district participating in a regional placement plan. Such schools include preschools. The homeless child is entitled to attend the designated school district on a tuition-free basis for the duration of his or her homelessness. If the child becomes permanently housed, the child is entitled to continue to attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building.

A homeless child or youth has the right to attend his/her school of origin, or any school that permanently housed students who live in the attendance area in which the homeless student is actually living are eligible to attend. For homeless students, a school of origin can be:

1. the public school where he/she attended when permanently housed (i.e., before becoming homeless); or
2. the public school where he/she was last enrolled or
3. the public school he/she was entitled or eligible to enroll in when the child became homeless, if that child became homeless after such child was eligible to apply, register, or enroll in a public preschool or kindergarten, or he/she is living with a school-age sibling who attends school in the district; or
4. the designated receiving school at the next grade level for any feeder school, where the child has completed the final grade in the feeder school.

Such schools include publicly-funded preschools administered by the district or the State Education Department (SED).

The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of his or her homelessness. If the child becomes permanently housed, the child is entitled to continue attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. If a homeless child completes the final grade level in his/her school of origin, the child may also attend the designated receiving school at the next grade level for all feeder schools.

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

1. Admission: Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records, (however, the district may temporarily exclude a child from attendance if there are actual symptoms of a communicable disease that poses a significant risk of transmission to others), proof of age or residency, or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all variable appeals.  
Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless. The district shall eliminate barriers to identification, enrollment and retention due to outstanding fees, fines or absences.
2. Transportation: The district shall promptly provide transportation for homeless students currently attending district schools as required by applicable law as described in the accompanying regulation. In general, the district shall ensure that transportation is provided to homeless students enrolled in the district who attend a school or origin, including a publicly funded preschool administered by the district or SED, even if the student lives outside the district's boundaries. Transportation shall be provided for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school.
3. School Records: For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records, and guardianship paper, if applicable. For homeless students attending school in the district, the district shall request the student's records (academic, medical, etc.) from the school the student last attended.
4. Coordination: The district shall coordinate with local social service agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

A portion of the district's Title 1, Part A funds shall be set aside for homeless children and youth to provide educationally related support services and services not ordinarily provided to other students.

Information about a homeless child's living situation shall be treated as a student education record, and shall not be deemed to be directory information under FERPA. (see policy 5500)

The superintendent shall also designate a McKinney-Vento liaison for homeless children and ensure that this person is aware of, and able to carry out, his or her responsibilities under the law. The superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibility shall include, but not be limited to, ensuring that:

1. Parents or guardians of homeless children are informed of the educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.
2. Parents and guardians and unaccompanied youth are fully informed of all transportation services available to them, and are assisted in accessing them;
3. Enrollment disputes involving homeless children are promptly mediated and resolved.
4. School personnel, through outreach and in coordination with shelters and social service agencies and other appropriate entities, identify homeless children, including homeless preschoolers;
5. Homeless children receive educational services, including but not limited to Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families;
6. Public notice of the educational rights of homeless children is disseminated in locations frequented by homeless, unaccompanied youth and parents/guardians of homeless children, in a manner and form understandable to them;
7. Staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students;
8. Homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same state standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to commissioner's regulations.

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation). A student shall be entitled to continued enrollment in the district's schools, and transportation, pending resolution of the dispute and all available appeals.

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

Cross-ref: 5150, School Admissions  
5420, Student Health Services  
5500, Student Records

Ref: 20 USC § 6313 ©  
42 USC §§11431 et seq.

McKinney-Vento Education for Homeless Children and Youth Program, 81 Fed. Reg.  
14432-14436 (3/17/16)

U.S. Department of Education, Education of Homeless Children and Youth Program, Non-  
Regulatory Guidance (7/27/16)

Education Law §§207;305;3202;3205;3209

Executive Law §§532-b; 532-e  
Social Services Law §§17; 62;397  
8 NYCRR §§100.2(x); 175.6

Approved: September 2017

Updated: January 10, 2023

## HOMELESS CHILDREN REGULATION

Each school in the district shall maintain forms provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be immediately provided to any homeless child, parent, or guardian who seeks to enroll a child in school. The district's McKinney-Vento liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the educational and related opportunities available to them.

School placement decisions for homeless children will be based on the "best interest of the child" and shall:

1. Presume that keeping the child in the school or origin is in the child's best interest, except when doing so is contract to the wishes of the parent or guardian or unaccompanied youth; and
2. Consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child's parent or guardian or unaccompanied youth.

If the district determines that it is in the best interests of the student to attend a school other than the school ~~or~~ **of** origin or a school requested by the parent or guardian, the superintendent or designee shall provide the parent or guardian, or unaccompanied youth with a written explanation of its decision, together with a statement regarding the right to appeal the placement process. (Which shall be in a manner understandable to them.) The superintendent or designee shall refer any such dispute to the district's McKinney-Vento liaison for resolution. The student must be enrolled in the school sought by the parent or guardian or unaccompanied youth and provided with requested transportation pending final resolution of the dispute, including all available appeals.

### Admission Procedures

Upon identifying a student experiencing homelessness, the superintendent of Schools or designee shall immediately:

1. ensure that a designation form is given to the parent or guardian or unaccompanied youth and review the designation form to ensure that it is complete;
2. admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment, or the student has missed enrollment or application deadlines, or there is an unresolved dispute regarding school selection or enrollment;
3. where applicable, make a written request to the school district where copies of the child's records are located for a copy of the homeless child's school records;
4. notify the McKinney-Vento liaison of the child's admission. The liaison shall:
  - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation to the school of origin, and help arrange for transportation and other services such as those under Title I, Section 504, IDEA, and federal school meals;
  - b. ensure that the child receives the educational services for which they are eligible, including Head Start, Early Head Start, early intervention services, and preschool programs administered by the district;
  - c. make necessary referrals for homeless children and/or their families to health care services,

- dental services, mental health services, substance abuse services, housing and other appropriate services; and
- d. ensures that any enrollment disputes are mediated promptly and in accordance with law.
  - e. when assisting unaccompanied youth in placement or enrollment decisions, give priority to the views of such youth, and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist that process; and
  - f. assist in obtaining required immunizations, health screenings, immunization records or health records.

The superintendent or designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where applicable.

### Transportation

Unless the homeless child is receiving transportation provided by the Department of Social Services, the district shall provide transportation services to the child in accordance with applicable law. Where the district is designated by the parent/guardian or unaccompanied youth, and the student **will** attend the school of origin as defined in law described in the accompanying policy (including a publicly funded preschool administered by the district or the State Education Department). ~~the district shall~~ A designated school district that must provide transportation to a homeless child is not required to provide transportation in excess of 50 miles one way, unless the Commissioner of Education determines that it is in the best interest of the child.

Transportation must be provided to the school of origin when the district receives notice of the child’s homeless status, for the duration of the student’s homelessness, as well as during pendency of any disputes. Transportation must be provided to the receiving school as defined in Education Law §3209(1)(h) if the student is homeless over multiple school years. If a child becomes permanently housed during the school year, the student has the right to continued transportation services to the school of origin until the end of the academic school year, as well as one additional year if it is the student’s final grade level or terminal year in the building.

If the district recommends that a homeless child attend a summer educational program, and lack of transportation is a barrier to participation, the district shall provide transportation. The district shall provide transportation to extracurricular or school activities for homeless students eligible for activities where lack of transportation is a barrier to participation.

### *Dispute Resolution Process*

If, after the superintendent reviews the designation form, he/she finds that the student is either not homeless, not entitled to attend the district's school, or not entitled to transportation (if requested) the superintendent or designee will do the following:

1. Contact the district's McKinney-Vento liaison to assist in dispute resolution process.
2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the district making a final determination.

If, after consideration of any additional information and input from the McKinney-Vento liaison, the superintendent makes a final determination that a student is not homeless, or not entitled to enrollment or transportation, he/she must provide the student's parent or guardian, or the student, if the student is an unaccompanied youth, with written notice that the student is not entitled to their request. This written notice must also:



- 1) state the rationale/basis for the district's determination;
- 2) state the date as of which the student will be excluded from the district's schools (or transportation), which shall be at least 30 days from receipt of the written notice;
- 3) advise that the district's final determination may be appealed to the Commissioner of Education (Commissioner);
- 4) provide the name and contact information for the district's McKinney-Vento liaison;
- 5) inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the district's McKinney-Vento liaison is required to assist him/her in filing such an appeal; and
- 6) include, as an attachment, the form petition needed to file an appeal to the Commissioner.

The superintendent must ensure that the district's final decision is delivered to the parent, guardian, or unaccompanied youth in a timely manner. The student must remain enrolled and provided with transportation (if requested) until the district provides written notice of its final determination and for a minimum of 30 days after the receipt of determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner.

If the parent/guardian or student commences an appeal to the Commissioner within 30 days of the final determination, the homeless child or youth will be permitted to continue to attend the school ~~s/he is~~ **they are** enrolled in at the time of the appeal and/or receive transportation to that school until the Commissioner renders a decision.

1<sup>st</sup> Reading: August 10, 2016

2<sup>nd</sup> Reading: September 12, 2016

3<sup>rd</sup> Reading and Adoption Date: October 3, 2016

Approved: September 2017

Updated: January 10, 2023

## NON-RESIDENT STUDENT TUITION POLICY

The Edinburg Common School District recognizes its primary obligation to provide a free public education to all school age children who reside within the District. When the superintendent of Schools determines that classroom space is available within the District and the District is able to offer such placement without incurring any additional cost to taxpayers of the Edinburg Common School District, it shall be the policy of the Board of Trustees to admit non-resident students to its school. ~~upon payment of tuition, as set by the Board of Trustees in accordance with the laws and regulations of the State of New York.~~

This policy shall have no application to determinations by the Committee on Special Education or a designated screening committee's review and consideration of a student referred to the district ~~on~~ from another public school district's Committee on Special Education for consideration of placement into one of the District's Special Education programs under Education Law §4401 (2); Part 200 of Commissioner's Regulations or the Individuals with Disabilities Education Act.

Nothing in this policy shall authorize the admission or maintenance of a non-resident student whose admission **and/or** maintenance as a student in the district requires any additional expenditures to the Board of Trustees, the hiring of additional staff or a waiver of an existing classroom teacher student ratio, as established by law, board policy, contract, or regulation.

Non-resident students shall be admitted to the extent space is available in existing classrooms and upon a determination that the needs of the students can be met within the District's existing programs and by the District's existing staff. Applications for admission must be made annually.

The superintendent of Schools shall be authorized to admit a non-resident student upon his/her determination that:

1. the student's educational needs can be met by existing staff;
2. such admission shall not require the expenditure of additional local funds or the hiring of additional staff;
3. the non-resident student admission shall not cause a classroom to exceed student capacity as defined by law, regulation or board policy;
4. the student is determined to be a student in good standing in his/her district of residence (i.e. not on academic probation or have any out of school suspension in the last year). The student's academic and disciplinary record must accompany the student's request for admission.

As a condition of acceptance of a non-resident student, the parents of such student and the student, as applicable, agree to the following:

1. the parents shall be responsible for arranging the transportation of the student to and from the District and shall provide the District with the name of any other adults responsible for the transportation of the student if the parent is not available, in the event of early dismissal. Failure to make appropriate arrangements for the transportation of a non-resident student, including early dismissal due to emergency or otherwise, shall result in the student's dismissal.
2. the student shall be subject to the same rules governing student attendance and student discipline as resident students and shall be required to comply with the same rules. Any violations of school rules that would result in the suspension of a resident student shall constitute immediate dismissal. In addition excessive tardiness, truancy or absenteeism may also result in the student's dismissal.
3. all non-resident students admitted pursuant to this policy shall be allowed to participate in all activities/sporting opportunities to the same extent as resident students, except that the parents of such students shall be responsible for their transportation from any after school activity to their home.

All non-resident students must apply annually for admission or the continuation of enrollment for their child. Such application must be received in writing by \_\_\_\_\_ and will be determined by the superintendent in accordance with the terms of this policy. Previous enrollment does not guarantee continued enrollment.

~~A non-resident employee's child may be dismissed from attendance for violating school rules or for any conduct which the District determines it is not appropriate for a student of the District.~~

Prior to such dismissal, the District shall provide the parent with written notice of the basis for its determination and shall notify the parent of the right to request an informal conference with the superintendent of Schools, which shall provide an opportunity for the parent and student to respond to the District's concerns and present any rebuttal.

The decision of the superintendent shall be final with the exception that a parent may appeal such decision to the Board of Trustees within 30 days of such determination upon written notice with a statement of the reasons for appeal.

A non-resident employee's child dismissed due to a disciplinary reason or nonattendance pursuant to this policy may not be readmitted under this policy.

This policy does not require the District to assume responsibility for the education of non-resident students as outlined above. All services not specifically referred to herein shall remain the obligation of the student's district of residence, including, but not limited to: ~~Kindergarten screening~~, any referrals, evaluations and program reviews by the committee on special education, the provision of any special services to which the student may otherwise be entitled which are not available within the District in a manner consistent with the terms and conditions of the policy set forth herein.

This policy does not provide automatic admission of a non-resident student on the basis that a sibling is admitted.

This policy is not acceptable to homeless students entitled to attend district schools under federal and state laws and regulations, who may not be currently residing in the district (see policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under state and federal laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.

#### *Future Residents*

The children of families who have signed a contract to buy or build a residence in the school district may be enrolled during the marking period in which they expect to become residents. ~~without payment of tuition~~. Should the students remain non-resident students at the end of the single marking period the parents must either withdraw the student to place them in their actual district of residence or apply for non-resident student enrollment pursuant to this policy.

#### *Former Residents*

Regularly enrolled children of families who have moved out of the school district during the fourth marking period of the school year may complete that school year. ~~tuition free~~. However, students who are no longer district residents due to homelessness are addressed in Policy 5151, Homeless Children.

#### *Transportation*

Transportation will be provided for non-resident students as per Policy 8410-R if and only if existing bus routing is used, and there is sufficient room on the bus. A non-resident student is not entitled to transportation based solely on enrollment in the District under this policy.

#### *Closures*

The Edinburg Common School, located in Saratoga County, has been classified as part of the Capital Region in regards to the COVID-19 regional map. Therefore the Edinburg Common School District, being part of HFM BOCES, will follow

all guidance from and collaborate as necessary with the Saratoga County Department of Health regarding school closures. This may result in our school closing while neighboring districts remain open.

Ref: Education Law 93202

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: ~~November 14, 2000~~ January 13, 2022

## ADMISSION OF NON-RESIDENT STUDENTS REGULATION

### *Student Addresses: Verification and Investigation*

1. The address of the parents must be the address of residence for each student. If a student claims residence with a person other than his/her parent(s), evidence of guardianship must be presented via the district affidavit form.
2. Should a student's address change at any time during his/her enrollment, residency must be confirmed by an acceptable document, e.g., a lease, a utility bill, a voter registration card.
3. If a student's address is not the address of his/her parent(s) or legal guardian(s), the superintendent shall consult with the Attendance Office to confirm the procedures used in determining the student's current address. The Attendance Office shall then investigate and provide specific evidence of the child's false claim to residency.
4. Student admission shall not be delayed pending verification of the address. A verification and/or investigation shall take place after student admission has been affected.

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 10, 2023

Where applicable, this form should be executed individually by each  
custodian.

**ADMISSION OF NON-RESIDENT STUDENTS EXHIBIT**  
*Requirements for Non-Resident Student Tuition*  
Pre-K – Grade 6

~~“EFFECTIVE THE 2020-21 school year, no new non-resident students except for Northville Central School District residents shall be permitted to enroll under this policy. Non-resident students currently enrolled must continue to meet all eligibility requirements.”~~

It is the policy of the Edinburg Common School District to operate a tuition-free Pre-Kindergarten through Grade 6 program for students residing within the Edinburg Common School District.

Effective 7-1-2017 the Board of Trustees will be permitting non-resident students to enroll for a tuition of \$0 for all students PK-3 through 6<sup>th</sup> Grade. This will be re-visited each school year and enrollment will be based on class sizes and requirements outlined below as well as in the district policy. (Policy # 5152)

1. Availability of space without depriving students of the Edinburg Common School District. Class size for all grades are limited to the current room occupancy limits.
2. Non-Resident students are admitted only if the space, programming, classroom and staffing currently exist and can accommodate additional students.
3. Transportation will only be provided for non-resident students if and only if existing bus routing can be used, and there is room on the bus. (Policy 8410-R) In all other cases, parents are required to transport non-resident students to and from school.
4. Once a non-resident student enrolls, they must stay enrolled for that complete school year. If the student leaves the district during that school year, they are ineligible to come back as a non-resident student for that year and any future school year.
5. Should the behaviors of the non-resident student negatively impact the program, the student may be withdrawn from the program at the discretion of the superintendent.

Adoption: October 1989  
Reviewed: June 9, 2014  
Revised: ~~August 2022~~ January 10, 2023



**SCHOOL DISTRICT CHOICE – GRADES 7-12**

As a Common School District, Edinburg provides an educational facility for all resident students in grades K-6. Thereafter, the Board of Education shall grant parents of grades 7-12 students the ability of school choice between school districts designated by the Board of Trustees. Pursuant to the Education Law, parents do not have the ability to designate a school district not approved by the Board of Trustees.

Parents must elect the district of choice in writing, no later than March 1 of the year preceding enrollment. In the event no designation is received, the School Board shall designate a school district on behalf of the student.

Once enrolled in the designated District, parents need not submit a school choice each year, as the student will remain enrolled in subsequent years, absent a designation by the parent requesting otherwise. A parent/student may only change their designated school district once. For example, a student may choose to go to one district in 7th grade and, no later than March 1 of any subsequent year, request to attend another designated district. This student would have to remain in the second district through his/her senior year, unless the student's residency changes to the other district.

Requests made after the March 1 deadline to change the designated school district shall not be permitted, absent extenuating circumstances and upon the approval of the superintendent of Schools. If you feel you have extenuating circumstances warranting a change, a written request can be made to the Chief School Officer or his/her designee for consideration.

Transportation to and from the Designated School District will be provided on a daily basis at the beginning and ending of each scheduled school day. Transportation will be arranged for all half day and/or early release days as well.

Parents/Guardians are responsible for any additional transportation needs including but not limited to after school help, concerts, extra-curricular activities, sports practices, and other needs beyond the regularly scheduled school day.

1<sup>st</sup> Reading: May 24, 2017

2<sup>nd</sup> Reading: June 12, 2017

3<sup>rd</sup> Reading & Adoption Date: June 21, 2017

### ASSIGNMENT OF STUDENTS TO CLASSES

In assigning students to classes, the following criteria shall be considered: age, social and emotional maturity, and achievement in relation to individual ability, in order to assure appropriate assignments.

Transfers in regular attendance at a prior school will usually be placed at the level to which they were previously assigned. However, in addition to prior grade level, the Board of Trustees may use testing to ascertain proper grade level.

Ref: Education Law 331709, 2503(4); 3202

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 10, 2023

## ASSIGNMENT OF STUDENTS TO CLASSES REGULATION

### *District Screening Plan*

Screening is defined as a preliminary method of distinguishing from the general population those students who may possibly have a disability or those who may possibly be gifted. Screening is used to identify those students in need of further evaluation.

### *Population to be Screened*

All students falling into the categories that follow shall be screened according to the timelines and provisions of this plan:

1. all new kindergarten entrants;
2. all students entering from schools outside New York State;
3. all students scoring below level two on the third grade reading or mathematics New York State tests;
4. all children participating in the district's Pre-Kindergarten Program; and
5. all new students for English language proficiency. (Information will be collected prior to screening to determine the primary language of children to be screened. Every effort will be made to screen children in their primary language. Limited English Proficient (LEP) students will be screened upon entering school and evaluated annually.)

### *Identification of Students to be Screened*

The following steps will be taken to identify students to be involved in the screening program:

1. survey the annual census to determine new school entrants;
2. monitor the listing of live births within the district as provided by Public Health Service;
3. refer all new entrants from schools outside of New York State;
4. survey test scores as reported on Grade 3 tests; and
5. refer all students on the roster of the district's Pre-Kindergarten Program (new participants only).

### *Screening Program Areas*

The screening of students is designed to obtain preliminary information regarding development in the following areas:

1. physical development;
2. cognitive development;
3. receptive and expressive language development;
4. articulation skills; and
5. motor development.

### *Confidentiality*

Information about a child collected through this screening program automatically becomes a part of the child's educational record and, as such, is confidential. In compliance with the Family Education Rights and Privacy Act of 1974, the district has adopted a policy to ensure the confidentiality rights of students and parents. This policy governs the release of screening information.

Since persons conducting the screening are involved in the collection of confidential information, all verbal and written accounts will be held in strictest confidence by all involved. They will refrain from any expression of their impressions, concerns or reactions to any individual not involved in the professional implementation of the screening program.

#### *Assurance of Non-biased Testing*

To ensure that students are screened in a fair and unbiased manner, the following procedures will be employed:

1. all tests will be administered according to the manual for administration provided by the test publisher. Standardization of test administration will be followed;
2. student physicals will be conducted by the school physician in an unbiased manner; and
3. the superintendent and the Screening Coordinator ~~one of the personnel listed below~~ will provide on-site evaluation to ensure the fair and unbiased administration of screening instruments.

#### *Personnel Responsible for Screening*

The following individuals will be responsible for the implementation of the screening program:

1. Superintendent
2. Special Education and/or RTI Teacher
3. Occupational Therapist/Physical Therapist
4. Speech/Language Teacher
5. School Nurse
6. Pre-Kindergarten Teacher

#### *Location of Screening*

All screening activities will be conducted in existing facilities of the Edinburg Common School.

#### *Time Lines for Screening*

The screening program will be implemented according to the following time line:

June	May:	Parent orientation regarding screening of all new entrants; Tentative appointments for screening made;
July	June:	Screening program is conducted; Screening results reviewed;
August:		Screening results mailed to parents of new entrants;
September-June:		New entrants from schools outside New York State are screened within 30 days of registration;
May:		<del>Referral of possible gifted and/or children with disabilities will be made to the superintendent and/or Committee on Special Education within 15 school days after the completion of screening.</del>

### *In-service Training*

At least one training session will be conducted each year to refresh and retrain personnel. More sessions will be scheduled if needed. The ~~Screening Coordinator, under the supervision of the~~ superintendent, will be responsible for in-service training.

The training program will include:

1. a description of the purposes and goals of screening;
2. the establishment of roles and responsibilities;
3. the review of instruments to be used in screening;
4. the development of expertise in the administration of test instruments; and
5. the fostering of sensitivity to the needs of children.

A competency-based assessment will be administered to all screening operators to ensure the mastery of needed skills.

### *Informative Notice*

A notice regarding the screening date, locations, and times will be sent to the parents/guardians of each child to be screened prior to the screening date. The requirement regarding kindergarten screening will be reviewed with parents at the time of kindergarten registration. The parents of new entrants from schools outside New York State will receive orientation regarding screening at the time of registration.

### *Instruments*

The following instruments have been selected in light of the following criteria:

1. age of population to be tested;
2. validity;
3. reliability;
4. ease of administration;
5. time to administer;
6. appeal of materials to children;
7. ease in scoring; and
8. quality of data collected.

### *Kindergarten Screening Instrument*

The instrument selected for kindergarten and Pre-kindergarten screening is the Developmental Indicators for the Assessment of Learning (DIAL). This instrument is used to screen all areas of development as listed earlier in this regulation.

~~In addition to the DIAL assessment, physical development will be assessed by means of a physical examination conducted by the School Physician and the School Nurse. This will include tests of vision and hearing, a review of the child's immunization records, a test for scoliosis, and a physical examination conducted by the School Physician.~~

*Instruments for Screening New Entrants from Schools Outside New York State and Students Scoring Below Level Two (PEP Reading and Mathematics)*

Cognitive development will be screened using the Metropolitan Achievement Test (MAT) with the following subtests administered by the Coordinator of Compensatory Education:

Reading — Vocabulary in context and reading comprehension; Mathematics - Operations of whole numbers and problem solving; and Language Arts — Punctuation, Capitalization, Usage, Grammar and Syntax.

All relevant school records will be reviewed.

Receptive and expressive language development and articulation skills will be screened by the speech and language teacher using one or more national normal test:

Motor development will be screened by the physical education teacher using a locally developed criterion-referenced test to compare student development to age-appropriate norms.

~~Physical development will be screened by the School Physician and School Nurse. Screening will include tests of vision and hearing, a review of the child's immunization record, a test for scoliosis, and a physical examination conducted by the School Physician.~~

*Reviewing the Results*

All results of screening will be reviewed by the screening committee listed in this regulation prior to preparation of written reports. This review will be used to determine those students to be referred as possibly having disabilities and/or as gifted.

*Reporting to Parents*

All written reports will become a part of the child's permanent school record. A copy of the report will be provided to the parents of each child screened. The report will provide appropriate interpretation of results and the names of school personnel to be contacted for further explanation. A copy of the results of screening will be shared with the child's teachers through the structure of Child Study Team meetings.

*Referral to the Committee on Special Education*

If a kindergarten child scores below the cut-off point (DIAL) for ~~his/her~~ **their** age ~~and sex~~ in two of the areas tested, he/she will be rescreened in these two areas to ensure that other factors are not responsible for the child's inability to perform successfully. If a child scores below the cut-off point in three or more areas, or in communication, the child will be referred to the Child Study Team for review. The results of this review will serve as the basis for referral to the Committee on Special Education. Referral to the Committee will be made directly to the Chairperson of the Committee. Referral will be made to the Committee within 15 days of screening.

If a child is screened as a transfer from outside the state or as a result of identification on the grade three PEP test and scores at or below the 23rd percentile level on screening instruments, he/she will be referred to the Child Study Team for review and diagnostic evaluation. The results of the diagnostic evaluation will serve as the basis for referral to the Committee on Special Education. Referral to the Committee will be made directly to the Chairperson of the Committee. Referral to the Committee will be made within 15 days of screening.

*Referral to the superintendent*

Any kindergarten child who scores three or more standard score points above the normative cut-off score for ~~his/her~~ **their** age ~~and sex~~ in three or more areas, including communication (DIAL), will be referred to the Child Study Team for review and evaluation as a possibly gifted child. Referral will coincide with the screening committee's referral to the superintendent and will be made within 15 days of screening. Criteria established by the Child Study Team will serve as the basis for inclusion in the district's gifted program.

All results of screening will be shared with the child's teachers through the structure of the Child Study Team process.

Adoption: December 10, 1998  
 Revised: ~~June 9, 2014~~ **June 10, 2023**

## PLACEMENT DECISIONS

The learning experiences of each student in the district should promote continuous progress throughout the student's school career.

Whenever possible, student placements shall be determined in such a way as to provide an environment best suited to each student's individual learning needs. Factors such as the student's intellectual, social and emotional needs are among the criteria considered essential for making such decisions.

In deciding upon the proper placement, the combined resources of the professional staff, the parents or guardians, and the student shall be used.

Students entering the district after the second marking period will be evaluated by using previous school records and the following district criteria:

1. ability (standardized test scores, IQ);
2. achievement (grades, reading level, etc.);
3. attendance (absences, truancy);
4. emotional and social maturity (shyness, aggressiveness);
5. physical maturity (size, age, etc.); and
6. work study skills (independence, attention span).

In the event a conflict exists as to the best placement of a student, the ultimate decision shall rest with the superintendent or his/her designee.

Adoption: December 10, 1998  
Reviewed: ~~June 9, 2014~~ January 10, 2023



## STUDENT WITHDRAWAL FROM SCHOOL

Before a student may be dropped from enrollment, he/she must have been absent for 20 consecutive school days and statutory procedures must be followed. It is the responsibility of the superintendent to ensure that the procedures set forth below are followed:

1. The superintendent shall schedule and notify in writing both the student and his/her parents or guardians of an informal conference.
2. At such conference, the superintendent shall determine the reasons for the student's absence and ascertain whether reasonable changes in the student's educational program would encourage and facilitate his or her re-entry or continuance of study.
3. The student and ~~his/her~~ **their** parents or guardians shall be informed orally and in writing of the student's right to re-enroll at any time in the school, if qualified under law.
4. If the student or his/her parents or guardians fail after reasonable notice to attend the informal conference, the student will be dropped from the rolls of the school, provided that he or she and the parents/guardians have been notified that they may re-enter at any time if qualified under the law.

Cross-ref:        5130, Compulsory Attendance  
                      Ages 5150, School Admissions

Ref:        Education Law §3202(1 -a)

Adoption:        December 10, 1998  
Reviewed:        June 9, 2014  
**Revised:**        **January 10, 2023**

## STUDENT ABSENCES AND EXCUSES

The following reasons for student absences from schools are recognized as valid by the Board of Trustees:

1. illness,
2. sickness or death in the family,
3. unsafe travel conditions,
4. religious observance or instruction (pursuant to policy 5182),
5. doctor appointments,
6. quarantine,
7. required court appearances,

Any other absence is considered unexcused. Each absence must be accounted for. It is the parent's/guardian's responsibility to notify the school.

Each instance of absence must be explained by a written note from a parent/guardian. Such excuse should contain the reason and date of absence. This note should be brought to school by the student upon returning from any absence.

Cross-ref:        5100, Student Attendance  
                      5161, Truancy and Tardiness

Ref:        Education Law 391709(2); 3202(l-a); 3024; 3025

Adoption:        December 10, 1998  
Reviewed:        ~~June 9, 2014~~ January 10, 2023

**STUDENT ABSENCES AND EXCUSES REGULATION**

Students shall comply with the following regulation regarding absences:

1. All excuses for part of a day and all-day absences must give the reason for the absence as well as have the date and parent's/guardian's signature.
2. All excuses from school must be approved by the superintendent or his/her designee.
3. If students know in advance that they are going to be on an authorized absence for an extended period of time, they will be held accountable for all assignments missed while absent. It is the student's responsibility to collect assignments from their teachers. ~~If the assignments are not completed by the teachers= specified deadline(s), the student may be assigned to detention until all back assignments are completed.~~
4. If a student's absence is unexcused, he or she will not be allowed to participate in extra-curricular activities that day. Excused absences are those listed in the accompanying Board of Trustees policy; all other absences are considered unexcused. Any questions of the status of an absence are to be decided by the superintendent.
5. Students who are absent for more than five days due to illness must present a written explanation from their doctor, as well as a note from their parent(s)/guardian(s). If such students fail to present both written notices, the superintendent will contact the parent(s)/guardian(s), and request an explanation for the absence. If the superintendent believes the explanation is inadequate, or if he/she does not receive an explanation within five days, the superintendent will take appropriate action.

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
Revised: January 10, 2023

**STUDENT ABSENCES AND EXCUSES EXHIBIT****EDINBURG COMMON SCHOOL****Absentee Form**

Date Issued \_\_\_\_\_ was  
absent from school on the following dates encircled:

\_\_\_\_\_, 19 \_\_\_\_ (Student)

Sept. 1 2 3 4 5 6 7 8 9 10  
Oct. 11 12 13 14 15 16 17  
Nov. 18 19 20 21 22 23 24  
Dec. 25 26 27 28 29 30 31  
Jan.

Feb. The State Law requires an explanation from  
Mar. the parent in each case of absence.  
Apr.  
May.  
June.

**Legal Absence**

Sickness  
Sickness or Death in Family  
Impassable Roads  
Religious Observance  
Attendance in Court  
Attendance at Health Clinics. Doctor  
Quarantine

**Illegal Absences**

Unlawful Detention  
Overslept. Shopping  
Visiting. No Shoes

**Truancy**

Absent without parent's knowledge

Parents Please Circle Reason and Sign:

superintendent

Parent=s Signature

Adoption date: December 10, 1998  
Reviewed: June 9, 2014

**STUDENT ABSENCES AND EXCUSES EXHIBIT**

Dear Parents:

After recently reviewing the attendance registers, I have found that many of the excuse blanks were not signed and returned to school. It is mandatory to give an explanation as to why your child is absent.

Below is a list of dates that your son/daughter **child** has been absent. Please be sure to sign this form and return it to the Main Office at school.

Thank you for your assistance.

Sincerely,

STUDENT'S NAME: \_\_\_\_\_

DATE OF ABSENCE: \_\_\_\_\_

REASON FOR ABSENCE: \_\_\_\_\_

Parent's Signature \_\_\_\_\_

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

Edinburg Common School  
4 Johnson Road  
Edinburg, NY 12134-5390  
Main Office (518) 863-8412  
Business Office (518) 863-6375  
FAX 863-2564

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
**Revised: January 10, 2023**

### STUDENT DISMISSAL PRECAUTIONS

No student may be released from school to anyone other than the parent, guardian or child protective services personnel and law enforcement officers pursuant to law, unless the individual's name seeking release of the student appears on a list provided by the parent or guardian and said individual is 18 years of age or older.

Parents are urged to make appointments with physicians, dentists, special tutors, etc. after school hours. If a request is necessary, parents should make note of the date, time and reason for the release. Children cannot be excused without advanced written request by parent/guardian, and must be released in care of parent/guardian, unless otherwise noted.

A student may be released to either parent unless a custodial parent supplies the superintendent with a certified copy of a court order or divorce decree to the contrary.

Students will not be released prior to dismissal time for extracurricular activities, clubs etc. without prior approval by the superintendent.

The superintendent shall develop procedures to enable parents and guardians to amend the list of persons authorized to obtain the release of their children.

Adoption: December 10, 1998  
Revised: October 8, 2019  
Reviewed: ~~June 9, 2014~~ January 10, 2023

## STUDENT DISMISSAL PRECAUTIONS REGULATION

The superintendent or his/her designee shall maintain a list of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released to the custody of any individual not the parent or guardian of the student, unless the individual's name appears upon the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment.

Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the superintendent.

If any individual seeks the release from school of a student, he or she must report to the school office and present identification deemed satisfactory by the superintendent or his/her designee, who must check the authorized list and relevant court orders or divorce decrees before a student may be released. Particular caution should be exercised when the person seeking the release of a child exhibits to the school official an out-of-state custody order.

Early excuses for emergency reasons should be requested in writing by a parent/guardian. Medical releases are handled through the Nurse's Office. All other reasons for release must go through the Main Office, and students must be picked up in the Main Office. The person seeking the release must sign the register in the office.

In the event of an emergency, the superintendent or designee may release a student to some individual not appearing on the approved list only if the parent or guardian has been contacted by the superintendent or designee and has approved the release, and the superintendent or designee determines that an emergency exists.

Adoption: December 10, 1998  
Reviewed: ~~June 9, 2014~~ January 10, 2023

## STUDENT ATTENDANCE ACCOUNTING

In accordance with State Law, school attendance records shall be kept for use in enforcement of the Compulsory Education Law, and as the source for the average daily attendance used to determine the state aid allocated to the school district.

Cross-ref: 5500, Student Records

Ref: Education Law 393024; 3025; 3211

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 10, 2023



## **5170-R**

### **STUDENT ATTENDANCE ACCOUNTING REGULATION**

Attendance accounting procedures shall:

1. conform with any state standards,
2. provide a consistent and accurate record of absences,
3. incorporate a verification procedure in order to detect attendance discrepancies, and
4. provide means for disciplinary action for chronic violations of attendance policy.

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 10, 2023

**RELEASED TIME FOR RELIGIOUS INSTRUCTION**

Religious classes are available for children at religious institutions in the area. Information as to where and when they will be conducted will be made available to the school by the religious instruction institutions involved. No child will be given permission to attend these classes unless they have submitted a signed permission slip from their parent(s)/guardian(s).

Ref: 8 NYCRR 9109.2  
*Zorach v. Clauson*, 343 U.S. 306 (1952)

Adoption: December 10, 1998  
Reviewed: ~~June 9, 2014~~ January 10, 2023

## STUDENTS WITH HIV-RELATED ILLNESS

The Board of Trustees recognizes the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). The Board also recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in the open school setting.

The Board acknowledges the rights of those students diagnosed as having AIDS or HIV infection to continue their education as well as the rights of all students in the school district to learn and participate in school activities without being subjected to significant risks to their health. The Board also takes notice that under current law and regulations the disclosure of confidential AIDS and/or HIV-related information must be strictly limited.

Accordingly, it is the policy of the Board of Trustees that no student shall be denied the opportunity to attend school, continue his/her education or take part in school-related activities solely on the basis of being diagnosed as having AIDS or HIV infection.

In accordance with current state law and regulations, it is also the policy of the Board of Trustees to prevent any student from being subjected to adverse or discriminatory treatment or stigma because he or she has been diagnosed as having AIDS or being HIV-infected.

The superintendent is hereby directed to develop administrative regulations in regard to the education of students diagnosed as having AIDS or being HIV-infected.

The superintendent also shall establish and implement, and all school personnel shall comply with, guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other body fluids in or on school premises and grounds. The superintendent should consult public health officials, as appropriate, for the most current methods and information pertaining to such procedures.

In addition, the superintendent shall develop and immediately implement in-service education and training for all school personnel concerning AIDS and HIV infection and the routine sanitary hygiene procedures to be followed in the case of all spills of blood and other body fluids.

Cross-ref: 4315.1, AIDS Instruction  
5420, Student Health Services  
8123, Hygiene Precautions and Procedures

Ref: Public Health Law, Article 27-F  
Education Law 334401; 4401 -a  
8NYCRR3200 10NYCRR363

Adoption date: December 10, 1998  
Reviewed: June 9, 2014

## STUDENTS WITH HIV-RELATED ILLNESS REGULATION

### *Confidentiality*

#### A. Definitions

"HIV-related illness" means any clinical illness that may result from or be associated with HIV infection, including AIDS.

"Protected individual" shall mean a person who is the subject of an HIV-related test or who has been diagnosed as having HIV-related illness.

"Capacity to consent" means an individual's ability, determined without regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service, treatment or procedure, and to make an informed decision concerning such service, treatment or procedure.

#### B. Confidentiality and Release of Information

School officials and employees shall keep HIV-related information confidential, however obtained. The information shall not be disclosed to any person, unless the protected individual (or a person with capacity to consent) has completed and signed the Health Department Authorization for Release form ("Authorization Form"), a court order granted under Public Health Law §2785 has been issued, or the person to whom the information has been furnished is authorized to receive such information under Public Health Law (PHL) §2782 without a release form. Persons authorized to receive HIV information without a release include physicians providing care, agencies monitoring such care, and insurance companies for payment purposes. Disclosure to school personnel staff requires a release or court order.

If disclosure occurs pursuant to a signed release or order, the information shall only be released to those listed on such form or order, for the time period specified and only for the purpose stated on the form or order.

Such form shall be signed by the protected individual or when the protected individual lacks capacity to consent, a person authorized pursuant by law to consent to health care for the individual. Questions in regard to such capacity shall be referred to the school attorney.

#### C. Testing

No HIV-related testing of any student shall take place without first receiving the written informed consent of the person to be tested on a form approved by the State Health Department. Such consent shall only be given by an individual with capacity to consent as defined above.

#### D. Penalties

Persons who disclose confidential HIV information to unauthorized parties or who fail to obtain informed consent for the HIV test may be subject to a \$5,000 penalty and a criminal misdemeanor charge.

## E. Procedures

1. The procedure set forth here shall be followed in any instance where the school district receives confidential HIV-related information concerning a student from the student and/or person in parental relation to the student without benefit of an Authorization Form or court order.
  - a. The superintendent or nurse to whom the information has been given shall request a meeting with the person in parental relation and/or the student for the purpose of discussing the student's condition, concerns and, should the situation arise, educational alternatives. Such alternatives may include homebound instruction during periods of short-term illness as well as provision of educationally related support services. At this point, school or public health personnel may be consulted, provided that the appropriate Authorization Form is obtained. The person in parental relation and/or the student should be apprised of this and asked to sign such release form for personnel whose consultation is needed for delivery of appropriate educational services.
  - b. If a school officer or employee who has not been made privy to confidential HIV-related information pursuant to an Authorization Form or court order reasonably believes that a student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, he/she should express these concerns to the superintendent who may attempt to obtain an Authorization Form from the individual or someone else with the capacity to consent. Should this request be refused, the superintendent may recommend to the school Board that the district seek an order for disclosure of confidential HIV-related information, pursuant to Public Health Law 92785.
2. The procedures set forth here shall be followed in any instance where the school district receives confidential HIV-related information concerning a student through the Authorization Form or through a court order.
  - a. The superintendent or nurse to whom the HIV-related information has been released, may request a meeting with the parent, or person in parental relationship, and the student for the purpose of discussing educational alternatives. Such alternatives may include homebound instruction during periods of short-term illness as well as provision of educationally related support services. The superintendent or nurse may enlist the expertise of the child's physician, or any school or public health personnel, provided that the appropriate release forms have been obtained. If a parent concurs in writing to the provision of educational alternatives, no referral to the Committee on Special Education (CSE) will be made.
  - b. (1) If a school officer or employee who has not been made privy to confidential HIV-related information pursuant to an Authorization Form or court order reasonably believes that a student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, he/she should express these concerns to the superintendent. If the superintendent has been given the authority, through the Authorization Form, to inform such person(s) who may be at significant risk, he/she should proceed to do so. If the superintendent does not have this authority, he/she should attempt to obtain an Authorization Form from the individual or someone else with the

capacity to consent. Should this request be refused, the superintendent may recommend to the school Board that the district seek an order for disclosure of confidential HIV-related information, pursuant to Public Health Law 32785.

(2) If a professional staff member of a school district who has been made privy to confidential HIV-related information pursuant to an Authorization Form or court order reasonably believes that a student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, he/she should make a referral of the student to the CSE, if appropriate. Staff are also expected to encourage students to seek advice from their physician and AIDS counseling centers and to behave responsibly by contacting those persons with whom they have engaged in behavior of significant risk.

3. If a professional staff member of a school district suspects that a student may have a disability, whether or not the staff member has been made privy to confidential HIV-related information, the staff member shall refer such student in writing to the CSE, or to the building administrator of the school which the student attends, in accordance with part 200.4 of the Commissioner's Regulations.
4. If a student has been referred to the CSE and the CSE reasonably believes either (a) that the student may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the student, or (b) that the student has or is suspected of having a disability and that the condition may be due, in whole or in part, to HIV-related illness, the CSE shall inform the superintendent, who shall attempt to obtain an Authorization Form from the student or someone else with the capacity to consent. Should this request be refused, the superintendent may recommend to the school Board that the district seek an order for disclosure of confidential HIV-related information, pursuant to Public Health Law 92785.

When seeking the confidential information through either said Form or court order, the superintendent shall attempt to have the person or court agree to disclose such information to the CSE, and may attempt to have the person or court agree to disclose such information to the classroom teacher(s) and any other personnel the superintendent and the school attorney believe are appropriate.

5. If no such consent or court order is obtained, the district shall take no further action in this matter and shall instruct the appropriate officers or employees not to disclose information in regard to the case.
6. If confidential HIV-related information is obtained, it shall be disclosed only to those individuals listed on the form or pursuant to the court order and only for the purposes specified, for the specified time period.
7. At such time as the CSE receives confidential HIV-related information, it shall, on a case-by-case basis, review all of the medical information pertinent to the individual situation and make a determination as to whether the current mode of instruction and classroom setting for the student meets his or her current and ongoing needs or if it is appropriate. In making its determination, the CSE shall consider the following factors: (1) the physical condition of the

student and any behavior which might increase the risk of transmission of the virus; and (2) the expected type of interaction with others in the school setting. The CSE may also consult with appropriate public health officials pursuant to article 27-F of the Public Health Law.

In all other respects, the CSE shall carry out its responsibilities and make recommendations based upon a written evaluation setting forth the reasons for the recommendations, to the student, parent or guardian of the student and Board of Trustees as it would with any other student who has or is suspected of having a disability.

Because of the provisions in article 27-F of the Public Health Law permitting physicians to disclose confidential HIV-related information under certain circumstances, the school physician will be required to attend all meetings of the CSE in regard to students suspected or diagnosed as having HIV-related illness.

The CSE shall also have the authority to invite the appropriate professionals familiar with HIV-related illness to any meeting concerning the educational program for any such student, providing however, that such professional is named on a completed and signed Authorization Form or a court order granted under Public Health Law 32785.

8. If the student had previously been evaluated and been recommended for placement by the CSE, and thereafter the student is deemed dangerous to himself or others, a short-term suspension (of five days or less) may be imposed, or other protective procedures may be invoked. However, where parents choose to exercise their due process rights under the appeal procedures set forth in state and federal law, a student must remain in the original placement until appeal procedures are completed, or parental consent or court order for alternative placement is obtained.

If the student had not been evaluated and recommended for placement by the CSE, section 6 (above) shall apply.

9. Pursuant to Public Health Law article 27-F, a physician may, upon the consent of a parent or guardian, disclose confidential HIV-related information to a State, county or local health officer for the purpose of reviewing the medical history of a child to determine the fitness of the child to attend school.

#### *Additional Matters*

In the event of the presence of any contagious or communicable disease (such as chicken pox or measles, etc.) in the school population, which may constitute a risk to an infected individual, the superintendent or school nurse with authorization to obtain the confidential HIV-related information shall inform the student, the student's parents or legal guardian about such risk. Any temporary decision or recommendation in such circumstances should be made by the individual's personal physician and the student's parents, in consultation with the superintendent, school physician and nurse.

Adoption date: December 10, 1998

Reviewed: June 9, 2014

**STUDENTS WITH HIV-RELATED ILLNESS EXHIBIT**

The University of the State  
of New York Education Department

Approved by:

New York State Department of Health

OC-1 (6/89)

**Authorization for Release of Confidential HIV\*  
Related Information to the superintendent and  
the Board of Trustees**

Confidential HIV Related Information means any information indicating that a person had an HIV related test, or has HIV infection, HIV related illness or AIDS, or any information which could indicate that a person has been potentially exposed to HIV.

Under New York State Law, except for certain people, confidential HIV related information can only be given to persons you allow to have it by signing this form. You may ask for a list of people who can be given confidential HIV related information even without this form.

If you sign this form, HIV related information can be given to the people listed on the form, and for the reason(s) listed on the form. You do not have to sign the form, and you can change your mind at any time.

If you experience discrimination because of the release of HIV related information, you may contact the New York State Division of Human Rights at (212) 870-9624 or the New York City Commission of Human Rights at (212) 366-5493. These agencies are responsible for protecting your rights.

NAME OF PERSON WHOSE HIV INFORMATION WILL BE RELEASED			
NAME AND ADDRESS IF PERSON SIGNING THIS FORM (IF OTHER THAN ABOVE)			
STREET	CITY	STATE	ZIP CODE
RELATIONSHIP TO PERSON WHOSE HIV INFORMATION WILL BE RELEASED			

NAME OF SCHOOL DISTRICT
-------------------------

*Name and addresses of the superintendent and individual members of the Board of Trustees of the above named school district who will be given HIV related information.*

SUPERINTENDENT'S NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE



5191-E

NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
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NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
Reason for release of HIV related information			
To approve the recommendation of the Edinburg Common School District CSE as required by law.			
Other (explain in full, use additional sheet(s) if necessary			

Time during which release is	FROM:	TO:
authorized		
	Month Day Year	Month Day Year

My questions about this form have been answered. I know that I do not have to allow release of HI V related information, and that I can change my mind at any time.

Signature

Date \_\_\_\_\_

Adoption date: December 10, 1998  
Reviewed: June 9, 2014

**STUDENT ACTIVITIES FUNDS***Sixth Grade Extra Classroom Activity Funds*

Extra classroom activity funds are funds raised other than by taxation or through charges of the Board of Trustees for, by, or in the name of a school, student body, or any subdivision, thereof.

The purpose of fund-raising activities by the sixth-grade class will be for an end of the year trip as approved by the Board of Trustees.

The sixth-grade classroom teacher will be the faculty advisor, who shall attend all meetings and provide guidance for all fund-raising activities.

The sixth-grade class will meet at least once quarterly on school property to discuss extra classroom activities.

Classroom officers must be elected annually by secret ballot. The officers shall consist of a president, vice president, secretary and treasurer.

Adoption: December 10, 1998

Reviewed: ~~June 9, 2014~~ January 10, 2023

## STUDENT ACTIVITIES FUNDS MANAGEMENT

The Board of Trustees shall have the responsibility for the protection and supervision of the financial affairs of student clubs and extracurricular activities.

All 6th grade extra classroom activity funds will be handled in accordance with the following procedures for the safeguarding, accounting and auditing of these funds:

1. the classroom treasurer will keep an accurate record of all receipts. On a daily basis all receipts will be turned over to the school business office, audited for accuracy and deposited into the sixth grade bank account;
2. the NBT Bank N.A. will be the designated depository and a statement savings account will be opened. A minimum of \$5.00 balance will remain each school year in order to maintain the account;
3. all expenditures will require, in writing, a request by the classroom treasurer and president to the school business office for the withdrawal of necessary funds to pay invoices. A record will be kept of all audited invoices; and
4. the statement savings account will be reconciled quarterly and a report submitted to the Board.

Cross-ref: 2210, Board Reorganizational Meeting

Ref: Education Law  
3207  
8NYCRRPart172

Adoption: December 10, 1998  
Reviewed: ~~June 9, 2014~~ January 10, 2023

## INTERSCHOLASTIC ATHLETICS

Interscholastic athletics for boys and girls is an integral and desirable part of the district's educational program. Individual and team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible students. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is a clear objective of the district.

Student eligibility for participation on interscholastic teams shall include:

1. authorization by a physician;
2. written parent or guardian consent; and
3. endorsement by the superintendent based on established rules and various league and State Education Department regulations;
4. student must be currently enrolled in Edinburg Common School, maintain academic standards and be a role model while promoting school spirit.

In addition, all student participants in the district's interscholastic athletics program must adhere to the code of conduct as outlined in the Student Agenda/Handbook, or risk suspension from such program.

Ref: Education Law SS414; 1502; 1604(7-b); 1708(3)(8-a); 1718(2);  
3001-b; 4409 8NYCRRS135.4

Adoption:	December 10, 1998
Revised:	October 10, 2006
Reviewed:	<del>June 9, 2014</del> January 10, 2023