

## INSTRUCTIONAL GOALS

The development and maintenance of optimal educational programs is the primary function of the Board of Trustees. The following are the Board's instructional goals for district students:

1. to provide each child with fundamental academic skills and knowledge required for their maximum educational advancement;
2. to nurture a spirit of inquiry which capitalizes on students' innate curiosity, and reveals to them the excitement found in the search for knowledge;
3. to develop in the students a sense of self-worth that will enable them, with the necessary guidance, to recognize and use their own capabilities;
4. to provide each student with the greatest possible opportunity to use their abilities and interests in order to find satisfaction and a sense of purpose in life;
5. to promote the ability to think critically and logically, to use knowledge constructively, and to attack problems intelligently, giving due respect to honest differences of opinion;
6. to nurture and develop basic attitudes, such as good work habits, self-discipline, respect for authority, and sense of responsibility, cooperation, good sportsmanship, and self-confidence;
7. to develop literacy and understanding in economic matters, and encourage responsible consumer judgment;
8. to provide special services which promote the physical, mental, and emotional well-being of every child;
9. to provide a well-balanced extracurricular program designed to promote the intellectual, physical and social growth of students;
10. to promote intelligent regard for and use of the nation's resources;
11. to develop understanding of social structures and social processes; and
12. to prepare youth for acceptance of civil responsibilities.

Cross-ref: 0210, Goals for Instructional Program

Adoption date: December 10, 1998

Review: June 9, 2014

Revised: October 11, 2022

## ORGANIZATION OF INSTRUCTION

The Superintendent shall administer the district according to a PK-6 plan of organization. If the Superintendent finds that changes in this basic plan are desirable because of shifts in enrollment or other considerations, they will propose modifications to the Board of Trustees for its consideration and approval.

The Board believes that effective instruction is organized according to a plan which makes full use of district resources, including instructional time, materials, and personnel.

To capitalize on these valuable district resources and increase student learning time, the Board encourages district administrators and personnel to observe the following guidelines:

1. limit announcements and other administrative interaction with students and teachers to "break" or preparation periods;
2. streamline non-instructional classroom procedures, such as attendance accounting;
3. show sensitivity to changing community needs and values;
4. seek input from district personnel in determining the length of the school day and formulation of the school calendar; and
5. review scheduling periodically to ensure that the maximum amount of school time is devoted to instruction.

The district shall discuss all proposed changes in instructional organization with appropriate members of the collective bargaining units, shared decision-making team, parent-teacher organization, and community members. Administrators are also encouraged to review and implement current research findings in these areas, and submit related recommendations to the Board periodically.

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**SCHOOL CALENDAR**

The school calendar for the ensuing year will be developed by the Superintendent and presented to the Board of Trustees for approval in the spring of each year. The number of days scheduled for students will meet or exceed the requirements of state law.

Ref: Education Law 333015(2); 3101(3); 3204(4); 3604(7-8) 8NYCRRPart175

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**SCHOOLYEAR**

The Superintendent will develop and present to the Board of Trustees school year schedules that fulfill state requirements and comply with the collective bargaining agreement(s) currently in effect within the district.

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Review: June 9, 2014  
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**SCHOOL DAY**

Students are to arrive at school between 7:35 and 7:45. Teachers and LTA's will be ready to work at 7:30 a.m. The school day shall include at least the minimum hours of instruction required by the regulations of the Commissioner of Education. The time of student departure is approximately 2:45 P.M. Teachers shall remain until 3:05 pm. or as long as necessary after the end of the school day to perform professional duties such as assisting students and attending professional meetings.

Ref: EEA Contract, Article VI (Teaching Conditions)

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## CURRICULUM DEVELOPMENT

In order to achieve its annual instructional goals, the Board of Trustees supports a collaborative approach to district curriculum development. Such an approach must recognize the interrelation of a "core" curriculum and effective instructional processes, as well as interdisciplinary applications and articulation of programs from one level to the next.

A "core" curriculum will include basic content area knowledge and related skills, while keeping in mind that such information needs continuous updating. Curricula will also be designed to encourage transferrable concepts/skills, including critical thinking skills. The Board is committed to providing district students and staff with appropriate instructional materials to implement curricula. In addition, all students are assured equal access to courses of study, regardless of national origin, race, color, religion, creed, marital status, sex or disability.

The Superintendent shall work with teachers to integrate current educational theory and research on curricula design, and successful instructional strategies practiced by comparable districts. Teachers are directed to use state syllabi, supplemental materials and handbooks for general curricular guidelines; however, the Board encourages instructional staff to create individualized, flexible curriculum guides and original instructional materials. Such materials shall reflect a sensitivity to district students, their concerns, learning styles, and changing developmental abilities/needs.

Curriculum changes will take into consideration the results of state and local testing/classroom evaluations, reflect minimum state requirements, and address further needs of the community and student population. The Board expects the Superintendent and staff to work together in evaluating the educational program and recommending changes or additions in courses, programs, instructional methodology, and/or staff development activities which are necessary to implement such changes and/or additions.

At its meetings, the Board will hear regular reports on curriculum-related matters, such as instructional programs, the work of a curriculum committee, and periodic evaluation of specific curriculum areas. The Superintendent will also be responsible for implementing curriculum studies, including pilot projects, as authorized by the Board.

Cross-ref: 4319, Science and Math Instruction  
4325, Compensatory Education

Ref: Education 391709(3); 1711(5)

Adoption: December 10, 1998  
Revised: June 9, 2014  
Revised: October 11, 2022

## PILOT PROJECTS

In order to provide for constructive and responsive change and innovations in the school, the Board of Trustees shall encourage the development of pilot projects aimed at improving the educational program.

A pilot project is defined as the introduction of a new educational program, strategy, material or equipment on a trial basis. The pilot project will be implemented for a specified period of time deemed to be sufficient for fair evaluation of the project's feasibility and success in meeting a district need.

Proposals for pilot projects must include a statement of the project goals, anticipated expenses, staffing provisions, synopsis of implementation strategies, and plans for evaluation of the projects. Proposals should be submitted to the Superintendent. All pilot programs will be recommended by the Superintendent to the Board for approval prior to implementation.

The Superintendent will submit periodic reports to the Board on all ongoing projects and evaluations. The Board may, at its discretion, terminate a pilot program at any time.

At appropriate times, the district may wish to cooperate with not-for-profit corporations or groups on education-related projects. Such relationships should be governed by the following:

1. The corporation or group is required to submit a request for approval to the Superintendent. If it meets with his/her approval, it should then be sent to the Board. Such a request should set out the purpose of the project and exact nature of performance.
2. The district will maintain complete oversight of the operation.
3. Any form to be used by parents or students, such as waivers, shall be approved by the Board and the Superintendent in advance.
4. A monthly reporting process shall be established and maintained.
5. The Board may, in its discretion, terminate the arrangement at any time.

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Revised: June 9, 2014

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## **CURRICULUM GUIDES AND COURSE OUTLINES**

The Board of Trustees encourages the development of curriculum guides and course outlines at all educational levels. These materials shall be reviewed annually and recommendations made by the Superintendent for revision and modification. The curriculum shall be designed to show the developmental sequence of content and skills.

It is a professional responsibility to plan in advance for the instructional program offered to students. For this purpose, plans will be used. Written plans should be prepared for an entire week. Plan books will be checked periodically.

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## CURRICULUM

Curriculum will be designed to carry out the instructional goals of the district and provide for the continuous intellectual growth of all students. The Board of Trustees believes that there must be close coordination between curriculum development and instructional processes as well as continuity between educational levels, if instructional goals are to be reached.

To this end, curriculum will be developed by the Superintendent and staff and submitted to the Board for adoption. Curriculum will reflect state requirements and address further needs of the community and student population. The Board expects administrators and staff to work together in evaluating the educational program and recommending changes or additions in courses, programs, instructional methodology, and/or staff development activities which are necessary to implement such changes and/or additions.

New courses and programs will be recommended by the Superintendent and adopted by the Board. In addition, the Board will hear regular reports on curriculum-related matters, such as instructional programs, the work of a curriculum committee, and periodic evaluation of curriculum areas. In addition, the Superintendent will also be responsible for authorizing curriculum studies as requested by the Board.

Ref: Education Law 991709(3); 1711(5); 801 et seq. 8  
NYCRR 99100.1 etseq.

Adoption date: December 10, 1998  
Reviewed: June 9, 2014  
Reviewed: October 11, 2022

**BASIC INSTRUCTIONAL PROGRAM**

The basic instructional program shall include all those courses of instruction required by the Education Law, the Rules of the Board of Regents and Regulations of the Commissioner of Education as well as such other courses and programs which the Board of Trustees determines to be beneficial to the students of the district, within the restrictions imposed by limited district resources.

Cross-ref: 4319, Science and Math Instruction

Ref: Education Law 99801; 802; 803; 804; 804-a; 806; 808;  
3204 8 NYCRR 33100.1 et seq; 108.1; 135.4(c)

Adoption date: December 10, 1998

Reviewed: June 9, 2014

Reviewed: October 11, 2022

**CITIZENSHIP EDUCATION**

It is the belief of the Board of Trustees that students must gain an understanding of and appreciation for our democratic society, the roles and responsibilities of the individual citizen, and the relationship between citizens of the United States and those of other societies and cultures. To this end, and in compliance with statutory and regulatory mandates, the district will offer instruction and related activities in citizenship education. Such instruction and activities will be made available to all students in the district on a regular basis and in keeping with appropriate grade level instruction as it is practiced throughout the district.

In accordance with the above, the Pledge of Allegiance to the American Flag will be conducted daily. In addition, the flag will be flown at half-staff on memorial days as appropriate.

Cross-ref: 4311.1, Display of the Flag

Ref: Education Law 33801; 802 Executive  
Law 3403 8 NYCRR 33100.2(c) (1);  
108.1 *Matter of Bielenberg*, 9EDR 196  
(1970)

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## DISPLAY OF THE FLAG

The Board of Trustees believes that the flag of the United States is a symbol of the values of our nation, the ideals embedded in our Constitution and the spirit that should animate our district.

The district shall purchase a United States flag, flag staff and the necessary appliances for its display upon or near every school building. There shall be a flag on display in every assembly room of every school.

The flag shall be flown at full- or half-staff pursuant to law. In addition, the flag may be flown at half-staff to commemorate the death of a present or former board member, present employee or student.

Consistent with national and state law and regulations and this policy, the Superintendent shall develop rules and regulations for the proper custody, care and display of the flag.

Cross-ref: 4311, Citizenship Education

Ref: Education Law 93418; 419; 420; 802 Executive Law, Article 19 8NYCRRPart108 *Lapolla v Dullaghann*, 63 Misc 2d 157 (1970)

Adoption date: December 10, 1998

Reviewed: June 9, 2014

Reviewed: October 11, 2022

## DISPLAY OF THE FLAG REGULATION

### *Flags Displayed Out-of-Doors and on Movable Hoists Indoors*

A United States flag shall be displayed in front of every school building in the district every day that school is in session and at such other times as the Superintendent shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flags may also be displayed at night, at the discretion of the Superintendent, when it is desired to produce a patriotic effect.

In addition to days when school is in session, the flags will be displayed on the following days: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Pearl Harbor Day and Christmas Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of New York as a day of general Thanksgiving or for displaying the flag.

Flags shall be flown at half-staff on Pearl Harbor Day, on days commemorating the death of a personage of great importance, and on days designated by the President or the Governor.

The flags shall fly at half-staff to commemorate the death of a present or former board member, present employee or student. Flags shall be flown at half-staff for 30 days in these instances.

### *Hoisting of the Flag*

The flag shall be hoisted briskly and lowered ceremoniously.

In half staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall never be put at half-mast in the middle of the day. It must be put at half-mast in the morning only.

### *Indoor Flags and Those Not on Movable Hoists*

There shall be a United States flag in each assembly room of every school in the district. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

Adoption date: December 10, 1998

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Reviewed: October 11, 2022

## VALUES EDUCATION

The Board of Trustees recognizes that one of the most important functions of schools is to reflect and reinforce character and civic values of our society within the school. Values such as honesty, integrity, responsibility, hard work and respect for others reflect the principles upon which the survival and vitality of our society and all individuals depend.

Therefore, the Board shall ensure that its policies and procedures embody these community values and reflect the principles of fairness and justice necessary for their equitable application. The Board further directs the Superintendent to ensure that school practices and discipline are in accord with these values.

Board members, administrators and staff serve as role models for the students and, as such, are expected to exemplify and consistently enforce high standards of respect and responsibility.

The Superintendent shall ensure that values are emphasized throughout the school environment. The teaching of civic values shall be incorporated and taught as part of courses in civics, literature, and history and exemplified in the conduct of all curricular and extracurricular activities and sports.

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Reviewed: June 9, 2014

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## TEACHING ABOUT RELIGION

The Board of Trustees recognizes its responsibility to teach students about religion and its role as a vital force in the development of civilizations, as well as to foster a respect for religion and religious beliefs. In addition, the Board believes that it is the duty of the school district to ensure that every student fully understands the principle of religious freedom that is part of this country's heritage.

To fulfill these acknowledged responsibilities, the Board encourages factual and objective teaching about religion. Instructional programs will be encouraged that: (1) focus on the role that religion has played in history or in the development of a society or culture, and (2) educate students about the principle of religious liberty as one of the central elements of freedom and democracy.

Ref: U.S. Constitution, First Amendment  
Education Law 93210

Adoption date: December 10, 1998  
Reviewed: June 9, 2014  
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## HEALTH EDUCATION

The district's health education curriculum is designed to accomplish three basic aims:

1. to develop wholesome health skills and practices;
2. to encourage sound attitudes towards good health; and
3. to acquire up-to-date and scientific health knowledge.

In recognition of the religious tenets of certain families, the Board of Trustees, subject to the regulations of the State Board of Regents, shall excuse a student from required study of Health and Hygiene if such study is found to conflict with the religion of their parents.

Such conflict must be certified by a proper representative of their religion.

Ref: Education Law 93804; 804-a 8  
NYCRR 33135.3; 135.6

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**SAFETY EDUCATION**

The Board of Trustees shall will ensure that instruction is given in but not limited to, traffic regulation, highway and bicycle safety, fire and arson prevention, home safety, recreational safety, industrial and school safety in the school.

The Superintendent shall continually expand the safely instruction in the school as necessary.

The school shall instruct students about:

1. the need for proper bus conduct;
2. safe walking areas to and from school and appropriate safe conduct;
3. the importance of not accepting rides from strangers;
4. persons they can go to for help when traveling to and from school (i.e., the crossing guard, etc.);
5. proper bicycle use; and
6. other items of which the Superintendent and the building staff believe the students should be aware.

Cross-ref: 5320, Student Conduct on School Buses  
5450, Student Safety 8132, Fire Drills

Ref: Education Law 93806; 808; 809-a  
8 NYCRR 33100.2(c) (4); 107.1

Adoption date: December 10, 1998

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## PHYSICAL EDUCATION

The Board of Trustees shall attempt to provide every student with an opportunity for wholesome and enriched educational experiences. It is the Board's belief that the following basic aims and objectives of the physical education program shall contribute to this goal:

1. to aid the development of the entire student so that a well-trained mind may function properly in a healthy body;
2. to encourage student participation in vigorous physical activity while in school and to teach the skills of those activities so that they will have a carry-over value for later activities in everyday life;
3. to increase appreciation of physical fitness and its importance in regard to good health; and
4. to impress upon students the importance of integrating one's mind, body, and attitude in preparing to face the obligation of a complex society.

With these objectives in mind, the district physical education staff will work together with administrators to develop a physical education program that develops each student's flexibility, agility, coordination, strength and endurance incorporating a progression of skills and activities from the simple to the more complex. This program must be flexible enough to accept each student with their own pattern of growth and development and include activities that assure both individual and group development throughout the student's school years. Provisions will be made for students who require a special or adaptive physical education program.

Students who are temporarily or permanently unable to participate in the regular physical education program will be provided with adapted activities. Temporary or short-term adaptations will be made by the physical education teacher in consultation with appropriate medical personnel. Permanent or long-term program adaptations shall be based upon recommendations from the family physician.

Students with disabilities, as classified by the Committee on Special Education (CSE), who are unable to safely or successfully participate in the activities of the regular physical education program will be provided with adaptive physical education. The written individualized education program (IEP) for each such student shall include a prescriptive physical education program. The physical education teacher shall be involved in the development of the IEP.

School personnel shall have the responsibility of determining the activities appropriate for each student. In no case should the activity exceed the ability level of the student.

Ref: 20 USCA 991681 etseq.  
 Education Law 99803; 3204  
 8 NYCRR 9135.4  
*Appeal of Andrea Williams*, 32 EDR 621 (1993)

Adoption date: December 10, 1998  
 Reviewed: June 9, 2014  
 Revised: October 11, 2022

## **TEACHING ABOUT DRUGS, ALCOHOL, TOBACCO**

The Board of Trustees views with grave concern the serious implications of alcohol, drug, and tobacco use by people, specifically young people, all over the United States and especially in the school district. In keeping with its primary responsibility-the education of youth-the Board directs the professional staff of the district to continue to investigate the causes of student involvement with drugs, tobacco and alcohol, and to develop suitable preventive measures however and whenever feasible.

The Board and the professional staff will continue to seek ways to educate students and school staff of the district about the dangers of the illegal use of drugs and the abuse of alcohol and tobacco. Instruction will include sessions about the causes and effects of drug, alcohol and tobacco abuse, especially in young people.

The following objectives must be realized if the goal of minimizing drug, tobacco and alcohol abuse is to be achieved:

1. students will be encouraged to identify the problem and its causes and to organize to solve it;
2. they should understand the nature of legal and illegal drugs and tobacco;
3. they will be encouraged to develop a set of values and behavioral insights which shall give them a deeper understanding of themselves and society;
4. they will be encouraged to identify the variety of alternate forms of behavior, other than drug or alcohol abuse and tobacco use, which are available to satisfy their needs; and
5. they will be encouraged to make constructive decisions concerning the use of drugs, alcohol, and tobacco.

While the Board in no way condones the abuse of illegal or harmful substances, it is in the interest of student and staff health that a climate be created in the school so that individuals with problems may seek to receive help without fear of reprisal.

Cross-ref: 5312.3, Smoking

Ref: Education Law 9804  
8 NYCRR 93100.2(c) (3)

Adoption date: December 10, 1998  
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## SCIENCE AND MATH INSTRUCTION

The Board of Trustees contends that purposeful instruction in science and math can only be realized when the interdependent nature of the two fields is accepted. Science itself cannot stand alone, and is, by its own nature, intertwined with not only math, but technology and engineering as well. The board, by default, faithfully promotes an interdisciplinary approach to science and math instruction that supports both process and content in order to prepare students for a world that does not yet exist. To accomplish this, the Board will encourage and expect essential understanding in math and science enabling students to further pursue study and/or careers in the field of STEM.

Essential literacy in science and math includes instruction in a "core" body of information, but also emphasizes problem-solving and critical inquiry processes. Students shall be encouraged to apply such skills to contemporary concerns and problems facing the school and the community in a "hands-on" learning environment (i.e., recycling projects, energy conservation projects, etc.).

The Board directs the Superintendent to oversee the development of a flexible science and math curriculum, which takes into consideration new developments in all related fields and emphasizes the world's changing needs. Such curriculum shall include the following:

1. essential knowledge and skills in science and math, and the opportunity to develop such skills and apply them to societal and individual problems;
2. opportunities and encouragement for all students to participate in appropriately challenging courses of study;
3. opportunities for students to develop an understanding of and appreciation for the relationships between science, mathematics, engineering and technology through interdisciplinary study;
4. opportunities for students to develop a positive attitude towards science and mathematics and a spirit of inquiry towards the natural world;
5. information on career opportunities in science and mathematics;
6. opportunities for students to develop confidence in their ability to apply and develop scientific/mathematic knowledge and skills;
7. individual and group problem-solving experiences and enrichment activities;
8. student participation in a variety of experiences and course-related materials, including field trips, laboratory and classroom experiments and use of computer-based technology; and
9. evaluation of student progress in assimilating and applying scientific/mathematical knowledge and skills, and periodic feedback to students regarding such progress.

The Superintendent shall inform the Board of all curricular changes, and advise the Board of necessary and up-to-date instructional materials to properly implement such curriculum. The curriculum should be designed to properly prepare all students for their role in society, and ensure district compliance with the curricular requirements of the State Education Department.

Cross-ref: 4200, Curriculum Development  
 4310, Basic Instruction Program  
 4510.1, Instructional Technology  
 4526, Computer Network for Education

Ref: 8 NYCRR 93100.2-100.5

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## **PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER IDEA AND ARTICLE 89**

The Board of Trustees makes available to all students eligible under the Individuals with Disabilities Education Act and Article 89 of the Education Law, and their implementing regulations, a free appropriate public education in the least restrictive environment appropriate to meet their individual needs.

The Board acknowledges its responsibility to offer, at public expense, special education and related services which are designed to provide educational benefits to students in conformity with their individualized education program. Special education services or programs will be designed to enable students with disabilities to be involved in and progress in the general education curriculum, to the extent appropriate to their needs.

In addition, to the maximum extent appropriate to their individual needs, eligible students with disabilities residing within the district and attending the district's public schools will be entitled to participate in school district academic, cocurricular and extracurricular activities available to all other students enrolled in the district's public schools. Such cocurricular and extracurricular activities may include athletics, transportation, recreational activities, school-sponsored special interest groups or clubs, and referrals to agencies that provide assistance to individuals with disabilities and the employment of students (including both employment by the school district and assistance in making outside employment available).

In providing a free appropriate public education to students with disabilities eligible under the IDEA and Article 89, the Board will afford the students and their parents the procedural safeguard rights they are entitled to under applicable law and regulations. The Board also will provide them with notice of such rights as required by law and regulation, using the form prescribed by the commissioner of education.

For purposes of this policy and others related to the provision of services to eligible students with disabilities, and consistent with applicable law and regulation, the word parents means a birth or adoptive parent, a legally appointed guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child; a person in parental relationship to the child as defined in section 3212 of the Education Law; an individual designated as a person in parental relation pursuant to title 15-A of the General Obligations Law, including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent, stepparent, or other relative with whom the child resides; or a surrogate parent who has been appointed in accordance with commissioner's regulations.

Eligible students with disabilities will be entitled to special education and related services until their 22<sup>nd</sup> birthday or until they receive a local high school or Regents diploma, whichever comes first.

Students with disabilities may not be required to take medication as a condition for receiving a free appropriate public education.

To ensure the provision of a free appropriate public education to all eligible students with disabilities;

1. School district staff will take steps to locate, identify, evaluate and maintain information about all children with disabilities within the district, including homeless children and children who are wards of

- the state, and children attending nonpublic school within the district (including religious schools), who are in need of special education.
2. The district will establish a plan and practice for implementing school-wide approaches and interventions in order to remediate a student's performance prior to referral for special education services. The district will provide general education support services, instructional modifications, and/or alternative program options to address a student's performance before referring the student to the Committee on Special Education (CSE). The Child Study Team will develop implement and evaluate pre-referral intervention strategies (4321.2 School-wide Pre-referral Approaches and Interventions).
  3. School district staff will initiate a request for evaluation of a student who has not made adequate progress after an appropriate period of time when provided instruction under a response to intervention program. In making the request the staff person will describe in writing intervention services, programs and methodologies used to remediate the student's performance prior to referral. In addition, the extent of parental contact will be described as well.
  4. The Board will appoint a committee on special education (CSE), and, as appropriate, CSE subcommittees, to assure the timely identification, evaluation and placement of eligible students with disabilities.
  5. The Board will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.
  6. The Superintendent will establish a plan for the recruitment, hiring and retention of staff appropriately and adequately prepared to meet the needs of students with disabilities including, but not limited to, highly qualified special education teachers.
  7. The Superintendent will establish a comprehensive professional development plan designed to ensure that personnel necessary to carry out IDEA and Article 89 possess the skills and knowledge required to meet the needs of students with disabilities.
  8. The Superintendent will establish a process for ensuring that district staff understand the right of students with disabilities to access and participate in the same academic, cocurricular and extracurricular programs and activities as all other students enrolled in the district's public schools, to the maximum extent appropriate to their individual needs.

#### *Locate and Identify Students with Disabilities*

The district will conduct an annual census to locate and identify all students with disabilities who reside in the district, and establish a register of such students who are entitled to attend the public schools of the district during the next school year, including students with disabilities who are homeless or wards of the state. The census will be conducted, and the registry maintained, in accordance with the requirements established in Commissioner's regulations.

The Superintendent will determine what other activities might be appropriate to help locate and identify students with disabilities. These may include, but are not limited to, the mailing of letters to all district residents regarding the availability of special education programs and services and their right to access such services, and/or the publication of a similar notice in school newsletters and other publications.

(Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89, for more information regarding how to locate and identify nonpublic

school students with disabilities).

### *Evaluation of Students with Disabilities*

To initially determine a student's eligibility for a free appropriate public education under the IDEA and Article 89, the district will conduct a full evaluation of the student in accordance within legally prescribed time lines. As set forth in Commissioner's regulations, the initial evaluation will include, at least, a physical examination, an individual psychological evaluation unless the school psychologist determines it unnecessary, a social history, an observation of the student in the student's learning environment to document the student's academic performance and behavior in the areas of difficulty, and other appropriate assessments or evaluations (including a functional behavioral assessment for students whose behavior impedes their learning or that of others) to ascertain the physical, mental, behavioral and emotional factors that contribute to the suspected disabilities.

Once a student has been determined eligible to receive a free appropriate public education, the district will reevaluate the student with a disability when the district determines the educational and related services needs (including improved academic achievement and functional performance) of the child warrant a reevaluation. However, a reevaluation must take place at least once every three years, unless the student's parent and the district agree it is unnecessary.

### *Parental Consent for Student Evaluations*

Before conducting any type of evaluation, district staff will take steps to obtain written informed consent from a student's parent, as required by applicable law and regulations. They also will keep a detailed record of those attempts and their results, including phone calls and correspondence, visits to the parent's home and any responses received.

1. If a parent refuses to give consent for an initial evaluation, or fails to respond to such a request, the parent will be given an opportunity to attend an informal conference and ask questions about the proposed evaluation. Unless the referral for evaluation is withdrawn, if the parent continues to withhold consent, the Board will commence due process proceedings to conduct an initial evaluation without parental consent within the time lines established in Commissioner's regulations.
2. If a parent refuses to give consent for a reevaluation, or fails to respond to such a request, district staff will proceed with the reevaluation without parental consent if it has engaged in documented reasonable efforts to obtain such consent and the parent has failed to respond. If the district cannot document its efforts to obtain consent, the Board will commence due process proceedings to conduct a reevaluation without parental consent.
3. If district staff is unable to obtain consent for the initial evaluation or reevaluation of a home schooled or a parentally-placed nonpublic school student, the Board will not commence due process proceedings to conduct the evaluation without parental consent, and will consider the student as not eligible for special education.

### *Conduct of Evaluations*

In conducting evaluations of students with disabilities, the district will use a

variety of assessment tools and strategies, including parent-provided information, to gather relevant functional, developmental, and academic information for determining a student's eligibility for special education and related services, and the content of the student's individualized education program or individualized education services program or services plan in the case of nonpublic school students with disabilities (including information related to enabling the student to be involved in and progress in the general education curriculum).

The district also will assess a student in all areas of suspected disability, and the assessment and other evaluation used will not be discriminatory on a racial or cultural basis. In addition, students will be assessed in the language and form most likely to yield accurate information on what the student actually knows and can do academically, developmentally, and functionally, unless it is not feasible to do so.

The district will notify a student's parent of any determination that no additional data is needed and the reasons for such a determination. It will also inform parents of their right to request an assessment, notwithstanding that determination.

In the case of students suspected of having a specific learning disability, the district will follow the procedures established in commissioner's regulations

#### *Eligibility Determination*

The CSE or CSE subcommittee will determine whether a student is eligible for special education and related services under the IDEA and Article 89, as well as the student's educational needs.

The CSE or CSE subcommittee may not determine that a student is eligible for special education and related services if the determining factor is lack of appropriate instruction in the essential components of reading, including phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies; or lack of appropriate instruction in math; or limited English proficiency.

#### *Committee on Special Education*

The members of the CSE and CSE subcommittees will include those individuals identified in applicable law and regulations, and their attendance at CSE and CSE subcommittee meetings will be required except as otherwise provided in law and regulations.

The parent of a student with disabilities is one of the mandated CSE and CSE subcommittee members and as such has a right to participate in CSE and CSE subcommittee meetings concerning the identification, evaluation, educational placement, and the provision of a free appropriate public education to their child. District staff will take steps to ensure the parent's participation, in accordance with the following:



1. CSE and CSE subcommittee meetings will be scheduled at a time and place that is mutually agreeable to the parent and the district.
2. The parent will be given at least five days notice of the time and place of a CSE or CSE subcommittee meeting, except as otherwise provided in law and regulation, along with notice of the purpose of the meeting, those who will attend (including name and title), and the parent's right to be accompanied to the meeting by person(s) the parent considers to have knowledge and special expertise about their child.
3. The parent and the district may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.
4. District staff will take any action necessary to ensure that the parent understands the proceedings at CSE meetings, including arranging for an interpreter for deaf parents or parents whose native language is other than English.

The CSE or CSE subcommittee may meet without a student's parent only if district staff has been unable to obtain either parent's participation, and has a record of its attempts to arrange a mutually agreed upon time and place. Similarly, the CSE or CSE subcommittee may make a decision without the involvement of the student's parent only if district staff has been unable to obtain parental participation, even through the use of alternative means of participation, and has a record of its attempts to ensure parental involvement.

#### *Provision of Services*

The Board will arrange for appropriate special education and related services recommended by the CSE or CSE subcommittee within 60 school days of the district's receipt of parental consent to evaluate a student not previously identified as a student with a disability, or within 60 school days of referral for review of a student with a disability, except as otherwise provided in law and regulations.

All staff responsible for the implementation of a student's individualized education program, or an individualized education services program or services plan in the case of parentally placed nonpublic school students with disabilities, will be provided information regarding those responsibilities (Refer to policy 4321.5 for more information on this topic).

#### *Parental Consent for the Provision of Services*

The Board acknowledges that parental consent for initial evaluation does not constitute consent for placement for the provision of special education and related services. Therefore, district staff will take steps to obtain written informed consent for the initial provision of special education and related services to an eligible student. The Board will be precluded by applicable law and regulations from commencing due process proceedings to override the parent's refusal to provide such consent or override the parent's failure to respond to such a request.

#### *Transition Service and Diploma/Credential Options*

In accordance with law and regulation, the Board will ensure the provision of transition services, which are a coordinated set of activities for students with disabilities that facilitates movement from school to post-school activities, which may include but are not limited to post-secondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living or community participation. At age 15, or younger if appropriate, the student's IEP will include a statement of transition service needs and will include undertaking activities in the following areas:

- Instruction
- Related services
- Community experiences
- The development of employment and other post-school adult living objectives; and
- When appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

In developing the plan for transition services, students and parents will be made aware of the range of diploma and credential options available and the requirements associated with each option.

Cross ref: 1900, Parental Involvement (Title I)  
4000, Student Learning Objectives and District Instructional Goals  
4773, Diploma and Credential Options for Students with Disabilities  
5500, Student Records  
6700, Purchasing  
9700, Staff Development

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 *et seq.*;  
34 CFR Part 300  
Education Law Article 89, §§4401 *et seq.*  
8 NYCRR Part 200  
*A.R. v. Connecticut State Board of Education*, 5 F.4th 155 (2021)  
*Formal Opinion of Counsel No. 242 (7/6/2023)*, NYSED

Date of Adoption: December 10, 1998  
Revised: May 9, 2000  
Reviewed: October 11, 2022  
Revised: October 8, 2024

## PROGRAMS FOR STUDENTS WITH DISABILITIES REGULATION

### I. The Committee on Special Education (CSE)

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

1. the parents of a child with a disability;
2. at least one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
3. at least one special education teacher, or where appropriate, at least one special education provider of such child;
4. a representative of the district who
  - a) is qualified to provide, or supervise the provision of, specifically designed instruction to meet the unique needs of children with disabilities;
  - b) is knowledgeable about the general curriculum; and
  - c) is knowledgeable about the availability of resources of the district.
5. an individual who can interpret the instructional implications of evaluation results (may also be one of the above team members);
6. at the discretion of the parent or the district, other individuals who have knowledge or special expertise regarding the child, including related services personnel;
7. Whenever appropriate, the child with disability.

### II. Identifying Children with Disabilities

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

The district will conduct a census in accordance with the Education Law to locate and identify all children with disabilities who reside in the district and establish a register of those who are entitled to attend a school district. The register shall be maintained and revised annually by the CSE. Such census data shall be compiled and maintained in accordance with the Commissioner's Regulations.

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

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

## Individual Evaluation

The CSE shall ensure that an individual evaluation of the student is conducted at no cost to the parent(s)/guardian(s). The CSE chairperson shall maintain a list of approved evaluators shall be provided to the parent(s)/guardian(s).

The evaluation shall include, at least; a physical examination, a social history, a classroom observation, a psychological evaluation unless determined unnecessary by the school psychologist and other appropriate assessments or evaluations as necessary to ascertain the physical, mental, and emotional factors which contribute to the suspected disability.

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

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

## IV. Determining the Appropriate Placement and Program - Least Restrictive Environment

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

1. a statement of present levels of educational performance of such child and individual needs;
2. a statement of annual goals, including short-term instructional objectives;
3. a statement of the specific educational services to be provided to such child, class size if appropriate, and the extent to which such child will be able to participate in regular educational programs;
4. a statement of the needed transition services for student beginning no later than 15 years of age and annually thereafter (and, when determined appropriate for the individual, beginning at age 14 (or younger);
5. the projected date for initiation and anticipated duration for such services;
6. appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether instructional objectives are being achieved;
7. a description of any specialized equipment and adaptive devices;
8. a list of testing modifications; and
9. a recommended placement.

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

If the Board disagrees with the recommendation of the CSE, the Board shall follow one of the following procedures:

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

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

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

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

#### V. Participation of Students with Disabilities in Extracurricular Programs and Activities

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

## VI. Due Process Provisions

In the event the parent(s)/guardian(s) disagrees with the CSE's recommendation, the CSE fails to make a recommendation in accordance with the Commissioner's Regulations or the Board fails to effectuate the recommendation within 30 days of receipt of the recommendation, the parent(s)/guardians(s) may request in writing, a formal impartial hearing.

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

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

### *Child Study Team*

A Child Study Team (formed by teachers, Superintendent, and concerned Special Teachers) will evaluate the progress of all students who will be referred to them. Referrals may be made by the CSE, ~~Gifted and Talented~~, Title I, or homeroom teachers. The Child Study Team will meet weekly, or as needed. Any teacher may call a meeting of the Child Study Team at any time. The meeting will be held within three school days. The team will promote systematic communication among teachers and programs of the school. It will be the primary vehicle for providing programs for the unique needs of interested students.

### *Resource Room Programs*

Resource Room programs shall be for the purpose of supplementing the regular or special classroom instruction of students with disabilities who are in need of such supplemental programs.

Each student with a disability requiring a resource room program shall receive not less than three hours of instruction per week in such program.

Students shall not spend more than 50% of their time during the day in the resource room program.

An instructional group which includes students with disabilities in a resource room program shall not exceed five students per teacher.

The composition of instructional group in a resource room program shall be based on the similarity of the individual needs of the students according to:

1. Levels of academic or educational achievement and learning characteristics;
2. Levels of social development;
3. Levels of physical development; and
4. The management needs of the students in the classroom.

The total number of students with disabilities assigned to a resource room teacher shall not exceed 20.

Upon application and documented educational justification to the Commissioner, approval may be granted for a variance from the size of an instructional group and the total number of students assigned to a resource room teacher as specified in this Regulation.

*Speech Program*

The speech/language impaired program of the district is responsible for providing services to students having speech or language difficulties. The amount of speech per week is dependent upon the severity of the student. Currently speech is scheduled either from one to five times per week.

Mild problems such as substitutions of some sounds, omissions of one or two sounds and a mild language delay of 1 year to 1 1/2 years shall be seen one to two times per week, in small groups of four or less when possible, and for 30 minutes per session.

Individualized Educational Program (IEPs) shall be written for speech students seen two to five times per week. These IEP's are based on the standardized test results which are administered to the children before being placed in the program. Some of the tests that may be used by the district, but are not limited to are: Goldman-Fristoe Test of Articulation, Wepman Test for Auditory Discrimination, Test of Language Development, Northwestern Syntax Screening Test, The Utah Test for Language Development, The Peabody Picture Vocabulary Test, The Expressive One Word Picture Vocabulary Test and the Goldman-Fristoe Test for Auditory Discrimination.

Related services shall be recommended by the Committee on Special Education to meet the specific needs of a student with a disability as set forth in the IEP. The frequency and duration of each such service will be set forth in the IEP, based on the individual student needs for the service. For students with disabilities who require speech and language services, sessions shall be provided a minimum of two periods each week, and the total caseload of such students for teachers providing such services shall not exceed 65.

When a related service is provided to a number of students at the same time, the number of students in the group shall not exceed five students per teacher or specialist.

Related services may be provided in conjunction with a regular education program or with other special education programs and services.

Adoption date: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

**ALLOCATION OF SPACE FOR SPECIAL EDUCATION  
PROGRAMS AND SERVICES**

To ensure that adequate and appropriate space is made available for special education classes provided by the district, as well as in programs provided by the Board of Cooperative Education Services (BOCES), the Board of Trustees will allocate an appropriate amount of space in district facilities to meet the needs of students in such programs. This allocation will be part of the bi-annual district plan for the provision of special education programs and services, as mandated by the Commissioner.

Ref: 8 NYCRR D200.2(c) (iv) and (v)

Adoption date: December 10, 1998  
Reviewed: June 9, 2014  
Reviewed: October 11, 2022



## **TIMEOUT AND PHYSICAL RESTRAINT (ALL STUDENTS)**

This policy applies to all students, whether or not they are students with disabilities. The Board of Education recognizes that sometimes students exhibit challenging behaviors that impede learning and pose concern for the physical safety of themselves or others. The Board is required by state law and state regulations to adopt a policy that establishes administrative practices and procedures on the use of timeout and physical restraint to address such challenging behaviors.

As required by state regulations, the district will utilize positive, proactive, evidence-and-researched-based strategies through multi-tiered system of supports, to reduce the occurrence of challenging behaviors, eliminate the need to the use of timeout and physical restraint, and improve school climate and the safety of all students. Such strategies will include intervention and prevention procedures and de-escalation techniques. However, these strategies may not always be effective in keeping the school environment safe.

Pursuant to state regulations 8 NYCRR §19.5, timeout and physical restraint will not be used as discipline or punishment, retaliation, or as a substitute for positive, proactive intervention strategies that are designed to change, replace, modify, or eliminate a targeted behavior. Timeout and physical restraint may only be used when:

1. Other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others;
2. There is no known medical contraindication to its use on the student; and
3. School staff using such interventions have been trained in its safe and appropriate application, as required by state regulations.

For purposes of this policy and regulation, the term “parent” refers to parents and persons in parental relation.

The superintendent is directed to establish administrative regulations to implement this policy.

### **I. Precipitating Factors and Time Limitations**

Generally, timeout and physical restraint will be used when students exhibit behavior that puts themselves or others at risk of physical injury. Timeout and physical restraint will be used for the least amount of time necessary, generally only until the student has de-escalated, can return to their educational program, and no longer poses a risk of injury to themselves or others.

### **II. Timeout for Students with Disabilities Pursuant to a Behavioral Intervention Plan**

In addition to situations posing an immediate concern for the physical safety of a student or others as described in this policy and administrative regulation, timeout may be used for students with disabilities in conjunction with a behavioral intervention plan (BIP), as part of the student’s individualized education program (IEP), as permitted by state regulations 8 NYCRR §200.22.

### **III. Staff training**

The district will provide annual training to staff on the use of timeout and physical restraint as required by state regulations and outlined further in the accompanying

administrative regulation.

The district will provide annual training to staff on the use of timeout and physical restraint as required by state regulations and outline further in the accompanying administrative regulation.

#### IV. Information Provided to Parents

As required by state regulations, the district will provide this policy and accompanying administrative regulation to the parents of the student for whom timeout and physical restraint has been used.

#### V. Parent Notification of Timeout or Restraint

The Superintendent or designee will notify parents on the same day that timeout or physical restraint is used on a student, including a timeout used in conjunction with a student's BIP. The notification will offer the parent the opportunity to meet regarding the incident. Parents will also be provided with a copy of the documentation of the incident within three school days of the use of timeout or physical restraint.

If the parent cannot be contacted after making reasonable attempts, the Superintendent will record the attempts made to contact the parent. In case of students with disabilities, the Superintendent will report such attempts to the student's committee on preschool special education or committee on special education.

#### VI. Data Collection to Monitor Patterns

As required by state regulations, the district will document each incident of the use of timeout (including those used in conjunction with a BIP) and physical restraint, debrief following each incident of timeout and physical restraint, and review its documentation to monitor patterns of timeout and physical restraint.

#### VII. Prohibited Actions

Students may not be placed in a locked room or space in a room where the student cannot be continuously observed and supervised by school staff. Students may not be placed in a prone restraint (a physical or mechanical restraint while the student is in a face down position).

Additionally, district teachers, administrators, officers, employees, or agent may not use corporal punishment, mechanical restraint and other aversive interventions, or seclusion (which differs from timeout) against a student, as defined in state regulations. State regulations include school resource officers in the term "agent" except when a student is under arrest and handcuffs are necessary for the safety of the student and others.

#### VIII. Annual Reporting

District staff must report all allegations of corporal punishment, mechanical restraint and other aversive interventions, prone physical restraint, or seclusion to the Superintendent. The Superintendent or designee will investigate the allegations, and determine whether they are substantiated or unsubstantiated, and will compile the reports annually.

The district will submit a report to the State Education Department, on a form and at a time prescribed by the Commissioner of Education, on the use of timeout and physical restraint, as well as substantiated and unsubstantiated allegations of the use of corporal punishment, mechanical restraint and other aversive interventions, prone physical restraint and seclusion.

#### IX. Public Availability and Posting of Policy

This policy and accompanying administrative regulation will be made publicly available for review at the district administrative offices, at each school building, and posted on the district's website.

Ref: Education Law §4402(9)

8 NYCRR §§19.5; 200.22

**First Reading: September 10, 2024**

## **TIMEOUT AND PHYSICAL RESTRAINT (ALL STUDENTS) REGULATION**

This regulation contains administrative procedures addressing the use of timeout and physical restraint, as required by state regulations.

### **I. Timeout**

Timeout is defined in state regulations as a behavior management technique that involves the monitored separation of a student in a non-locked setting, implemented for the purpose of deescalating, regaining control, and preparing the student to meet expectations to return to their education program.

Timeout does not include:

1. A student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies;
2. Use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan; or
3. A teacher removal, in-school suspension; or any other appropriate disciplinary action.

#### **A. Use of Timeout**

Timeout may only be used in situations that pose an immediate concern for the physical safety of the student or others. Staff must return students to their educational program as soon as they have safely de-escalated, regained control and are prepared to meet expectations.

#### **B. Physical Requirements for Rooms or Space Used for Timeout**

The room or physical space ("space") used for purposes of timeout may be located within a classroom or outside of the classroom. The space must be unlocked, and any door must be able to be opened from the inside. The space must allow for continuous visual and auditory monitoring of the student, and school staff will continuously monitor students in timeout. The space will be large enough to allow a student to move freely and lay down comfortably. The space will be clean and free of objects and fixtures that could be potentially dangerous to a student, and will meet all local fire and safety codes. Wall and floor coverings will, to the extent practicable, be designed to prevent student injury, and there will be adequate lighting and ventilation. The temperature of the space will be within the normal comfort range, and consistent with the rest of the building.

#### **C. Additional Requirements for the Use of Timeout with Students with Disabilities**

The IEP of a student with a disability will specify when a behavioral intervention plan includes the use of timeout, including the maximum amount of time they will need to be in timeout as a behavioral consequence, as determined on an individual basis, inconsideration of the student's age and individual needs. The behavioral intervention plan will be designed to teach and reinforce alternative appropriate behaviors.

The district will inform parents of students with disabilities prior to the

initiation of a BIP that incorporates the use of timeout, give the parent an opportunity to see the room or physical space used, and provide the parent with copy of this policy and regulation.

#### D. Factors Precipitating the Use of Timeout

The factors which may trigger the use of timeout can depend on the particular student. Generally, timeout may be used when a student needs to de-escalate, regain control of their actions and emotions, and prepare to meet expectations to return to the education program. Such students may be unable to control (or exhibit difficulty controlling) their actions or emotions, feel overwhelmed or overstimulated, exhibit violent actions, or pose a danger to themselves or others. Such students generally would not have responded favorably to initial intervention and de-escalation actions by staff, or when positive, proactive intervention strategies used by staff were unsuccessful.

#### E. Time Limitations for Timeout

The amount of time a student may spend in timeout will vary with the student's age, grade, and development level, individual needs, behavioral intervention plan (for students with disabilities), and the specific circumstances. Students will spend only as much time in timeout as is necessary for them to deescalate, regain control, return to their educational programs, or no longer pose a concern for the physical safety of themselves or others.

Timeout for students with disabilities that are utilized pursuant to their BIP will not be more than the maximum amount of time specified in the BIP.

## II. Use of Physical Restraint

Physical restraint immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.

### A. Requirements for use of Physical Restraint

Physical restraint will only be used in situations where immediate intervention involving the use of reasonable physical force necessary to prevent imminent danger of serious physical harm to the student or others.

1. The type of physical restraint used shall be the least restrictive technique necessary, and will stop as soon as the imminent danger of serious physical harm is over.
2. Physical restraint will not restrict the student's ability to breathe or communicate, or harm the student.
3. Students will not be restrained in a face-down position.
4. Physical restraint will not be used as a planned intervention on a student's individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for a student by the school.
5. Physical restraint will not be used to prevent property damage, except in situations where there is imminent danger of serious physical harm to the student or others, and the student has not responded to positive, proactive intervention strategies.
6. Physical restraint will be administered only by staff who have received training in accordance with state regulations and this

- policy and regulation.
7. Following a physical restraint, if the student is or is believed to be injured, the school nurse will evaluate the student to determine and document if any injuries were sustained during the incident.

#### B. Factors Precipitating the Use of Physical Restraint

The factors which may trigger the use of physical restraint can depend on the particular student, but there must be imminent danger of serious physical harm to the student or others. Generally, physical restraint may be used when a student needs to de-escalate, regain control of their actions and emotions, and prepare to meet expectations to return to the education program. Such students may be unable to control (or exhibit difficulty controlling) their actions or emotions, feel overwhelmed or overstimulated, exhibit violent actions, or pose a danger to themselves or others. Such students generally would not have responded favorably to initial intervention and de-escalation actions by staff, or when positive, proactive intervention strategies used by staff were unsuccessful.

#### C. Time Limitations for Physical Restraint

Students will remain in physical restraint only while the imminent danger of serious physical harm to the student or other persists.

### III. General Requirements for Timeout and Physical Restraint

#### A. Staff Training

All Staff will receive annual training on:

1. the district's policies and procedures on the use of timeout and physical restraint;
2. evidence-based positive, proactive strategies; and
3. crisis intervention and prevention procedures and de-escalation techniques.

All staff authorized to implement timeout or physical restraint, including those who function as timeout monitors, will receive annual, evidence-based training in safe and effective developmentally appropriate timeout and physical restraint procedures.

Only trained staff authorized by the Superintendent may implement timeout or physical restraint. Staff who are not authorized to implement timeout or physical restraint will receive training on what to do and who to contact if a student is exhibiting behaviors indicating a need for timeout or physical restraint, where the student has not responded to positive and proactive strategies and less restrictive and intrusive interventions and de-escalation techniques.

#### B. Prohibitions

Students are prohibited from being placed in a locked room or space for timeout, or in a prone restraint (face-down position). In addition, the following actions are prohibited by state regulations:

##### 1. Aversive Interventions

Aversive interventions are defined in state regulations as those which are intended to induce pain or discomfort for the purpose of eliminating or reducing

student behavior. It includes applying noxious, painful, intrusive stimuli, strangling, shoving, deep muscle squeezes or similar actions; noxious, painful or intrusive spray, inhalant or taste; denying or delaying food, or altering food or drink to make it distasteful; limiting movement as a punishment, including helmets or mechanical restraints.

Aversive interventions do not include voice control if limited to loud, firm comments; time-limited ignoring of a specific behavior, token fines as part of a token economy system, brief physical prompts to interrupt or prevent a specific behavior, interventions medically necessary to treat or protect the student.

## 2. Corporal Punishment

Corporal punishment is defined in state regulations as any act of physical force upon a student for the purpose of punishing that student. The term does not include the use of physical restraint as defined in state regulations to protect the student, another student, teacher or any other person from physical injury when alternative procedures and methods not involving the use physical restraint cannot reasonably be employed to achieve these purposes.

## 3. Seclusion

Seclusion is defined in state regulations as the involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or they may perceive that they cannot leave at will. Seclusion does not include timeout as defined in this policy and state regulations.

### C. Data Collection to Monitor Patterns of Use

#### 1. Documentation

The district will document each incident of timeout (including those pursuant to a BIP and physical restraint. Documentation will include:

- a. The student's name and birth date;
- b. The setting and location of the incident;
- c. The names of staff members who participated in the implementation, monitoring and supervision of the use of timeout/physical restraint;
- d. A description of the incident, including the duration and type of restraint used (for physical restraint);
- e. Whether the student has an IEP, Section 504 plan, BIP, or other plan developed by the school for the student;
- f. The positive, proactive intervention strategies utilized prior to the use of timeout/physical restraint (for students with disabilities, include whether those strategies were consistent with the BIP, if applicable);
- g. The details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse;
- h. The date and method of parent notification and whether a meeting was held; and
- i. The date the debriefing was held.

This documentation will be reviewed as necessary by supervisory personnel and the school nurse as necessary. This documentation will be made available to the State Education Department upon request.

#### 2. Debriefing

As soon as is practicable, and after every incident in which timeout and/or a physical restraint is used on a student, a school administrator or designee will:

- a. Meet with the school staff who participated in the use of timeout and/or physical restraint to discuss:
  - i. the circumstances leading to the use of timeout and/or physical restraint;
  - ii. the positive, proactive intervention strategies that were utilized prior to the use of timeout and/or physical restraint; and
  - iii. planning for the prevention and reduction of the future need for timeout and/or physical restraint with the student including, if applicable, whether a referral should be made for special education programs, and/or other support services or, for a student with a disability, whether a referral for review of the student's individualized education program and/or behavioral intervention plan is needed.
- b. Direct a school staff member to debrief the incident with the student in a manner appropriate to the student's age and development ability and to discuss the behavior(s), if any, that precipitated the use of timeout and/or physical restraint.

### 3. Review of Documentation

The school administrator or designee will regularly review documentation on the use of timeout and physical restraint to ensure compliance with school's policy and procedures.

If there are multiple incidents within the same classroom or involving the same staff, the school administrator or designee will take appropriate steps to address the frequency and pattern of use.

### D. Parent Notification

Same-day parent notification will be via methods reasonably expected to reach the parent (e.g., email, text, phone, apps or portals, etc.), and may take into account parent preference.



**TIMEOUT AND PHYSICAL RESTRAINT (ALL STUDENTS) EXHIBIT**

*(Date)*

*(Name of Parent/Person in Parental Relation)*

*(Address of Parent/Person in Parental Relation)*

*Dear (Parent/Person in Parental Relation Name):*

As we notified you on *(date)* via *(method of communication)*, *(student's name)* engaged in the following behavior: *(description of behavior precipitating the use of timeout or physical restraint)* on *(date)*.

We attempted the following behavior support strategies: *(description of positive, proactive strategies, less restrictive and intrusive interventions, and de-escalation techniques used prior to timeout or restraint use)*.

When these attempts did not succeed, we [(A) send *(student's name)* to the space used for timeout (B) physically restrained *(student's name)* for a period of *(number)* minutes.

We invite you to meet with us to discuss this incident. Please contact me at *(contact information)* to schedule a time. We have also included a copy of the documentation of the incident, as well as the district's policy and regulation on timeout and restraint.

Please contact *(name and contact information)* if you have any other questions or need any additional information.

Sincerely,

## PRESCHOOL SPECIAL EDUCATION

The Board of Trustees recognizes the value of special education and its responsibility in ensuring that all resident preschool children with disabilities have the opportunity to participate in special programs and services from which they may benefit. The Board authorizes the Superintendent to establish administrative practices and procedures which shall include:

1. locating and identifying all preschool children with disabilities pursuant to the relevant provisions of the Education Law. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);
2. ensuring that the parent(s)/guardian(s) of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. developing an individualized education program (IEP) for each preschool age child with a disability;
4. appointing and training appropriately qualified personnel including the members of a CPSE;
5. maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjoining counties in which the district is located; and
6. reporting to the State Education Department the number of children with disabilities that are being served, as well as those not served.

The Board of Trustees hereby establishes the CPSE as required under the Education Law. Its responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. The CPSE shall review, at least annually, the status of each preschool child with a disability.

It is ultimately the responsibility of the Board to arrange for the appropriate approved preschool program and services for the district children. Should the Board disagree with the CPSE's recommendations, it shall send the recommendation back to the CPSE so that they may schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate.

Placement may be appealed by a parent/guardian to an impartial hearing officer, appointed by the Board. Mediation shall be offered to such parents/guardians to resolve complaints regarding the education of preschool children with disabilities at the same time notice of the availability of an impartial hearing is provided.

The CPSE shall make an annual report on the status of each preschool child with a disability and report on the adequacy of preschool special education programs and services to the Board.

The Board directs the Superintendent to ensure that the district considers that adequate and appropriate space is made available for such programs and services.

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

Cross-ref: 4321.3, Independent Educational Evaluations

**4321.2**

Ref: Individuals with Disabilities Education Act, 20 U.S.C. D D1400 et seq.  
34 CFRDD300.12; 300.503 Education Law D4410 8NYCRRPart200

Adoption date: December 10, 1998

Reviewed: October 11, 2022

## **PRESCHOOL SPECIAL EDUCATION REGULATION**

### **I. The Committee on Preschool Special Education (CPSE)**

The Board of Trustees shall appoint a Committee on Preschool Special Education (CPSE) composed of:

1. an appropriate professional employed by the school district who shall serve as the chairperson of the committee;
2. a parent/guardian of a child with a disability who resides in the district and is enrolled in preschool or elementary level education provided the parent/guardian is not employed by or under contract with the district or county;
3. the child's teacher;
4. a professional who participated in the evaluation of the child; and
5. for a child in transition from programs and services provided pursuant to applicable federal laws, the appropriately licensed or certified professional designated by the applicable agency.

The chief executive officer of the county in which the district is located also may appoint an appropriately licensed or certified professional to the CPSE.

The Board directs the Superintendent to ensure that all members of the CPSE are appropriately trained for their responsibilities on the CPSE.

### **II. Identifying and Evaluating Preschool Children with Disabilities**

The district shall conduct a census in accordance with the Education Law to locate and identify all children with disabilities who reside in the district and establish a register of children who are eligible to attend a preschool program in accordance with Section 4410 of the Education Law. The register shall be maintained and revised annually by the CPSE. Census data shall be compiled and maintained in accordance with Section 200.2(a) of the Regulations of the Commissioner.

Age eligibility for preschool special education will be determined in the following manner: if the child turns three between January 1 and June 30 of a calendar year, the child will be eligible for special education as of January 2 of that year; if the child turns three on or after July 1 during that year, the child will be eligible as of July 1.

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

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

### III. Individual Evaluation

The CPSE shall ensure an individual evaluation of the preschool child is conducted at no cost to the parent(s)/guardian(s). The district shall maintain a list of approved evaluators which shall be provided to the parent(s)/guardian(s). The parents may select the evaluator from the list.

The evaluation shall include: a physical examination; a social history; a psychological evaluation unless determined to be unnecessary by the school psychologist; and other appropriate assessments or evaluations as necessary to ascertain the physical, mental and emotional factors which contribute to the suspected disabilities.

The evaluator shall submit a written report to the members of the CPSE and to a person designated by the county in which the preschool child resides. The report shall include a detailed statement of the preschool child's individual needs, if any. The report shall not recommend the type, frequency and duration of service; the manner in which the child could be provided with instruction and/or related services; nor refer to any specific service provider. The parent(s)/guardian(s) shall receive a summary of the evaluator's findings. Upon request, the parent(s)/guardian(s) shall also receive a copy of the evaluator's statement and recommendation to the CPSE.

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

### IV. Determining the Appropriate Preschool Program in the Least Restrictive Environment and Developing the Individualized Education Program (IEP)

Following the individual evaluation, if the CPSE determines the child has a disability, the members shall recommend approved appropriate services and/or special programs and the frequency, duration and intensity of such services including, but not limited to, the appropriateness of single services or half-day programs based on the individual needs of the child.

Before the CPSE recommends any program, the members must first consider the appropriateness of providing (1) related services only, (2) special education itinerant services only, (3) related services in combination with special education itinerant services, (4) a half-day preschool program, or (5) a full-day preschool program. If it is determined that a child needs a single related service, the service must be provided as a related service only or, where appropriate, as a special itinerant service.

Before recommending a program which provides special education services in a setting which includes only children with disabilities, the CPSE must consider programs in which the child will be placed with non-disabled children of a similar age. Settings which do not provide contact with non-disabled children may only be considered when the nature or severity of the child's disability is such that education in a less restrictive environment with the use of supplementary aids and services cannot be satisfactorily achieved. In cases where the recommendation is for services to be provided in a setting without regular contact with non-disabled peers, the recommendation must contain a statement as to why less restrictive placements were not recommended.

Prior to making any recommendation that would place a child in an approved program owned or operated by the same agency which conducted the initial evaluation of the child, the CPSE may obtain an evaluation of the child from another approved evaluator. If the CPSE decides to obtain another evaluation and the parent(s)/guardian(s) withdraws consent or otherwise chooses not to have their child further evaluated, the CPSE shall inform the parent(s)/guardian(s) that their child's review cannot proceed until such time as the additional evaluation has been completed.

Twelve-month special services and/or programs shall be provided to eligible preschool children consistent with their individual needs, as specified in the IEP. The CPSE or the Board may recommend services and programs that are different in type or intensity than the services and programs provided during the school year.

Any recommended programs and services shall be selected from the list of approved preschool programs within the county and adjoining counties or the municipality's list of itinerant service providers. The CPSE must provide the recommendation to the Board within 30 days of the date of receipt of consent and shall notify the parent(s)/guardian(s) of the child of its recommendation. The recommendation must state the reasons for the recommendation even if the CPSE determines the child has no disability. In addition, if the CPSE's recommendation differs from the parent's(s)/guardian's(s) preference with respect to the frequency, duration or intensity of services, the recommendation must specify reasons why a program different than the parent (s)/guardian (s) preference was recommended.

In developing an individualized education program (IEP), the CPSE must review all relevant information, including but not limited to:

1. information presented by the parent(s)/guardian(s) and the child's teacher(s);
2. the results of all evaluations; and
3. information provided by the appropriate licensed or certified professional designated by the agency that is charged with the responsibility for the child pursuant to applicable federal laws, if any.

Upon the parent(s)/guardian(s) request, the CPSE shall provide copies of all written documentation to be considered by the committee in the development of the preschool child's IEP within a reasonable amount of time and for a nominal fee.

The Board shall arrange the appropriate services and/or program after receipt of the recommendation of the CPSE. Should the Board disagree with the recommendation of the CPSE, the recommendation shall be returned to the CPSE with notice to schedule a timely meeting to review the Board's concerns. The parent(s)/guardian(s) and the county shall be notified of the Board's disapproval of the recommendation and the need to schedule a meeting to discuss the Board's reasons for disapproval and to revise the IEP as deemed appropriate.

Services of a program shall commence with the July, September or January starting date of the approved program. Should the recommendation of the CPSE be given 30 days prior to, or after, such starting date for the program selected for the child, services shall be provided no later than 30 days after the recommendation of the CPSE. The CPSE shall review at least annually the status of each preschool child with a disability.

#### V. Due Process Provisions

Should the parent(s)/guardian(s) of a preschool child disagree with the determination of the Board or if the CPSE or the Board fails to make or effectuate such a recommendation within the time periods set by the Commissioner, an impartial hearing may be requested.

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

During the pendency of an appeal, unless the parent(s)/guardian(s) and Board otherwise agree, the child will remain in the current educational placement at the time the Board made the decision which is the subject of the appeal. If the child has not been previously served, he/she may enter the Board recommended placement if the parent(s)/guardian(s) consents. Until his/her third birthday, a preschool child who received services from an agency after having been placed by a Family Court, may continue to receive services at the agency. The child may remain in such placement until August 31 of that calendar year, and thereafter must be referred to the CPSE.

Adoption date: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

## INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Trustees recognizes the right of parents or guardians of a student who has or is thought to have a disability to receive an independent evaluation at public expense if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE).

The independent examination shall be conducted by a qualified examiner who is not employed by the school district responsible for the child's education. Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained. These publicly-funded independent evaluations shall be limited to the same geographic and fiscal limitations as used by the district when it initiates an evaluation.

Parents or guardians should file a written request within ninety (90) days from the date of the CSE or CPSE evaluation. The district has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If the hearing officer determines that the district's evaluation was appropriate, a parent or guardian is not entitled to reimbursement at public expense.

The Board directs the Superintendent to develop regulations establishing maximum allowable fees for specific tests, the geographic area in which such evaluations may take place, and minimum qualifications of the professionals who administer and interpret various tests; and a reasonable timeline for seeking reimbursement.

Cross-ref: 4321, Programs for Students with Disabilities  
4321.2, Preschool Special Education

Ref: 34 CFR §300.503  
8 NYCRR §§200.1(u); 200.5(a) (l) (vi) (a); 200.5(b); 200.5(c) (6)  
*Application of a Child with a Handicapping Condition*, SRO Dec. No. 93-26 (1993)  
*Application of a Child with a Handicapping Condition*, 30 EDR 129 (1990)  
*Application of a Child with a Handicapping Condition*, 30 EDR 108 (1990)  
*Application of a Child with a Handicapping Condition*, 26 EDR 439 (1987)  
*Appeal of a Handicapped Child*, 25 EDR 185 (1985)  
*Matter of a Child Suspected of Having a Handicapping Condition*, 23 EDR 140(1983)  
*Matter of Three Handicapped Children*, 21 EDR 353 (1981)  
Memorandum to District Superintendents Independent  
*Evaluations;*  
*Updating on Regulatory Requirements*, State Education Department

Adoption date: December 10, 1998  
Reviewed: June 9, 2014  
Reviewed: October 11, 2022



## **IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION**

The Board of Trustees establishes the following policy to govern the appointment and compensation of impartial hearing officers for special education related impartial hearings pursuant to Part 200 of the Regulations of the Commissioner of Education.

### Appointment

The updated list of certified IHOs for this county promulgated by the New York State Education Department will be used in connection with requests for impartial hearings. The list shall include the names of those other certified IHOs whose names appear on the state list and who have indicated to the district their interest in serving as an IHO in the district.

Upon receipt of a request for an impartial hearing, the Board President, or on the occasion of his/her absence or inability, the Vice President, is hereby authorized and directed to appoint an impartial hearing officer from the district's alphabetical rotational list previously adopted by the Board. The District Clerk or the individual designated for such purpose, under the direction of the Board President, shall initiate the selection process by contacting the impartial hearing officer whose name first appears after the impartial hearing officer who last served. The District Clerk shall canvass the list in alphabetical order as prescribed by the Regulations of the Commissioner of Education until an appointment is accepted.

Upon receipt of a request for an impartial hearing, the rotational selection process for the IHO shall be initiated immediately and always within 2 days after receipt of the district of such request. Should an IHO decline appointment, or if within 24 hours the IHO fails to respond or is unreachable after reasonable efforts by the District Clerk or designee, such efforts will be documented through independently verifiable efforts. The district representative shall then proceed through the list to determine availability of the next successive IHO.

If the IHO is unable to initiate the hearing within the first 14 days of being appointed by the school district, the IHO cannot accept the appointment. The District Clerk shall then proceed through such list to determine availability of the next successive IHO.

Records relating to the IHO process including, but not limited to, the request for initiation and completion of each impartial hearing will be maintained by the district and such information will be reported to the Office of Vocational and Educational Services for Individuals with Disabilities of SED as required by Commissioner's regulations.

## Compensation

The district shall compensate an impartial hearing officer for his or her services at the current prevailing rate. In addition, impartial hearing officers may be reimbursed for reasonable, actual and necessary expenses for automobile travel, meals and overnight lodging in accordance with the current district reimbursement rate set for district employees. Mailing costs associated with the hearing will also be reimbursed.

The district shall annually notify each impartial hearing officer of this policy and of the current rates set by the district for travel reimbursement, overnight lodging, meal expenses and mailing costs.

Ref: 8 NYCRR §§200.2; 200.5; 200.21

Adoption date: May 8, 2007

Reviewed: October 11, 2022

## INDIVIDUALIZED EDUCATION PROGRAM DISTRIBUTION

The Board of Trustees believes that in order for each student with disabilities to receive the full benefit of his/her Individualized Education Program (IEP), individuals responsible for implementing the IEP must fully understand the scope of their responsibility, and the specific accommodations, modifications, and supports to be provided.

Therefore, and in accordance with state law, the Chairperson of the Committee for Special Education (CSE) shall ensure that prior to implementation of such program, a copy of a student's IEP is provided to any and all persons responsible for implementing the student's IEP, including:

1. regular education teachers
2. special education teachers
3. related service providers and
4. other service providers.

All copies of a student's IEP provided under this policy must remain confidential, and shall not be disclosed to any other person, in accordance with the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). To ensure such confidentiality, the CSE Chairperson shall include with each IEP provided to the people listed above a copy of the Board's policy on student records confidentiality. All IEP copies must remain in a secured location on school grounds at all times.

In addition, for each student with an IEP, the CSE Chairperson shall designate a professional employee of the school district with knowledge of that student's disability and program to inform teachers, service providers, assistants and support staff of their responsibilities under the IEP, and the specific accommodations, modifications, and supports that must be provided for the student, prior to implementation of the student's program. The designated professional employee shall obtain the signature of each person receiving an IEP and the Board's policy on student records confidentiality. At the end of the school year, he/she shall collect all IEP copies provided under this policy.

Cross-ref: 4321, Programs for Students with Disabilities Under IDEA and Article 89  
5500, Student Records

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.  
Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g; 34  
CFR Part 99

Education Law §4402(7)  
8 NYCRR §§200.2; 200.4

Adoption date: February 11, 2003

Reviewed: October 11, 2022

**PROGRAMS FOR ENRICHMENT AND ACADEMIC ACCELERATION**

The Board of Trustees encourages educational programs which challenge and promote the realization of individual potential in all students. The Board also recognizes that further efforts are necessary to extend educationally and in a cost-effective manner the allocation of resources towards appropriate programs for students identified as accelerated learners. Consistent with district efforts to develop a continuum of learning experiences which addresses the special skills and talents of students, the Superintendent, with input from the Child Study Team comprised of school personnel, may develop a district plan for education of high achieving students. The Superintendent will submit to the Board a status report on an annual basis.

The Board believes that programs traditionally viewed as for the gifted and talented greatly benefit the entire school program and encourages programs that provide enrichment opportunities for all students. The Board also recognizes the value of community support for program success and encourages the use of community resources for special programs and periodic reporting of activities through the district newsletter.

Adoption date: December 10, 1998

Reviewed: June 9, 2014

Revised: October 11, 2022

## PROGRAMS FOR ENRICHMENT AND ACADEMIC ACCELERATION EXHIBIT

### Program Guidelines

#### *Criteria for Participation in the Enrichment/Accelerated Program*

- A. Enrichment (when offered)
1. Teacher referral/nomination
  2. Teacher made and/or standardized test results
  3. Student interest/motivation
  4. Parent approval
  5. Grades 2-6 average of 88 percent - If after being accepted into the program the child's average falls below 88%, they will be given 5 weeks to bring their average back to 88% or be released from program
  6. Once left or removed from program, the child will not be able to return for remainder of school year. However, they may apply for next year based on above criteria.
    - I. Monitoring/Evaluation of Students and Programs
      - a. Attendance - cannot miss more than two (2) meetings per month unless ill with mandatory parents note.
      - b. Student performance: 5-week intervals
      - c. Program teacher will assess the program at five (5) week intervals for approximately thirty weeks (30).
    - II. Parent contact will be made before the program begins to explain the rules and regulations. The meeting will take place in person and will include the parents and all staff involved in the program.
    - III. Signed student/parent/teacher contract on file.
    - IV. Provide for Staff Development to Promote Effectiveness of Programs
      - a. Enrichment staff will train teachers to enhance the classroom curriculum. Teachers will find ways to enrich their instruction each day; not just during enrichment time.
- B. Acceleration/Gifted
1. Teacher referral to Child Study Team (CST)
  2. Evidence of sustained high academic achievement
  3. Engage in accelerated courses
  4. Student will be evaluated by the Child Study Team for placement
  5. Tests results (IQ, etc.)

Adoption date: May 10, 2005

Revised: December 11, 2007

Reviewed: June 9, 2014

Reviewed: October 11, 2022

Edinburg Common School Enrichment  
Program Referral Form

Date: \_\_\_\_\_ Teacher name: \_\_\_\_\_

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

Grade: \_\_\_\_\_

Areas of exceptional performance:  
(check all that apply)

\_\_\_\_\_ Academic (grades, class work, etc.)

\_\_\_\_\_ Creativity (Writing, art, etc.)

\_\_\_\_\_ Commitment & Effort

Grades & Homework:

(check all that apply)

\_\_\_\_\_ Homework is complete and on time

\_\_\_\_\_ Student has meet the requirements for honor roll.

\_\_\_\_\_ Student performs well on assessments

Student Characteristics:

(check all that apply)

\_\_\_\_\_ Motivated

\_\_\_\_\_ Works well independently

\_\_\_\_\_ Works well in a group

\_\_\_\_\_ Leadership qualities

\_\_\_\_\_ Effective communication skills

\_\_\_\_\_ Takes initiative

\_\_\_\_\_ "Quick" learner

\_\_\_\_\_ Dependable

\_\_\_\_\_ Resourceful

\_\_\_\_\_ Respectful

\_\_\_\_\_ Inquisitive

\_\_\_\_\_ Abstract thinker

\_\_\_\_\_ Enthusiastic

\_\_\_\_\_ 'Well-rounded' \* interests

Briefly explain why you are referring this student.

Reviewed:      October 11, 2022

## Enrichment Program Contract

The Enrichment Program is a privilege to those invited to participate. These programs come with responsibilities for the parent, student and teacher.

### Students:

must be willing to put forth effort during the school day and during recess.  
must maintain grades, class work, and homework for their classroom teacher.  
will be respectful to other students, teachers, and parents.  
that miss Enrichment more than twice in a three-week period, due to detention, will no longer be able to participate for the quarter.

### Parents:

- must be willing to support student participation. This may include helping students at home to complete a project or providing help with a project at school.

### Teacher:

- must provide students the opportunity to learn and grow in safe environment.

By signing below, I have read and agree to the rules and responsibilities of the Enrichment Programs.

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

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

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

Reviewed:      October 11, 2022

## COMPENSATORY EDUCATION

The Board of Trustees, in its commitment to provide an educational program which meets individual student needs, recognizes the importance of compensatory education. The Board therefore directs the Superintendent to oversee the development, maintenance and evaluation of a compensatory education program coordinated and articulated with the developmental program. The program will specifically address the needs of students who must be provided compensatory education as a result of test scores on state-required tests (in compliance with the Regulations of the Commissioner), and may address the needs of other educationally disadvantaged students.

To determine student eligibility for federal and state programs, the Superintendent or his/ her designee will design appropriate student assessment procedures. Assessment shall be a collaborative effort involving parents, regular classroom teachers, guidance, and special education personnel. Referrals may be initiated by Superintendent and/or classroom teachers, based in part on low student scores on state competency tests, but also taking into consideration a broad range of student needs. Students who are participating in Title I will be eligible for such services until they are performing at grade level.

Individual assessments shall attempt to gauge a student's need for emotional and/or physical health services, and seek to determine whether his/her academic performance has a basis in a physical or emotional disability. Student learning style and level of proficiency in speaking/reading/writing English must also be assessed. If the latter is a factor, instruction in English Language Learner (ELL) and/or bilingual instruction will be provided prior to any determination regarding the need for further specialized instruction. All transferring students and new entrants shall be screened to determine their need for compensatory education. A student may be eligible for remediation based on test scores received from the district in which such student was previously enrolled.

If a student is eligible for compensatory education, he/she will be assigned to an appropriately certified teacher qualified to provide instruction in the area for which remediation is required. In-service training in compensatory methods/programs shall be provided.

Teachers are encouraged to involve parents, community volunteers, teacher aides/assistants and student peers whenever possible.

Teachers shall coordinate compensatory education with the student's regular classwork and homework load. Program goals shall include regular coordination of the curriculum across grades and between grade levels, based upon a core curriculum.

All compensatory education programs shall be evaluated yearly. Evaluation shall be based on norm-referenced test scores and other objective student outcomes, such as classroom performance and student behavior. When seeking to improve programs, the Superintendent or his/her designee shall research effective program models used by other districts in New York State and nationally. Such models shall be adapted to district resources and needs. All program outlines shall be submitted to the Board for prior approval.



In addition, the district shall seek all applicable state and federal funding to improve its compensatory education programs and services.

Cross-ref    1900, Parental Involvement  
                  4200, Curriculum Development  
                  4326, Limited English Proficiency Instruction  
                  6231, Title I/PSEN Programs and Services

Ref:    8 NYCRR. §§100.1 (g); 100.2(r); 300.3(b); 100.4(d) (e)

Adoption date: December 10, 1998

Reviewed:    June 9, 2014

Revised:     October 11, 2022

## LIMITED ENGLISH PROFICIENCY INSTRUCTION

The Board of Trustees believes that students who, by reason of foreign birth or ancestry, have limited English proficiency (referred to here as "English Language Learners" or ELLs), will be more effective learners of both the language and the curriculum if they receive instruction in both their native language and English. The district will therefore make every effort to ensure that limited English proficient (ELL) students are provided with an appropriate program of transitional bilingual education or free-standing English as a second language program.

Pursuant to this policy and the regulations of the Commissioner of Education, the Superintendent is directed to develop appropriate administrative regulations to ensure that students are:

1. screened to determine if the student is an ELL, in accordance with parts 117 and 154 of the Commissioner's Regulations, a process that will include interviews and assessments and will assign each ELL student to the appropriate subpopulation (newcomer, developing, long term, former, or consistent/interrupted formal education);
2. identified, as appropriate, as an ELL student with a disability;
3. annually evaluated to determine continued ELL eligibility. Included in the evaluation shall be each student's performance in English language proficiency and academic progress in content areas;
4. assured of access to appropriate instructional and support services, including guidance programs within the timeframes provided by Commissioner's Regulations; and
5. assured of having equal opportunities to participate in all school programs and extra-curricular activities as non-ELL students.

The Superintendent shall be responsible for ensuring that the Commissioner is provided with all information required under the Commissioner's Regulations and that the district provides appropriate school-related information to the parents of ELL students in English, or when necessary, in the language they understand. In addition, the Superintendent shall ensure that all teachers employed for any bilingual and/or ELL program are properly certified in accordance with the Commissioner's Regulations.

Cross-ref: 4325, Compensatory Education

Ref: Education Law §3204  
 Bilingual Education Act of 1974, §§701 et seq., 20 USC §§880b et seq.  
 Equal Educational Opportunities Act of 1974, §§201 et seq.,  
 20 USC §§1701 et seq.  
 8 NYCRR §§80.9; 80.10; 117; 154 et seq.  
*Lau v. Nichols*, 414 U.S. 563 (1974)  
*Rios v. Read*, 480 F. Supp. 14 (1978)  
*Cintron v. Brentwood UFSD*, 455 F.Supp 57 (1978)  
*Aspira of New York v. Board of Educ.* (City of New York),  
 394 F.Supp. 1161(1974)

Adoption: December 10, 1998  
 Revised: December 16, 2015  
 Reviewed: October 11, 2022

## LIMITED ENGLISH PROFICIENCY INSTRUCTION REGULATION

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

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

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

In order to receive state funds for the education of LEP students, the district shall submit to the State Education Department by September 1 of each year a comprehensive plan to meet the educational needs of such students.

In addition to the above requirements, districts which desire to receive state aid for the operation of programs for LEP students must comply with the following additional requirements:

Such plan shall include:

1. the criteria used to place LEP students in appropriate transitional bilingual or free-standing ESL programs;
2. a proposed budget for the operation of the state-aided program;
3. a description of the nature and scope of the bilingual and/or ESL services currently available to LEP students;
4. an evaluation plan in the format specified by the State Education Department;

\*\*A student who by reason of foreign birth or ancestry, speaks a language other than English, and scores at or below the fortieth percentile on an English language instrument approved by the Commissioner, is to be classified as "LEP."

5. a description of procedures for the program's management, including: staff selection, parental notification, coordination of funds, training, and program planning;
6. an assurance that all regulations and laws governing programs for LEP students will be followed;
7. a description of the support services provided to LEP students;
8. a description of the transitional services provides to LEP students; and
9. a description of the in-service training plan for all school personnel.

### *Bilingual Instruction*

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

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

### *English as a Second Language Instruction*

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

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

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

### *Additional Concerns*

The district reserves the right to contract with a Board of Cooperative Educational Services (BOCES) or another school district to provide bilingual and/or ESL programs.

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

### *Support Services*

The district shall provide appropriate support services to students who are participating in either transitional bilingual or free-standing ESL programs in order for such students to achieve and maintain a satisfactory level of academic performance. Such services may include, but shall not be limited to, individual counseling, group counseling, home visits, and parental counseling. If appropriate, such services shall be provided in the first language of the students and the student's parent(s)/guardian(s).

### *Transitional Services*

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

### *In-Service Training*

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

### *Services to LEP Students with Disabilities*

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

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

Adoption: December 10, 1998

Reviewed: October 11, 2022

**PARENTAL NOTIFICATION PLACEMENT IN A LANGUAGE  
INSTRUCTION EDUCATIONAL PROGRAM**

Dear Parent/Guardian:

Your child (insert child's name) has been identified as a "limited English proficient/English language learner" student in need of help to learn English and placement in a (insert name of program). We have determined (insert child's name) eligibility, and placed (him or her) in such a program based on (insert reasons).

(Child's name) is performing at (insert status of child's academic achievement). We have determined (his or her) level of English proficiency at (insert level) based on (insert how the district assessed that level).

We believe that placement in a (insert name of English instruction program) will help (insert child's name) both to learn English and increase his level of academic performance. Attached is a series of questions and answers we hope will help you better understand the program in which we have placed (insert child's name) and the benefits of that program.

The district will hold regular meetings at least twice a year for parents/guardians of English learners and we encourage you to attend. At those meetings, we will provide you with information that will help you to better understand the goals of your child's program, and assist you in ways to help (insert child" name). In between meetings we are always ready to listen and respond to any questions and recommendations you might have.

However, you should know that you have the right to:

1. request that (insert child's name) be immediately removed from the program,
2. decline (insert child's name) in the program or choose another available program or method of instruction, and
3. assistance in selecting from among the various programs and methods of instruction available.

Whatever your decision, we encourage you to help (insert child's name) attain English proficiency and high academic achievement levels. Some ways in which you can do this include: (insert some examples).

If you have any questions about this notice or the attached information, please contact the Superintendent of Schools. All of us in the district look forward to working with you to help (insert child's name) improve (his or her) English and overall academic skills.

Sincerely,

Superintendent of Schools

**Questions and Answers About Your Child's English Instruction Educational Program**

1. What methods of instruction will be used in my child's program?
2. Does the district offer any other programs for English language learners?
3. How do these other programs differ from the one offered my child in terms of methods of instruction, content, instructional goals and the use of English and a native language in instruction?
4. On what basis did the district select my child's program as opposed to another one?
5. How will my child's program specifically help (him or her) learn English and meet age appropriate academic achievement standards for grade promotion and graduation?
6. My child is classified as a student with a disability. How will my child's English learning program meet the objectives set out in (his or her) individualized education program?

Note: The answers to the above questions will depend on the individual child involved.

Adoption: March 11, 2003  
Reviewed: October 11, 2022

**Placement in a Language Instructional Education Program Parent Response Form**

*NOTE: This form must be returned with 10 School Days.*

I, as parent/guardian of \_\_\_\_\_, acknowledge receipt of the District's notification regarding my child's eligibility for and English Language Learner Program. I elect the following option:

(check one box)

- I accept the district's recommendation
  
- I decline the district's recommended placement and request a meeting with the Superintendent
  
- I request my child's placement in a different district ELL program, (insert the name of the preferred program).

---

Print Parent/Guardian name:

Date

---

Parent/Guardian signature

Date

Mail to: Edinburg Common School  
4 Johnson Rd.  
Edinburg, New York 12134

Or

E-mail to: [Ecs1 @edinburgcs.org](mailto:Ecs1@edinburgcs.org)

Reviewed: October 11, 2022



## HOMEBOUND INSTRUCTION

Homebound instruction is a service provided to students who are unable to attend school due to medical, emotional or disciplinary problems. Elementary students receive instruction for one hour per day. Students receive credit for their work while on homebound instruction.

The district makes provisions for homebound instruction upon referral from the school nurse following the guidelines established by the Superintendent for placing a student on homebound instruction.

Ref: Education Law §§1709(24); 4401 et seq. 8 NYCRR D200.(e)

The Board of Education of the Edinburg Common School District adopts the following policy to provide homebound instruction to resident students enrolled in the public schools who are unable to attend school as determined by school personnel. Homebound instruction is provided to students anticipated to be unable to attend school in person for at least ten days during a three-month period, as documented by the student's treating healthcare provider (who is licensed or authorized to provide diagnosis under Title 8 of the Education Law).

The district will establish a written instruction delivery plan, with input obtained and considered from the parent/guardian and, if appropriate, the student. The plan will include at least: the number hours per week and per day of instruction, the method instruction will be delivered, the location of services, and an explanation of how the services will enable the student to maintain academic progress. The district will review the plan as needed based on the needs of the student, or if conditions have changed. The district will maintain a record of the dates, amount, and type of instructional services the student received, including the instructor's name, subjects taught, and location where services were provided.

A request for homebound instruction, when based on a medical or psychiatric condition, must be accompanied by a statement from the child's treating physician identifying the nature of the student's condition, the basis for the request, the estimated length of time the student will require homebound instruction, the treatment plan, and any medical alerts. In addition, the parent(s) shall be required to provide the district with consent to enable the school administrator/ case manager to contact the doctor to follow up on any questions the school administrator/ case manager may have. The school administrator/ case manager must notify the parent/guardian of the district's approval or denial within five school days after receiving the written medical verification. The parent may appeal denials to the Board of Education within ten school days of receiving the denial notification. If the request is approved, or if the request is denied and an appeal is pending before the Board, the district will provide instructional services within five school days after receiving notification of the student's medical condition or request for homebound instruction.

Upon a determination that homebound instruction is required, the Superintendent or his/her designee shall make immediate arrangements for homebound instruction for a minimum of five (5) hours of instruction per week which shall be provided to the extent possible for one-hour each day that school is in session for a student at the elementary level and for ten (10) hours of instruction per week which shall be provided, to the extent possible for two-hours on each day schools are in session for students at the secondary school level.

The higher minimum hours of instruction listed above may be reduced upon parent/guardian request, supported by documentation by the treating healthcare provider, but may not be lower than the lower minimum hours listed above. In such cases, the

district must ensure that the student is unable to receive the minimum hours of instruction, must document the reason in the instruction delivery plan described below and must review the plan at least once a month to determine when the hours can be increased.

Once approved, the district makes provisions for homebound instruction for all students residing in the district attending public and nonpublic schools in grades Kindergarten to age 21. Homebound instruction may be provided by the district, or by a tutor, who must hold a New York State teaching certificate and who may be employed by a BOCES. Hospital or institutional instruction may be provided via contract with a school connected with that hospital or institution, or the district where it is located. Homebound instruction may include remote instruction as defined in state regulations 8 NYCRR §100.1(u).

Under no circumstances shall homebound instruction be approved for more than 30 calendar days without administrative review, which shall require, at a minimum, a follow-up report from the professional initially requesting homebound instruction which may be submitted in writing, provided and documented in a telephone conversation or both, as determined appropriate by the designated school official.

If not previously referred to the Committee on Special Education or §504 Team for suspected disabilities, any student who remains on homebound instruction for more than 6 months due to a medical/ psychiatric condition shall be referred to the appropriate Team to determine the need for special education, related services and/ or accommodations.

Unless a request for homebound instruction is directly related to a student's special education needs in which case such request must be addressed to the Committee on Special Education, homebound instruction may be provided without a modification in the student's IEP and shall not constitute a change of placement under Part 200 of Commissioner's Regulations.

#### *Students with Disabilities*

Students with disabilities may request home, hospital or institutional instruction as outlined above. In order for the district to provide a student with a disability with the programs and/or services outlined in their IEP in a home, hospital or institutional setting, the Committee on Special Education must meet and determine that the student's educational placement should be "home and hospital" as defined as described in 8 NYCRR sections 200.1 and 200.6.

Once the district has granted a request for home, hospital or institutional instruction or a student with a disability, the CSE will meet to make the determination of the special education programs and related services the student will receive in the home, hospital or institutional setting, and will indicate that in the student's IEP. Any related services so provided would be in addition to the minimum hours of instruction required by state regulations.

#### *Students Instructed Out of School Due to Suspension*

Students who have been suspended from school will be provided with alternative instruction, as described in the district's Code of Conduct. Such instruction may be provided in the student's home or other location, including remotely, as determined by the district, balancing the best interests of the student, the safety of district personnel, and the district's resources. The district's homebound instructors may be utilized, if available. Such instruction is not subject to the requirements of state regulations for homebound instruction (8 NYCRR §100.22) referenced in the rest of this policy. However, students of compulsory education age must receive the same minimum hours of instruction required for homebound instruction outlined above. Any such instruction will be substantially equivalent to the instruction the student would have received in the regular education environment, to be determined by the district on a case-by-case basis.

Ref: Education Law §§1709(24); 4401 et seq. 8 NYCRR D200.4 (e)

Adoption: December 10, 1998

Reviewed: October 11, 2022

Revised: July 15, 2024

## HOMEBOUND INSTRUCTION REGULATION

Special arrangements for instruction at home or in a local hospital, if possible, will be provided to pupils who are temporarily unable to attend school because of illness or accident, or are unable to attend school because of physical handicaps or emotional disturbance and cannot benefit from available regular or special school programs. The Superintendent of Schools will establish regulations for determining eligibility, providing appropriate home instruction and maintaining adequate records in accordance with the regulations of the Commissioner and the provisions of the State Education Law.

Homebound instruction shall not be provided in cases where it would be detrimental to the pupil's health or where the condition of the pupil might endanger the health of the homebound instruction teacher.

The provisions of this policy shall apply to children who are attending public or non-public schools if they are district residents.

### 1. Eligibility

#### a. *Temporary absence*

- 1) If a student is absent due to illness or injury and, in the opinion of the physician and/or psychologist, will be at home or in a local hospital for at least two (2) weeks then the parent should file an application requesting homebound instruction. Homebound instruction will commence as soon as practicable. After two days of absence, and prior to the beginning of homebound instruction, assignments will be provided to the pupil by the classroom teacher, upon request. Students who return to school from an excused absence without having had homebound instruction will receive assistance from the classroom teacher to make up any work missed.
- 2) The child's physician must testify as to the cause of absence, estimate the time of total absence, and indicate a treatment plan. She/he should also testify to the child's readiness to receive homebound instruction.

#### b. *The Committee on Special Education may, with parental consent, place a student* on homebound instruction on an interim basis.

#### c. *Suspension from school*

A student suspended from school by a building superintendent or as a result of a Superintendent's Hearing is entitled to homebound instruction in accordance with Compulsory Education Law and Individuals with Disabilities Education Act (IDEA).

### 2. Application

#### a. *Role of parents and physicians*

The parent or physician must complete a request for homebound instruction in writing and return the request to the superintendent of the child's home school. (In the case of an emotionally disturbed student the physician's portion of the

application form may be completed by the psychiatrist, psychologist, or official of an approved clinic.)

b. *Application Review*

The application will be reviewed by the building superintendent, using members of his/her staff as consultants. After the superintendent has approved the application it will be forwarded to the Superintendent of Schools or his/her designee.

c. *Central Office review*

The Superintendent's office or that of his/her designee shall review the application. Upon approval the form shall be signed and forwarded to the appropriate Superintendent's office. The Superintendent shall complete the remaining portion of the form and send it to the Office of Registration and Attendance. Office of Registration and Attendance will enter the pupil's name in the district Homebound Instruction Register and file the application form.

**3. Time Allotted for Homebound Instruction**

a. *Beginning homebound instruction*

1. The superintendent or the guidance counselor, in consultation with the superintendent, may initiate preparations for homebound instruction as soon as she/he has satisfactorily established student eligibility and has approved the request and sent it to the Central Office.
2. Formal written authorization will be required from the Superintendent or his/her designee before homebound instruction can actually begin.
3. Homebound instruction as alternative instruction for a student suspended from school must begin immediately upon the commencement of the suspension if the student is under compulsory school age or is a student with disabilities. "Immediate" does not mean instantaneously, but should not be later than one or two days into the suspension.

b. *Duration of homebound instruction*

At intervals of not more than four weeks following the beginning of homebound instruction, the designated office shall review each case and make a report to the superintendent. This may involve an updated doctor's note and/or a home visit to see how things are progressing and to determine whether or not to continue homebound instruction. In cases where homebound instruction is for an emotionally disturbed child, the home visit should be planned with the school psychologist who is responsible in that case. Unless otherwise recommended, homebound instruction would continue until the child returns to school.

c. *Instruction time will be provided in accordance with law as follows:*

1. Instruction at the elementary level will be provided for one hour per day only on days when school is in session.
2. Instruction at the secondary level will be provided for two hours per day only on days when school is in session.

3. Alternative instruction does not have to match every aspect of the instructional program the student received in school prior to the suspension. However, it must be substantially equivalent thereto (Matter of W.H., 45 Ed Dept. Rep 96 (2005)) so that the student can complete the required courses in all of his or her academic subjects.

#### **4. Coordinating Responsibility of the Building Superintendent**

The Superintendent is responsible for all aspects of homebound instruction for children in their school. They will be assisted in carrying out their responsibility by the academic chairperson/director, classroom teacher, the guidance counselor, the school psychologist, the school nurse and the attendance teacher as required. The Superintendent will assume responsibility for supervising homebound instruction of children attending non-public schools who reside in the District.

#### **5. Instructional Personnel**

- a. *Qualifications of homebound instructor as required by law:*
  1. For instruction at the elementary level (grades 1-5), a homebound instruction teacher must have at least common branch certification under the regulations of the New York State Department of Education.
  2. For instruction at the secondary level (grades 6-12), a homebound instruction teacher must have at least New York State certification for the department in the subject matter area being taught.
- b. *Candidate processing procedures for the position of homebound instruction teacher*

Every teacher seeking employment as a homebound instruction teacher, except those regularly employed by School District will complete the candidate processing procedure required of all District staff members. For those regularly employed in the District, assignments as home teacher will be made by the building superintendent.
- c. *Payment to homebound instruction teachers*

The rate of pay will be in accordance with the current collective bargaining agreement. Payment of teachers regularly employed by the district will be added to the regular salary check.
- d. *District contracts with Outside Agencies*

The District can enter into contracts for the instruction of suspended and homebound students in limited circumstances with qualified agencies over whom the District has supervisory control.

#### **6. Instructional Procedures**

- a. *Temporary absence for accident or illness*

The superintendent shall arrange for the homebound instruction teacher to confer with the classroom teacher and/or the departmental supervisor and select those aspects of the student's current classroom work which will be most beneficial to the child at home in preparing him/her for return to the classroom.

- b. *Absence due to physical handicaps or emotional disturbance*  
The superintendent shall arrange for the homebound instruction teacher to confer with the classroom teacher and/or departmental supervisor to confer and define an initial course of home study. After appropriate revision in the course of study has been made by the homebound instructor based upon her/his work with the student, a final outline of the homebound course of instruction will be determined with the approval of the superintendent.
- c. *Evaluation of student achievement*  
Samples of the work completed by the student at home will be kept in a folder by the homebound instructor. This folder of sample work and examination papers will be periodically graded according to the grading procedures of the child's home school. The folder will be turned over to the superintendent and/or the departmental supervisor of the child's school quarterly and at the termination of homebound instruction.
- d. *Routine examinations*  
Routine tests or quizzes such as those ordinarily given by the classroom teacher may be given by the homebound instruction teacher to the student at home. The homebound instruction teacher may choose to devise his/her own tests, projects, and performance assessments to give to the student at home. However, final examinations given to the students at school must also be given to students at home. All of these tests taken by the student at home shall become part of the folder after the homebound instruction teacher and the superintendent, departmental supervisor and/or classroom teacher have reviewed the test results.
- e. *New York State tests*  
Regents and other mandated examinations usually given by appointed proctors will be given to homebound students in school. If this is not possible, the examinations will be given at home or in a local hospital by proctors appointed by the superintendent. This will not be considered-homebound instruction time and payment will not be authorized under homebound instruction regulations.

## **7. Attendance Recording and Billing Procedures**

- a. *Billing Procedures for Teachers*  
Will submit time sheets weekly.
- b. *Attendance recording procedures*  
Attendance as shown on the bill form submitted by the homebound instructor will be recorded in a register in the by the nurse. One day of attendance is recorded for each session of home instruction, provided that the length of the session meets the requirements specified in these regulations. The school nurse will receive figures from the homebound teacher and attendance be added to each attendance report as "homebound instruction" in place of the teacher's name.

## **Education Law, Section 1709 (24)**

**Adopted: December 10, 1998**  
**Reviewed: June 9, 2014**  
**Revised: October 11, 2022**



## **CONTINUING EDUCATION PROGRAMS**

The desirability of providing a wide variety of opportunities for learning for all residents of the district is recognized by the Board of Trustees. To this end, a continuing education program will be encouraged and maintained based on the level of participation by the community. The continuing education program will operate on a self-supporting basis with those enrolled sharing an equitable portion of the cost unless program costs are funded by non-local tax sources.

Adoption: December 10, 1998  
Reviewed: October 11, 2022



## EDUCATION OF HOMELESS CHILDREN

The Board of Trustees shall make reasonable efforts to identify school-age homeless youth within the district, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a shelter or other temporary living accommodation.

A homeless child has the right to attend school in either the district where he/she formerly resided, the district where the temporary housing arrangement is located, or a district participating in a regional placement plan.

The Superintendent 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 first admit the homeless child to school, then request the official records from the prior school district. The district shall not require that such records be forwarded from another district before that student may enroll.
2. *Transportation:* In accordance with the Education Law, the district shall provide transportation for homeless students currently residing within the district.
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.

Ref: Education Law §§207; 305; 3202; 3205; 3209  
 Executive Law §§532-b; 532-e Social Services  
 Law §§17; 62; 397 8NYCRRDD 100.2; 175.6

Adoption: December 10, 1998  
 Reviewed: October 11, 2022

## MULTICULTURAL/GLOBAL EDUCATION

The Board of Trustees believes that the learning environment in the district's school must reflect diverse cultural traditions and contributions. The Board also believes that such an environment allows students to develop a broader knowledge base, as well as a sense of respect for and tolerance of culturally diverse peoples, their customs and historic legacy.

District instructional materials should be accurate, comprehensive, non-biased and inclusive of the perspective of different cultures.

Adoption: December 10, 1998  
Reviewed: October 11, 2022

## GROUPING FOR INSTRUCTION

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.

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.

Ref: 8 NYCRR §200.6

Adoption: December 10, 1998  
Reviewed: October 11, 2022

## INSTRUCTIONAL MATERIALS

The Board of Trustees affirms its basic responsibility to ensure district students are given a full opportunity for a comprehensive educational program based upon free inquiry. Therefore, the Board asserts its basic responsibility to provide the following materials for all district students and teachers:

1. instructional materials necessary to assist in the fulfillment of the goals of all district-approved programs;
2. resource materials which will enrich and support district-approved educational programs;
3. support materials which stimulate growth in factual knowledge, literary appreciation, cultural heritage, aesthetic values, and ethical-moral standards;
4. varied sources of information which will contribute to thoughtful, intelligent, and meaningful decision-making;
5. a balance of materials which appropriately cover opposing sides of controversial issues for the purpose of critical analysis; and
6. materials representative of the many historical, political, social, ethnic, religious, and social groups which contribute to American and world heritage.

The selection of all district materials shall be made by the appropriate certified instructional personnel, under the coordination of the Superintendent, who shall recommend such materials for submission to the Board for its approval.

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

Adoption: December 10, 1998

Reviewed: October 11, 2022

## INSTRUCTIONAL TECHNOLOGY

The Board of Trustees recognizes its responsibility to ensure that district staff and students have access to up-to-date technological materials and equipment. As used in this policy, "technology" refers principally to electronic materials and equipment, including computers, telecommunications, lasers and robotics.

The following reflect the district's goals for students regarding instructional technology:

**Goal 1:** Every student will have the opportunity to use learning technologies to access and analyze information in ways that develop higher order thinking skills, increase problem solving skills, and support their confidence in using technology skills needed for success now and in their future studies.

**Goal 2 :** Every teacher and prospective teacher will work to gain technology competencies needed to effectively use technology in supporting student achievement of the New York State Common Core Learning Standards and Next Generation Learning Standards.

**Goal 3 .** Every administrator and prospective administrator will be technologically literate; will provide leadership in integrating technology into curricula, instruction, and student learning activities; and will have access to technological resources that support them in developing management systems and in creating a school climate and culture that results in high student achievement for all population groups. Such resources include but are not limited to; StaffTrac, Planbook, and Schooltool.

**Goal 4 :** In order to support parents in monitoring and reinforcing the instruction their child receives at school, parents will have access to one or more of the following: web based information about their children's learning environment, climate, and outcomes, as well as a wide range of student activities that can help parents assist their children at home. (Planbook, SeeSaw, Raz-Kids, Remind, iReady, IXL, Google Classroom, etc.) The goal will be for all parents to participate in one or more of these programs based on individual grade levels.

**Goal 5 :** The Edinburg Common School District will develop, implement, and evaluate a plan for technology uses that support the New York State Learning Standards, including those for technology literacy, by all students, teachers, and other education professionals and include Federally mandated protection from inappropriate materials.

**Goal 6 :** The Edinburg Common School will implement the plan for the 2015 - 2016 School Bond Act grant allocation. The district will update all current access points, POE switches, firewall, UPS, and purchase a server for student data backup. Additionally, the district will install IWB panels, 3D printers, filament, Chromebooks, iPads, as well as all necessary mounts and wiring. This will greatly increase our connectivity, classroom integration across the curriculum and one to one initiative.

**Goal 7:** The Edinburg Common School will seek ongoing input, feedback, and assistance from representatives of all the educational community to collaboratively develop, implement, evaluate, and revise the educational technology plan for the district, to continue to build educational technology capacity, and to ensure the most relevant and highest possible quality of support for all members of the teaching and learning community.

**Goal 8:** The Edinburg Common School shall take steps to minimize its collection, processing and transmission of PII (Personal Identifiable Information) in accordance with the Ed Law 2d.

In order to achieve the above-stated goals, the Board shall seek the advice of representatives from groups utilizing technology in pursuit of district goals (i.e., Board members, administrators, teachers, support staff, parents, and students). In addition, the Board directs the Superintendent to equip the district's school with appropriate and up-to-date hardware/software, to schedule "hands-on" in-service activities for district staff, and to implement suggestions from the above representatives and the instructional materials planning committee, within budgetary constraints.

Cross-ref: 4319, Science and Math Instruction  
Edinburg Common School Technology Plan

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

### **TEXTBOOK SELECTION AND ADOPTION**

As the governing body of the district, the Board of Trustees shall be legally responsible for the selection and approval of all printed and published materials used in the district. As the policy making body, the Board delegates' authority to the Superintendent for the selection of textbooks, library resources, and other instructional materials. The Superintendent is responsible for establishing a set of procedures to handle any objections to materials being used. The superintendent will include grade level spans, content teachers, and instructional coaches to inspect, investigate, review, and/or scrutinize possible textbook and material possibilities. The group will also solicit local districts and HFM BOCES for feedback regarding current curriculum trends.

The following criteria are to be considered in the selection of textbooks:

1. textbook or material should have been copyrighted within the past five years;
2. qualifications of the author(s) on the subject;
3. adaptability to existing instructional program;
4. accuracy of the information presented;
5. sufficient scope to meet the requirements of the curriculum as developed locally and approved by the State Education Department;
6. objectivity and impartiality in treatment of subject matter and freedom from bias and prejudice;
7. high quality format in respect to typography, arrangement of materials or pages, cover design, size and margins;
8. appropriateness to grade level as to vocabulary, sentence structure, and organization;
9. textbook series should meet grade-to-grade requirements. They should contain supplementary aids to learning, when desirable and necessary, such as a table of contents, introduction, study activities, exercises, questions, problems, selected references, bibliography, index glossary and appendices;
10. texts should include appropriate illustrative materials-pictures, maps, charts, graphs, diagrams, etc., which clarify the text and enrich the content;
11. materials should fairly represent the many ethnic and cultural groups and their contribution to American heritage pursuant to policy 4350; and
12. a reasonable balance of viewpoints regarding controversial issues should be presented.
13. Textbooks or material should have an online component and/or easily made accessible to students/parents through our online

classroom/learning platforms as adopted by the Edinburg Common School District.

The following criteria are to be considered in the selection of literary works for classroom use in teaching literature, as well as the assignment of such works to particular grade levels:

1. use of a compositional style which contributes to the reader's critical and appreciative understanding of the work;
2. sophisticated use of literary devices (i.e., metaphor, point of view, tone) to further student understanding of written concepts;
3. levels of student maturity and experience necessary for empathic reading of literature;
4. capacity of a work to capture student interest;
5. thematic treatment which promotes sound and healthy values for students;
6. intrinsic qualities that establish a work as a significant part of the literary heritage; and
7. variety to avoid duplication of theme, plot, setting, etc., unless such duplication affords opportunities for comparison and contrast or serves to reinforce understanding.

Cross-ref: 1420, Complaints about Curricula or Instructional Materials

Ref: Education Law §§701 et seq.; 1711; 2508; 2566

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: November 8, 2022



## LIBRARY MATERIALS SELECTION

The Board of Trustees, as the governing body of the school district, is legally responsible for the selection of library materials, including the selection and approval of printed and non-printed materials for its use. Since the Board is primarily a policy-making body, it delegates to the following professional personnel of the district the authority for the selection of materials: teachers, librarians, etc., under the leadership of the Superintendent.

In order to provide the Superintendent and his/her staff with guidance in the acquisition of instructional resource material, such as library books, references, audiovisuals, maps, etc., the Board endorses the guidelines approved by the American Library Association for such resources:

1. provide information that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served;
2. provide information that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards;
3. provide information that will enable students to make intelligent judgments in their daily lives;
4. provide information on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking;
5. provide information representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage; and
6. place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

The Superintendent shall be responsible for the selection of resource materials within the aforesaid guidelines and for the determination of factual accuracy, readability, authoritativeness, integrity and quality of format. To assist in the selection process, reputable, unbiased professionally prepared aids (such as the Horn Book, School Library Journal, etc.) shall be consulted as guides.

In order to respond to any complaints about, or challenges to, the selection of library materials, the district has adopted regulations (1420-R, Complaints About Curricula or Instructional Materials Regulation) establishing a complaint procedure and providing for a committee to review such complaints or challenges.

If any person wishes to permanently remove materials from a school district library, he/she must seek the formal approval of the Board. The Board may determine that such materials should be removed. Such determination must not be based upon official suppression of ideas, but rather upon the educational suitability of the materials in question. Only the Board and/or the Superintendent may authorize

said permanent removal of instructional materials, pursuant to the decision of the Board.

Cross-ref: 1420, Complaints about Curricula or Instructional Materials  
4524, School Library

Ref: Education Law §§1709(15); 1711(5) (f)  
*Board of Educ, Island Trees UFSD v. Pico*, 457 US 853 (1982)

Adoption: December 10, 1998

Reviewed: October 11, 2022

## SCHOOL LIBRARY

The Board of Trustees acknowledges its responsibility to ensure the maintenance of the school library/media center. The Board recognizes that a school library is an essential and integral part of the school system. Therefore, the Board shall strive to provide an adequate library facility, resources, and personnel for the district's school.

The school library shall be established and maintained pursuant to the regulations of the Commissioner of Education.

In order to provide the Superintendent and the library staff with guidance in the acquisition of instructional resource materials such as library books, reference materials, audiovisuals, maps, etc., the Board endorses the guidelines approved by the American Library Association.

Instructional Resource Center (IRC) through HFM BOCES will work cooperatively with the staff members to interpret and guide the application of the policy in making day-to-day selections. While the Superintendent has the authority to veto any selection he/she deems inappropriate, final responsibility to make decisions concerning selections remains with the Board.

Complaints from parents or students regarding library materials shall be handled via a procedure established by the Superintendent and approved by the Board and contained in Regulation 1420-R. The Board shall retain final authority regarding the permanent removal of materials from the school library. The Board will not remove any library materials for the purpose of suppressing ideas but may remove materials if the Board has determined that they are vulgar or obscene or are educationally unsuitable.

The expenses of the school library shall be included in the annual district budget.

In the event the Board decides to join a school library system with other districts in cooperation with the local BOCES, the district shall do so in accordance with the regulations of the Commissioner of Education.

Cross-ref: 1420, Complaints about Curricula or Instructional Materials  
4513, Library Materials Selection

Ref: Education Law D274; 275; 277; 278; 279; 283; 310; 1709 (8); 2503 (4) (b);  
2576  
8NYCRRD90.7; 91.1; 91.2 Library Bill of Rights,  
American Library Association *Island Trees UFSD v.*  
*Pico*, 457 U.S. 853 (1982)  
*Bicknell v. Vergennes Union School Board of Directors*, 638 F.2d 438  
(1980)

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

## COMPUTER NETWORK FOR EDUCATION

The Board of Trustees is committed to optimizing student learning and teaching. The Board considers student access to a computer network, including the Internet, to be a powerful and valuable educational and research tool, and encourages the use of computers and computer-related technology in district classrooms solely for the purpose of advancing and promoting learning and teaching.

The computer network can provide a forum for learning various software applications and through online databases, bulletin boards and electronic mail, can significantly enhance educational experiences and provide statewide, national and global communication opportunities for staff and students.

All users of the district's computer network and the Internet must understand that use is a privilege, not a right, and that use entails responsibility.

The Superintendent shall establish regulations governing the use and security of the district's computer network. All users of the district's computer network and equipment shall comply with this policy and those regulations. Failure to comply may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

The Superintendent shall be responsible for designating an IT network manager to oversee the use of district computer resources. IT network manager will prepare in-service programs for the training and development of district staff in computer skills, and for the incorporation of computer use in appropriate subject areas.

The Superintendent, working in conjunction with the designated purchasing agent for the district, the IT network manager and the instructional materials planning committee, will be responsible for the purchase and distribution of computer software and hardware throughout district schools. They shall prepare and submit for the Board's approval a comprehensive multi-year technology plan which shall be revised as necessary to reflect changing technology and/or district needs.

Cross-ref: 4319, Science and Math Instruction

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: October 11, 2022

## **COMPUTER NETWORK FOR EDUCATION REGULATION**

The following rules and regulations govern the use of the district's computer network system and access to the Internet.

### ***I. Administration***

- a. The Superintendent shall designate an IT network manager to oversee the district's computer network.
- b. The IT network manager shall monitor and examine all network activities, as appropriate, to ensure proper use of the system.
- c. The IT network manager shall be responsible for disseminating and interpreting district policy and regulations governing use of the district's network at the building level with all network users.
- d. The IT network manager shall provide employee training for proper use of the network and will ensure that staff supervising students using the district's network provide similar training to their students, including providing copies of district policy and regulations governing use of the district's network.
- e. The IT network manager shall ensure that all disks and software loaded onto the computer network have been scanned for computer viruses.
- f. All student agreements to abide by district policy and regulations and parental consent forms shall be kept on file in the district office.

### ***II. Internet Access***

*[Note: The School Board should amend these access provisions as appropriate]*

- a. 6th grade students will be provided access: during selected computer and class time; during instructional time in a controlled environment.
- b. 6th grade students may browse the World Wide Web:
- c. 6th grade students are not to participate in chat rooms.
- d. Students may construct their own web pages using district computer resources under supervision and instruction.
- e. 6th grade students will have computer e-mail address.
- f. 6th grade students are not allowed to belong to mailing lists
- g. A staff member will be required to monitor all of these activities.

### ***III. Acceptable Use and Conduct***

- a. Access to the district's computer network is provided solely for educational purposes and research consistent with the district's mission and goals.
- b. Use of the district's computer network is a privilege, not a right.
- c. Inappropriate use may result in the suspension or revocation of that privilege.
- d. Each individual in whose name an access account is issued is

- responsible at all times for its proper use.
- e. All network users will be issued a login name and password.  
Passwords must  
be changed periodically.
  - f. Only those network users with written permission from the  
Superintendent or IT network manager may access the district's system  
from off-site (e.g., from home).
  - g. All network users are expected to abide by the generally accepted  
rules of network etiquette. This includes being polite and using only  
appropriate language. Abusive language, vulgarities and swear words  
are all inappropriate.
  - h. Network users identifying a security problem on the district's network  
must notify the appropriate teacher, administrator or IT network  
manager. Under no circumstance should the user demonstrate the  
problem to anyone other than to the district official or employee being  
notified.
  - i. Any network user identified as a security risk or having a history of  
violations of district computer use guidelines may be denied access to  
the district's network.

#### **V. *Prohibited Activity and Uses***

The following is a list of prohibited activity concerning use of the district's computer network. Violation of any of these prohibitions may result in discipline or other appropriate penalty, including suspension or revocation of a user's access to the network.

- a. Using the network for commercial activity, including advertising.
- b. Infringing on any copyrights or other intellectual property rights,  
including copying, installing, receiving, transmitting or making  
available any copyrighted software on the district computer network.
- c. Using the network to receive, transmit or make available to others  
obscene, offensive, or sexually explicit material.
- d. Using the network to receive, transmit or make available to others  
messages that are racist, sexist, abusive or harassing to others.
- e. Using another user's account or password.
- f. Attempting to read, delete, copy or modify the electronic mail (e-mail)  
of other system users and deliberately interfering with the ability of  
other system users to send and/or receive e-mail.
- g. Forging or attempting to forge e-mail messages.
- h. Engaging in vandalism. Vandalism is defined as any malicious  
attempt to harm or destroy district equipment or materials, data of  
another user of the district's network or of any of the entities or other  
networks that are connected to the Internet. This includes, but is not  
limited to, creating and/or placing a computer virus on the network.
- i. Using the network to send anonymous messages or files.
- j. Using the network to receive, transmit or make available to others a  
message that is inconsistent with the district's Code of Conduct.
- k. Revealing the personal address, telephone number or other personal  
information of oneself or another person.

- l. Using the network for sending and/or receiving personal messages.
- m. Intentionally disrupting network traffic or crashing the network and connected systems.
- n. Installing personal software or using personal disks on the district's computers and/or network without the permission of the appropriate district official or employee.
- o. Using district computing resources for commercial or financial gain or fraud.
- p. Stealing data, equipment or intellectual property.
- q. Gaining or seeking to gain unauthorized access to any files, resources, or computer or phone systems, or vandalize the data of another user.
- r. Wastefully using finite district resources.
- s. Changing or exceeding resource quotas as set by the district without the permission of the appropriate district official or employee.
- t. Using the network while access privileges are suspended or revoked.
- u. Using the network in a fashion inconsistent with directions from teachers and other staff and generally accepted network etiquette.

#### ***V. No Privacy Guarantee***

Students using the district's computer network should not expect, nor does the district guarantee privacy for electronic mail (e-mail) or any use of the district's computer network. The district reserves the right to access and view any material stored on district equipment or any material used in conjunction with the district's computer network.

#### ***VI. Sanctions***

All users of the district's computer network and equipment are required to comply with the district's policy and regulations governing the district's computer network. Failure to comply with the policy or regulation may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

In addition, illegal activities are strictly prohibited. Any information pertaining to or implicating illegal activity will be reported to the proper authorities. Transmission of any material in violation of any federal, state and/or local law or regulation is prohibited. This includes, but is not limited to materials protected by copyright, threatening or obscene material or material protected by trade secret. Users must respect all intellectual and property rights and laws.

#### ***VII. District Responsibilities***

The district makes no warranties of any kind, either expressed or implied, for the access being provided. Further, the district assumes no responsibility for the quality, availability, accuracy, nature or reliability of the service and/or information provided. Users of the district's computer network and the Internet use information at their own risk. Each user is responsible for verifying the integrity and authenticity



of the information that is used and provided.

The district will not be responsible for any damages suffered by any user, including, but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by its own negligence or the errors or omissions of any user. The district also will not be responsible for unauthorized financial obligations resulting from the use of or access to the district's computer network or the Internet.

Further, even though the district may use technical or manual means to regulate access and information, these methods do not provide a foolproof means of enforcing the provisions of the district policy and regulation.

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
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**COMPUTER NETWORK FOR EDUCATION EXHIBIT**

Parent/Guardian Letter

Dear Parent/Guardian:

The district would like to offer your child access to our educational computer network, including the Internet. With your permission, your child will have access to various software applications and websites.

The Internet is a system which links smaller networks creating a large and diverse network. The Internet allows students the opportunity to learn concepts, and research subjects.

With this educational opportunity also comes responsibility. It is important that you and your child read the enclosed district Computer Network for Education policy, regulation and consent and waiver form and discuss these requirements together. You and your child should understand that inappropriate network use will result in the loss of the privilege to use this educational tool.

As indicated in the enclosed policy and regulation, the district will attempt to discourage access to objectionable material and communications. However, in spite of our efforts to establish regulations governing use the district's computer network and student access to the Internet, a variety of inappropriate and offensive materials are available over the Internet and it may be possible for your child to access these materials inadvertently or if he/she chooses to behave irresponsibly. In addition, it is possible for undesirable or ill-intended individuals to communicate with your child over the Internet. There is no practical means for the district to prevent this from happening, and your child must take responsibility to avoid such communications if they are initiated.

I have included the above information to ensure that your decision regarding your child's access to the district's computer network and the Internet is an informed one. You must be the one to decide whether the benefits of your child having access to the district's computer network and the Internet outweigh the potential risks.

If you wish to allow your child access to the district's computer network and the Internet, please return the enclosed consent and waiver form to me.

Sincerely,

Superintendent

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

## INTERNET SAFETY POLICY

A policy on internet safety has been a required policy under federal law- the Children's Internet Protection Act (CIPA)- since 2001, as a condition of receiving E-Rate discounts. CIPA was modified under the Broadband Data Services Improvement Act/Protecting Children in the 21<sup>st</sup> Century Act of 2008 (P.L. 110-385). Under that Act, school districts and BOCES must, as part of their Internet Safety Policy, educate minors about appropriate online behavior, including:

- Interacting with other individuals on social networking sites and in chat rooms; and
- Cyberbullying awareness and response.
  - CIPA requires that school districts that receive E-Rate discounts for Internet access, service or internal connections, and school districts that receive funds under Title III of the Elementary and Secondary Education Act (ESEA), adopt an Internet Safety Policy that provides for and addresses:
    1. the use of technology protection measures that block or filter Internet access by minors to visual depictions that are obscene, child pornography, or harmful to minors, and by adults to visual depictions that are obscene or child pornography. An authorized staff member may disabled any such measure during use by an adult conducting bona fide research or other lawful purpose;
    2. access by minors to inappropriate matter on the Internet and World Wide Web;
    3. the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
    4. the unauthorized access, including "hacking" and other unlawful activities, by minors online;
    5. the unauthorized disclosure, use, and dissemination of personal information regarding minors;
    6. measures designed to restrict minors' access to materials harmful to minors; and
    7. monitoring of the online activities of minors.

The policy must apply to all computers with Internet access, even if they are not accessible by the public. Prior to adoption, the school board must provide reasonable public notice and hold at least one public hearing or meeting to address the proposed policy.

The Board of Education is committed to undertaking efforts that serve to make safe for children the use of district computers for access to the Internet and World Wide Web. To this end, although unable to guarantee that any selected filtering and blocking technology will work perfectly, the Board directs the Superintendent of Schools to procure and implement the use of technology protection measures that block or filter Internet access by:

- adults to visual depictions that are obscene or child pornography, and
- minors to visual depictions that are obscene, child pornography, or harmful to minors, as defined in the Children's Internet Protection Act.

Subject to staff supervision, however, any such measures may be disabled or relaxed for adults conducting bona fide research or other lawful purposes, in accordance with criteria established by the Superintendent or his or her designee.

As indicated above, when adults are using school computers, a teacher or administrator may disable the filtering software to enable access for bona fide research or other lawful

purposes. However, the law does not require that a school district afford adults unfiltered access to the Internet, even for a bona fide request. It is for the Board to determine whether wishes to permit such an exception.

The Superintendent or his or her designee also shall develop and implement procedures that provide for the safety and security of students using electronic mail, chat rooms, and other forms of direct electronic communications; monitoring the online activities of students using district computers; and restricting student access to materials that are harmful to minors.

In addition, the Board prohibits the unauthorized disclosure, use and dissemination of personal information regarding students; unauthorized online access by students, including hacking and other unlawful activities; and access by students to inappropriate matter on the Internet and World Wide Web. The Superintendent or his or her designee shall establish and implement procedures that enforce these restrictions.

The IT network manager designated under the district's Computer Network or Acceptable Use Policy, shall monitor and examine all district computer network activities to ensure compliance with this policy and accompanying regulation. He or she also shall be responsible for ensuring that staff and students receive training on their requirements.

All users of the district's computer network, including access to the Internet and World Wide Web, must understand that use is a privilege, not a right, and that any such use entails responsibility. They must comply with the requirements of this policy and accompanying regulation, in addition to generally accepted rules of network etiquette, and the district's Acceptable Use Policy. Failure to comply may result in disciplinary action including, but not limited to, the revocation of computer access privileges.

As part of this policy, and the district's policy on acceptable use of district computers (policy 4526), the district shall also provide age-appropriate instruction regarding appropriate online behavior, including:

1. interacting with other individuals on social networking sites and in chat rooms, and
2. cyberbullying awareness and response

Instruction will be provided even if the district prohibits students from accessing social networking sites or chat rooms on district computers.

Cross-ref: 4526, Computer Network for Education

Ref: Children's Internet  
Protection Act, Public  
Law No. 106-554 47  
USC §254 20 USC  
§6801

Adoption: March 12, 2002  
Revised: November 8, 2017  
Reviewed: October 11, 2022

## INTERNET USE AGREEMENT

Edinburg Common School is committed to optimizing student learning and teaching by providing access to the Internet for all students. Our goal in providing this service is to promote communication, research, and creativity. Internet access is available to students Pre-K-6 grade at **Edinburg Common School**. We are very pleased to offer this tool as a valuable resource to both students and teachers for the purpose of conducting research. Students will now have ready access to thousands of libraries. All students will receive Internet instruction which focuses on safety issues as well as how to navigate the Internet to search for information for school-based projects. While we acknowledge that we cannot control the vast amount of information, which is available on the Internet, every effort has been taken toward providing online safety. We invite students and parents to read the "Conditions of Internet Use" section below. Both student and parent signatures are required to access the Internet.

### *Internet Terms and Conditions*

1. Students are responsible for their own behavior on school computers. General school rules for behavior, referenced in the Edinburg Common School **Student Conduct Policy**, will be followed.
2. The Internet is provided for students to conduct research. Access to the Internet is granted to students who agree to conduct themselves in a responsible manner. Access is a privilege. Inappropriate use or behavior on the part of an individual may result in cancellation of Internet privileges for the remainder of the year. Students must always get permission from a teacher or staff member before using the internet.
3. It is forbidden for students to check personal e-mail, Facebook, and/or instant messaging.

**Inappropriate use or behavior consists of** intentionally damaging computers, attempting to download from the Internet without teacher permission, consistently not attending to teacher instructions, attempting to access inappropriate sites.

Edinburg Common School reserves the right to examine all data stored in computer hard drives to make sure that all users are in compliance with these regulations.

### *Internet Use Agreement*

#### Student Section:

I have read the Edinburg Common School Internet Use Agreement. I agree to follow the rules contained in this document. I understand that if I violate any of these rules, I may lose my Internet privileges for the remainder of the school year and I may face other disciplinary measures.

Student's Name: (please print) \_\_\_\_\_ Grade: \_\_\_\_\_

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

#### Parent/Guardian Section:

As the parent or legal guardian of the student signing above, I have read the Internet Use Agreement and grant permission for my son or daughter to access the Internet. I understand that Internet access is designed for educational purposes. I also understand that Edinburg Common School cannot be held responsible for sites that are deemed inappropriate but that Edinburg Common School staff has taken every precaution within their power to provide for online safety. I understand that my son or daughter will be held responsible for violations.

Parent/Guardian's Name: (please print) \_\_\_\_\_ Date: \_\_\_\_\_

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

Adoption: March 12, 2002  
 Reviewed: November 8, 2017  
 Revised: October 11, 2022

## INTERNET SAFETY POLICY REGULATION

The following rules and regulations implement the Internet Safety Policy adopted by the Board of Education to make safe for children the use of district computers for access to the Internet and World Wide Web.

### *I. Definitions*

In accordance with the Children's Internet Protection Act,

- *Child pornography* refers to any visual depiction, including any photograph, film, video, picture or computer or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct. It also includes any such visual depiction that (a) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; (b) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from that of a minor engaging in sexually explicit conduct; or (c) such visual depiction has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct.
- *Harmful to minors* means any picture, image, graphic image file, or other visual depiction that (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (b) depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

### *II. Blocking and Filtering Measures*

- The Superintendent or his or her designee shall secure information about, and ensure the purchase or provision of, a technology protection measure that blocks access from all district computers to visual depictions on the Internet and World Wide Web that are obscene, child pornography or harmful to minors.
- The district's IT network manager shall be responsible for ensuring the installation and proper use of any Internet blocking and filtering technology protection measure obtained by the district.
- The IT network manager or his or her designee may disable or relax the district's Internet blocking and filtering technology measure only for adult staff members conducting research related to the discharge of their official responsibilities.
- The IT network manager shall monitor the online activities of adult staff members for whom the blocking and filtering technology measure has been disabled or relaxed to ensure there is not access to visual depictions that are obscene or child pornography.

### *III. Monitoring of Online Activities*

- The district's IT network manager shall be responsible for monitoring to ensure that the online activities of staff and students are consistent with the district's Internet Safety Policy and this regulation. He or she may inspect, copy, review, and store at any time, and without prior notice, any and all usage of the district's computer network for accessing the

Internet and World Wide Web and direct electronic communications, as well as any and all information transmitted or received during such use. All users of the district's computer network shall have no expectation of privacy regarding any such materials.

- Except as otherwise authorized under the district's Computer Network or Acceptable Use Policy, students may use the district's computer network to access the Internet and World Wide Web only during supervised class time, study periods or at the school library, and exclusively for research related to their course work.
- Staff supervising students using district computers shall help to monitor student online activities to ensure students access the Internet and World Wide Web, and/or participate in authorized forms of direct electronic communications in accordance with the district's Internet Safety Policy and this regulation.
- The district's IT network manager shall monitor student online activities to ensure students are not engaging in hacking (gaining or attempting to gain unauthorized access to other computers or computer systems), and other unlawful activities.

#### *IV. Training*

- The district's IT network manager shall provide training to staff and students on the requirements of the Internet Safety Policy and this regulation at the beginning of each school year.
- The training of staff and students shall highlight the various activities prohibited by the Internet Safety Policy, and the responsibility of staff to monitor student online activities to ensure compliance therewith.
- Students shall be directed to consult with their classroom teacher if they are unsure whether their contemplated activities when accessing the Internet or Worldwide Web are directly related to their course work.
- Staff and students will be advised to not disclose, use and disseminate personal information about students when accessing the Internet or engaging in authorized forms of direct electronic communications.
- Staff and students will also be informed of the range of possible consequences attendant to a violation of the Internet Safety Policy and this regulation.

#### *V. Reporting of Violations*

- Violations of the Internet Safety Policy and this regulation by students and staff shall be reported to the Building Superintendent.
- The Superintendent shall take appropriate corrective action in accordance with authorized disciplinary procedures.
- Penalties may include, but are not limited to, the revocation of computer access privileges, as well as school suspension in the case of students and disciplinary charges in the case of teachers.

Adoption: March 12, 2002  
Reviewed: June 9, 2014  
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## PASSWORD POLICY

### Overview

The Board of Trustees believes that passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of Edinburg Common School. As such, all school employees are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

### Purpose

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

### Scope

The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides in the school, or has access to the school network.

### Policy

#### General

All passwords must be changed frequently.

Passwords must not be inserted into email messages or other forms of electronic communication.

#### Guidelines

##### A. General Password Construction Guidelines

Passwords are used for various purposes at Edinburg Common School. Some of the more common uses include: user level accounts, web accounts, email accounts, screen saver protection, voicemail password, and local router logins. Everyone should be aware of how to select strong passwords.

Strong passwords have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z)
- Have digits and punctuation characters as well as letters  
e.g., 0-9, !@#\$%^&\*()\_H-|~-[:";'o?.,/)
- Are at least eight alphanumeric characters long.
- Are not a word in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored on-line.



**B. Password Protection Standards**

- Do not use the same password for Edinburg Common School various access needs.
- Do not share Edinburg Common School passwords with anyone outside the District.
- All passwords are to be treated as sensitive, Confidential Edinburg Common School information.
- Do not use the "Remember Password" feature of applications.
- All passwords must be on file in a secure location.

**C. Use of Passwords for Remote Access Users**

Access to the Edinburg Common School Networks via remote access is to be controlled by using a one-time password authentication or a public/private key system.

**D. Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Adoption: January 9, 2007  
Reviewed: October 11, 2022

## FIELD TRIPS AND EXCURSIONS

The Board of Trustees recognizes the desirability of providing off-campus experiences which will enhance the educational program of the school system. The Superintendent of Schools will determine the frequency and content of class field trips. Each student must secure the permission of his/her parent or guardian before participating in such activity.

Factors relevant in consideration of approval of such field trips may include the relationship to the curriculum, the distance of the trip, availability of transportation, the cost involved, weather conditions, and full utilization of transportation. In order to make necessary transportation arrangements, all requests for field trips must be submitted to the Business Manager at least two weeks prior to the trip date. If there is a fee for the student, and they do not accept purchase orders, please submit one week before the prior month's Board Meeting.

### *Transportation*

When the district provides transportation to students on a school-sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district unless:

1. The parent or legal guardian of a student participating in such event has provided the district with a written notice authorizing an alternative form of return transportation for the student, or before the bus departs.
2. Intervening circumstances make such transportation impractical.

Where intervening circumstances have made transportation back to the point of departure or to the appropriate school in the district impractical, a representative of the district shall remain with the student until such student's parent or legal guardian has been contacted and the student has been delivered to his/her parent or legal guardian.

Ref: Education Law §§1604; 1709; 1804; 1903; 2503; 2554; 2590-e

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: October 11, 2022

**EDINBURG COMMON SCHOOL**  
**FIELD TRIP REQUEST FORM**

Teacher(s): \_\_\_\_\_

Grade(s): \_\_\_\_\_

Date(s): \_\_\_\_\_

Departure Time: \_\_\_\_\_

Return Time: \_\_\_\_\_

Number of Students: \_\_\_\_\_

Number of Teachers: \_\_\_\_\_

LTA/Aide: \_\_\_\_\_

Chaperones: \_\_\_\_\_

Destination: \_\_\_\_\_

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

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

Fax: \_\_\_\_\_

Purpose of Trip: \_\_\_\_\_

Cost Per Student: \_\_\_\_\_

Cost Per Adult: \_\_\_\_\_

OFFICE USE ONLY

STUDENT COST: \$ \_\_\_\_\_ ADULT COST: \$ \_\_\_\_\_ TOTAL: \$ \_\_\_\_\_

DATE OF FIELD TRIP: \_\_\_\_\_

APPROVED: \_\_\_\_\_ NOT APPROVED: \_\_\_\_\_  
(Superintendent or Designee) (Superintendent or Designee)

DRIVER ASSIGNMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

**PLEASE RETURN TO BUSINESS OFFICE**  
**2 WEEKS PRIOR TO FIELD TRIP**

**ROUTING:** **Business Office** \_\_\_\_\_ Budget Code \_\_\_\_\_ Superintendent \_\_\_\_\_

Purchase Order \_\_\_\_\_ Cafeteria \_\_\_\_\_ Transportation \_\_\_\_\_ Teacher \_\_\_\_\_ Nurse \_\_\_\_\_

**Secretary** \_\_\_\_\_ Driver Assigned \_\_\_\_\_ Seating Chart \_\_\_\_\_ Permission Slips \_\_\_\_\_

**Education + Commitment = Success**

Approved: October 11, 2022

## SCHOOL VOLUNTEERS

The Board of Trustees recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and can assist district employees in providing more individualized and enriched opportunities in instruction. The Board encourages volunteers from all backgrounds and age groups who are willing to share their time, training, experience or personal characteristics to benefit the students of the district.

Volunteers may be involved in many facets of school operations, from mentor/tutor relationships to clerical tasks. Volunteers shall not be used to provide transportation for school-sponsored activities.

No volunteer shall be permitted to have unsupervised direct contact with students.

School personnel who are responsible for tasks or projects that involve the use of volunteers shall identify appropriate tasks and time schedules for such volunteer activities, as well as make provisions for adequate supervision and evaluation.

Persons wishing to volunteer must contact the Superintendent or other individual designated by the Superintendent and must complete a volunteer application form. The application form shall require the volunteer applicant to disclose any criminal convictions. The application form shall also require the applicant to identify two non-family member personal references. The Superintendent shall be responsible for ensuring that both references are contacted before the volunteer begins rendering volunteer services to verify that the individual is of good moral character. This form must be filled out yearly.

The district shall retain a complete record of all information obtained through the application process for the same period of time it retains information regarding district employees.

All volunteers are required to act in accordance with district policies, regulations and school rules. Any staff member who supervises volunteers may ask any volunteer who violates district policies, regulations or school rules to leave school grounds.

The Confidential Secretary shall be responsible for maintaining a current and complete list of all active volunteers and their assignments.

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

# Edinburg Common School

## Volunteer Application Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_/State \_\_\_\_\_/Zip Code \_\_\_\_\_

Phone Numbers: (daytime/work) \_\_\_\_\_

(evening/home) \_\_\_\_\_

When is it most convenient to reach you, daytime or evening?: \_\_\_\_\_

Have you ever been convicted or pled guilty to a crime-either a misdemeanor or a felony (including but not limited to child abuse, theft, drug charges or other crimes of violence)?

Check either \_\_\_\_\_ Yes \*\* or \_\_\_\_\_ No

\*\* If yes, please explain in detail:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list two references (not relatives) who can attest to your character and ability to work with children:

Name & Address	Telephone	Relationship
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_____	_____	_____
_____	_____	_____

## **Volunteer Guidelines**

### **Responsibilities**

- Sign in and out of the main office.
- The teacher will assign duties and responsibilities.
- Follow the plan developed by the teacher.

### **Things Volunteers Can Do**

- Read with students
  - Run off copies
  - Decorate rooms
  - Decorate bulletin boards
  - Assist with field trips
  - Assist with programs or assemblies
  - Conduct demonstrations, presentations or assemblies
  - Assist with extracurricular events
- Assist with supervision as long as a teacher or administration is present

**I authorize all references listed to give you pertinent information, and release all parties from liability when furnishing this information.**

**I understand that any information provided that is found to be falsified is grounds for removal as a volunteer.**

**I have read and understand the volunteer guidelines.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

**Reviewed and approved**

\_\_\_\_\_  
**Initials**

\_\_\_\_\_  
**Date**

Adoption: October 11, 2022

## GUIDANCE PROGRAMS

All students' grades PK through 6th grade will participate in the Kindness Club. Individual counseling services will be provided by recommendation and with parent consent.

The Edinburg Common School District shall have a comprehensive developmental school counseling/guidance program for all students in grades kindergarten (K) through 6th. The district shall also ensure that all students in grades kindergarten through 6th have access to a certified school counselor(s).

Students in kindergarten through 6th grade shall be designed by a certified school counselor in coordination with teaching staff and any appropriate pupil personnel service providers.

Students in 6th grade: Certified school counselors shall provide an annual individual progress review plan, which shall reflect each student's educational progress and career plans. For a student with a disability, the plan shall be consistent with the student's individualized education program.

Edinburg Common School District shall develop district-wide and building-level comprehensive developmental school counseling/guidance plans which set forth the manner for compliance with this subdivision. Such district and building level plans shall be updated annually, available for review at the district offices and each school building, and made available on the district's website.

Edinburg Common School District shall establish a comprehensive developmental school counseling/guidance program advisory council to be comprised of representative stakeholders (such as parents, members of the board of education, school building and/or district leaders, community-based service providers, teachers, certified school counselors and other pupil personnel providers in the district including school social workers and/or school psychologists). The advisory council shall meet no less than twice each year for the purpose of reviewing the comprehensive developmental school counseling/guidance program plan and advising on the implementation of the school counseling/guidance program.

Expectations: Superintendent will have weekly meetings with guidance counselor and/or school counselor to identify social emotional needs relating to home and school environments. The effects and trauma from the COVID-19 pandemic will continue to also be an area of need to identify.

Ref 8NYCRR9100.2(j)

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: February 14, 2023

## GRADING SYSTEMS

Grading is considered a positive tool to indicate achievement and development in each class or subject area in which a student is enrolled. The Board of Trustees recognizes that the classroom teacher has the primary responsibility to evaluate students and determine student grades.

Classroom teachers will evaluate students and assign grades according to the established system below.

PK-2 Standards based report card according to the NYS Next Generation Learning Standards from the following, but not limited to: classroom performance, homework, quizzes, mid and end of unit assessments, projects, and presentations.

Students will identify in the following categories:

- N/A - Not able to assess at this time
- 1 - Not meeting grade level expectations
- 2 - Working towards grade level expectations
- 3 - Meeting grade level expectations
- 4 - Exceeding grade level expectations

The students will also have a social and work habits sections based on classroom performance which include, but not limited to: effort, staying on task, following rules and directions, completing assignments, preparedness, respectfulness, being organized, and classroom behavior.

3-6 Numerical based report card according to the average of assignments ie. but not limited to: classroom performance, homework, quizzes, mid and end of unit assessments, projects, presentations etc. The students will also have a narrative section based on the NYS Social Emotional Learning Benchmarks which include, but not limited to: self-awareness and self-management skills, social awareness and interpersonal skills, and ethical decision-making skills/responsible behaviors.

Students will identify in the following categories:

- High Honor Roll: 94.5 – 100
- Honor Roll: 89.5 – 94.4
- Failing: 64.9 and below

It is to be recognized that a student is an individual with their own abilities and capabilities. It is also recognized that an individual is part of a society which is achievement-oriented and competitive in nature. Hence, when a student's achievement is evaluated, attention should be given to their unique characteristics and to accepted standards of performance in the educational setting.

Scores will be based, in part, upon student improvement, achievement, and participation in classroom discussions and activities (see 5100, Student Attendance). Parent(s)/Guardian(s) will be informed regularly, at least four times a year, of their child's progress. The use of marks and symbols will be appropriately explained.

Grading will not be used for disciplinary purposes, i.e., reducing a grade for an unexcused absence, although a lower grade can be given for failure to complete assigned work or for lack of class participation.



All students are expected to complete the assigned class work and homework as directed. Students are also expected to participate meaningfully in class discussions and activities in order to receive course credit. If work is missed due to absence, the student is expected to make up the work. The student and/or the student's parent(s)/guardian(s) should discuss with the student's teacher an appropriate means of making up the missed work. With the possible exception of absences intended by the student as a means of gaining an unfair academic advantage (e.g., to secure more time to study for a test), every effort will be made to provide students with the opportunity and assistance to make up all work missed as a result of absence from class (see 4760, Makeup Opportunities).

A record of objective student scores will be maintained by each teacher. These records shall be in the form of weekly and unit tests, work samples, etc. These will verify report card grades and recommendations for grade retention, special programs, etc.

The district's student management system will serve as a historic and official representation of the grades and credits earned. Grade changes and documentation will be filed in the student's permanent record folder.

All reopening of the grading system and grade changes will be reviewed routinely to ensure the process is being followed and there is no unusual or inappropriate activity.

The professional judgment of the teacher should be respected. Once a grade is assigned to a student by a teacher, the grade may only be changed by the Superintendent after notification to the teacher of the reason for such change. Should the Superintendent enforce a score change, he/she shall be prepared to report to the Board.

Cross-ref: 4712, Student Progress Reports to Parents

Ref: *Matter of Dickerson*, 20 EDR 132 (1980)  
*Matter of Mac Whimie*, 20 EDR 145 (1980)

Adoption: December 10, 1998

Reviewed: June 9, 2014

Revised: November 8, 2022

## STUDENT PROGRESS REPORTS TO PARENTS

Periodic progress reports of a student's academic achievement may be sent between score periods to the student's parents a minimum of three times a year if the student is in danger of failing a subject. Copies of letters sent to parents/guardians relating to a particular situation or problem should be kept in student folders.

Parents are urged to visit the school and confer with the teacher. They are requested to arrange appointments with the teacher in advance and through the school office.

Cross-ref: 1900, Parental Involvement 4710, Grading System

Adoption: December 10, 1998  
Revised: October 12, 1999  
Reviewed: June 9, 2014  
Revised: October 11, 2022

## **PARENT CONFERENCES**

The Board of Trustees encourages parent conferences with teachers as an effective means of communication between the home and the school. These conferences provide opportunity for open communication regarding administrative procedures, instructional programs, goals and objectives, and pertinent information regarding student progress.

Teachers have a responsibility to meet with parents to discuss student problems and progress. When a parent requests a conference with a teacher, the teacher shall make every effort to arrange a mutually convenient time. Such conferences should be scheduled around the school day so as not to interfere with the instructional process. Teachers should notify the Superintendent in advance of such conferences.

Adoption: December 10, 1998  
Reviewed: October 11, 2022

## TESTING PROGRAMS

The Board of Trustees believes that standardized testing programs can provide a meaningful source of information about the curriculum and overall student achievement. The Board, therefore, authorizes a program of testing to help accomplish the following objectives:

1. to evaluate strengths and weaknesses of the current curriculum and methods of instruction;
2. to provide one means to evaluate student growth through individual and inter district comparison;
3. to provide teachers with diagnostic information which will enable them to better address the instructional needs of their students;
4. to provide parents with early indicators of their child's progress in meeting the new learning standards; and
5. to provide a basis for longitudinal study of student achievement.

Information gained through the use of testing programs will be used to design educational opportunities for students to better meet their individual and collective needs. It shall be the responsibility of the Superintendent to notify the parents or guardians when remedial instruction is required and of the plan for such remediation.

The Board recognizes that tests provide only a limited source of information, and will therefore be used only in conjunction with all other information known about a student or to assist the student in improving his/her work.

Records of the results of standardized tests shall be maintained in accordance with the Board's policy on student records.

Ref: 8 NYCRR 33100.3(b)2; 100.4(d)(e); 100.5(a)(4); 100.5(b)(5); 100.5(c)(5) Schools Executive Bulletin, Office of Elementary, Secondary, and Continuing Education, State Education Department, June/July 1996

Adoption: December 10, 1998

Reviewed: October 11, 2022

## HOMEWORK

Homework is considered a necessary part of the academic program and is a requirement. Satisfactory completion of homework will be considered toward promotion or retention. Homework provides excellent opportunities for developing good study habits, providing for individual differences and abilities, and encouraging self-initiative on the part of the student.

Planning homework assignments should be given as much care as the planning of any other aspect of a lesson. An assignment important enough to be done must be considered worthy of teacher evaluation.

Homework shall be assigned according to these guidelines:

1. Homework should be a properly planned part of the curriculum extending and reinforcing the learning experience of the school.
2. Homework should help children learn by providing practice in the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems.
3. Homework should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.
4. The number, frequency, and degree of difficulty of homework assignments should be based on the abilities, activities, and needs of the student. However, the grade given for the homework is dependent on the student's performance.
5. As a valid educational tool, homework should be clearly assigned and its product carefully and promptly evaluated.

The Board believes that parental involvement in students' homework is essential to making homework an integral part of the educational program. Parents are expected to encourage and monitor homework assignments and, to the extent possible, provide conditions that are conducive to their successful completion.

Adoption: December 10, 1998  
Revised: July 13, 1999  
Reviewed: October 11, 2022

## PROMOTION AND RETENTION OF STUDENTS

It is essential that each child experience both challenge and success from school activities. Grade placement should enhance this possibility. The concept of grade placement is based on the premise that each teacher will provide appropriate experiences for children at particular stages of physical, emotional and academic growth.

District curriculum guides indicate goals for achievement by all students at each grade level. However, academic growth, like physical growth, does not take place at the same pace or time for all individuals. Certain students may achieve mastery in a shorter period, while others need additional time. Promotion and retention are methods of meeting the needs of such children.

Promotion and retention of all students will be reviewed as individual cases. The professional staff, along with the parents, will study, review, and determine what is in the best interests of the child. Some issues may include:

1.
  - a. academic achievement as compared to district curriculum guides;
  - b. social and emotional development of the child;
  - c. age of the child;
  - d. physical growth (size) of student;
  - e. standardized test scores and NYS assessments;
  - f. homework requirements; and
  - g. teacher recommendations.
2. Retention is not to be considered a failure or a repetition of a grade. Experiences provided during the period of a retention will be beneficial to the student's academic and social growth.
3. All recommendations concerning grade placement must be made to the Superintendent by the teacher after full notification of the consultation with the parent(s)/guardian(s). Parent(s)/guardian(s) and/or teachers may request a psychological evaluation of the child to aid in the formulation of recommendations.
4. Final authority for grade placement rests with the Superintendent.

A determination of "students at risk" will be made at the end of the second marking period mandating a parent conference and possible referral to the Child Study Team.

Students who fall significantly below grade level in the basic subject areas should be identified by the end of the second marking period and parents notified in writing at this time.

After a comprehensive review of the educational performance of students considered as non-promotional candidates, a follow-up letter will be sent to the parents no later than the first week in June.

Ref: Education Law 931709; 2503(4); 3202 8 NYCRR  
9100.4

Adoption: December 10, 1998  
Reviewed: June 9, 2014  
Revised: October 11, 2022

## PROMOTION AND RETENTION OF STUDENTS REGULATION

Students must be placed in the best possible learning levels for successful educational experiences. Retention shall be limited to those situations where in the best interests of the child a successful learning experience is reasonably assured. Diligent effort shall be made to utilize all available resources to determine the child's appropriate placement.

The following general areas shall be reviewed in determining promotion/retention:

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).

The following specific areas shall determine retention of elementary students. A student may be retained if any two of the following factors are present:

1. a student is reading more than one year below grade level as determined by placement in reading series;
2. a student scores below 35 NCE on the Comprehensive Test of Basic Skills;
3. a student has a failing grade in two basic subject areas (language arts, math, social studies, reading, science); and
4. a student scores below the State Standard in English Language Arts and math.

The following factor is noted:

Students who have been classified as having disabilities are exempt from the retention factors of this policy.

Parents/guardians and/or teachers may request a psychological evaluation of the child to aid in the formulation of recommendations. Parents/guardians will be notified in a letter signed by both the Superintendent and the teacher by June 1, of the Child Study Team's decision to retain or promote the child. If the child is to be retained, the teacher will arrange a conference with the parents/guardians.

Final authority for grade placement rests with the Superintendent.

Ref: Education Law 991709; 2503(4);  
3202 8 NYCRR 9100.4

Adoption: December 10, 1998  
Revised: October 12, 1999  
Reviewed: October 11, 2022

## MAKEUP OPPORTUNITIES

Students who are absent shall be given reasonable time to make up assignments missed during their absence. When necessary and applicable, assignments may be sent home and teachers shall be available to render necessary assistance. Students whose misconduct is directly related to the student's academic performance (e.g., plagiarism) may be denied the opportunity to make up work.

It is the student's responsibility to request all makeup assignments from subject teachers following absence from class. The student must request assignments early enough to allow adequate time for completion prior to the end of the marking quarter.

**Ref:** *Mailer of Augustine, 30 EDR 13 (1990) Mailer of Shannon, 26 EDR 218 (1986) Mailer of Falcigno, 22 EDR 599 (1983)*

Adoption: December 10, 1998  
Reviewed: October 11, 2022



# ONLINE LEARNING

## Emergency Utilization During School Closures

During emergency situations such as extend school closures, the district may utilize online learning platforms and other electronic technology to deliver instruction to students at all grade levels in an age-appropriate manner, in order to maintain continuity of the instructional program. The district will consider the technological capacity of students and staff to access online learning with respect to devices and internet access. The district may take steps to increase technological capacity during the emergency school closures, such as providing computing devices and temporary internet access devices.

## Attendance and Behavioral Expectations

As much as possible, the Board expects students learning remotely to observe similar behavioral and attendance expectations as though they are in the school building. Therefore, the Board establishes the following expectations:

1. Students must complete assignments and participate in class as set by teachers;
2. Students must demonstrate some form of daily attendance or participation, as provided in policy 5100, Student Attendance;
3. When participating in live virtual classes, students must observe similar behavioral rules as the in-school classroom;
4. Students must understand that taking photos/screenshots, audio or visual recordings of classes can be disruptive to the teacher and students, and create an atmosphere not conducive to open dialogue and sharing of information. Students are expected to refrain from making such recordings, unless specified in an IEP or permitted by the teacher, and must not use any recording to bully or harass any individual or for academic misconduct;
5. Student misbehavior while learning remotely will lead to consequences outlined in the district's policies, including but not limited to the Code of Conduct and bullying policy;
6. Teachers must pay particular attention to the engagement of students learning remotely, and initiate additional outreach activities when a student starts to fall behind in participation, schoolwork or educational progress;
7. Teachers must communicate specific class rules and expectations, while understanding that it is not always possible to perfectly recreate the school environment in the home; and
8. Parents/guardians and families must understand that while their assistance may be needed to resolve technological issues, their presence during learning time may be distracting to their students, as well as to the teacher and other students during live virtual classes.

Cross-ref:  
4200, Curriculum Management  
8131, Pandemic Planning

Ref:  
8 NYCRR §100.5(d)(10)  
*Matter of Boyd*, Decision No. 16364, June 28, 2012

Adoption: April 7, 2020  
Revised: October 11, 2022

## TEACHING ABOUT CONTROVERSIAL ISSUES

As a natural part of preparation for assuming an adult role in society, matters of a controversial nature will arise and should be dealt with as part of the student's learning experience.

The Board of Trustees recognizes that controversial issues deal with matters about which there are varied levels of opposing views, biases, emotions and/or conflict. Therefore, it is essential that the classroom teacher have guidelines in order to prepare and execute lessons that will be as objective as possible while considering the nature of the subject matter. It is important that students and staff recognize the following responsibilities:

1. In the classroom, matters of a controversial nature shall be handled as they arise in the normal course of instruction and not introduced for their own sake. Such issues shall be neither sought nor avoided.
2. When presenting various positions on a controversial issue, the teacher shall take care to balance major views and to assure that as many sides of the issues as possible are presented in a fair manner, with no position being espoused by the teacher as the only one acceptable.
3. When materials dealing with controversial topics are to be used, assigned or recommended, such materials shall be appropriate to the maturity level of the students and within the curriculum area under study.
4. Before a guest speaker is permitted to address the students, approval must be granted by the Superintendent, who must be informed of the scheduling of all guest speakers at least three days prior to their presentation.

Adoption: December 10, 1998  
Reviewed: October 11, 2022

## ASSEMBLIES

The Board of Trustees encourages assemblies to be conducted in each school as part of the overall educational process. School assemblies, at all instructional levels, shall also be held to provide recognition of student accomplishments by peers, parents and staff members. All assemblies shall require the approval of the Superintendent.

Staff shall remind students of proper conduct at assemblies to ensure responsible audience participation.

Adoption: December 10, 1998  
Reviewed: October 11, 2022

## ANIMALS IN THE SCHOOLS

The Board of Trustees recognizes that the study of living things is essential to effective instruction in the life sciences. The primary goals for demonstrations and investigations involving animals are to achieve an interest in and an understanding of the life processes, to demonstrate biological principles, and to teach proper care and handling of animals. Therefore, the Board requires that any such instructional activities, investigations, and projects be well-planned and adequately supervised, and be conducted with a respect for life and an appreciation of the health and safety of both animals and students.

The Board also recognizes that some students have a moral or religious objection to dissection or otherwise harming or destroying animals. In accordance with state law, students shall have the right to opt out of dissection activities, provided that the student performs an alternative project approved by the student's teacher. The objection must be substantiated in writing by the student's parent or guardian.

Ref: Education Law §809(4)  
*Responsible Use of Live Animals and Dissection in the Science Classroom.*  
National Science Teachers Association Position Statement, revised March 2008 ([www.nsta.org/about/positions/animals.aspx](http://www.nsta.org/about/positions/animals.aspx))

Adoption: October 9, 2012  
Reviewed: October 11, 2022