

# Canandaigua City School District

## Policy Manual



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## Policies of the Board of Education of The Canandaigua City School District

### **WELCOME TO THE CANANDAIGUA CITY SCHOOL DISTRICT POLICY MANUAL**

This Policy Manual holds the guiding principles that lead the district forward as we provide educational services and opportunities for our students. It reflects the course the school board has set for the district.

The superintendent and district administrators are guided by these policies daily. It is reviewed regularly to keep current. It is in compliance with all state and federal mandates.

#### Functions of the Board of Education

*The Board of Education operates under a Policy Governance model and has three major responsibilities:*

- To hire and work collaboratively with the superintendent.
- To provide strategic direction for the district. This includes - but is not limited to - vision, mission, goals, and pro-active policy development.
- To maintain a high level of fiscal integrity (annual budget).

# Vision, Mission, Values

## VISION STATEMENT

One Community, Transforming Lives

*The Canandaigua City School District believes in building a community rooted in inclusion and love, where everyone recognizes the active role they play in educating our students and helping them find a sense of purpose in life.*

## DISTRICT MISSION

Enrich  
Explore  
Empower

*The Canandaigua City School District is dedicated to creating enriched, world-class educational experiences that engage all learners, foster meaningful exploration, and empower our school community to have their voices heard.*

*Enrich: Create differentiated and individualized experiences, which engage all learners.*

*Explore: Provide a range of opportunities that represent the various cultures, preferences, and aspirations of all learners.*

*Empower: Provide students, employees, and community both voice and choice.*

## VALUES

### *Learning*

- Educating and preparing our students for success in life
- Creative thinking and problem-solving in authentic contexts
- Intellectual and academic curiosity and advancement through impactful pedagogy
- Organic professional learning for staff

### *Whole-Child Development*

- Social emotional learning
- Character education
- Comprehensive co-curricular offerings

### *Community*

- Engage and support families along their educational journey
- Authentic and meaningful community experiences
- Inclusion
- Equity
- Community partnerships
- Climate and culture
- Effective and transparent communication

# Board Member Nominations, Elections, and Terms of Office

## **NUMBER OF BOARD MEMBERS AND TERMS OF OFFICE**

The Board of Education of the Canandaigua City School District consists of nine members. A full term for Board Members is five years beginning July 1 following their election.

## **BOARD MEMBER NOMINATIONS AND ELECTIONS**

Board positions are not considered separate specific offices. All positions are filled on an "at large" basis. Therefore, nominating petitions must not describe any specific position on the Board for which the candidate is nominated.

Voting in all District votes and elections is by machine (unless the Board directs the use of paper ballots by resolution), with provisions made for the election by "write-in-vote" of any candidate not previously nominated.

The hours of voting will be as designated by Board resolution, within the limits provided by law.

Board Approved: September 23, 2019

# Standards of Ethical Behavior for School Board Members

Members of the Canandaigua City School District Board of Education shall strive to improve public education in the following ways:

1. Model the standards of personal and professional behavior;
2. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
3. Endeavor to make policy decisions only after full discussion at publicly held Board meetings;
4. Render all decisions based upon the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups;
5. Recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a Board meeting;
6. Abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels;
7. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and all elements of the education community;
8. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent;
9. Communicate to other Board members and the Superintendent expression of public reaction to Board policies and school programs;
10. Stay informed regarding current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the local, state, and National School Boards' Association;
11. Support the employment of those persons best qualified to serve as school staff, and provide for regular and impartial evaluation of all staff;
12. Disclose to the full Board any known conflict of interest;
13. Take no private action that will compromise the Board or administration;



## Standards of Ethical Behavior for School Board Members

14. Respect the confidentiality of information that is privileged under applicable law;
15. Act as a steward of district resources; and
16. Remember always that a Board member's greatest concerns must be the educational welfare and safety of the students attending the public schools.

Members of the Board of Education shall strive to uphold the following statements taken from the New York State School Boards Association Code of Conduct. Consistent with our dedication to children, learning, and community, we recognize:

1. That a Code of Conduct promotes public confidence in the schools and advances the attainment of District goals;
2. That we have been selected by our fellow citizens and entrusted with the authority and obligation to strive to provide all students of our communities and state with equal opportunity for educational excellence;
3. That the future welfare of our communities, local school district and BOCES, state and nation depend in large measure upon the quality of education we provide in the public schools to fit the need of every learner;
4. That legally the authority of the Boards of Education is derived from the state which ultimately sets the parameters in which school Board service is conducted.

Board Approved: September 23, 2019  
Non-Substantive: January 13, 2020

# Evaluation of School Board Operational Procedures

The Board shall conduct a self-evaluation at least once annually and will formulate a plan for improving its performance.

The Superintendent will participate in this self-evaluation, and others who work regularly with the Board may be asked to participate.

Board Approved: September 23, 2019

## Submission of Propositions at Annual/Special District Meetings

Voters may submit propositions to appear on the ballot at annual and special district elections/votes. All propositions must be submitted by petition to the District Clerk. Those petitions must be signed by at least 100 qualified voters. Each qualified voter who signs the petition must also include the address of their residence. A separate petition is required for each proposition. Petitions must be filed with the District Clerk at least 30 days before the vote. However, if the proposition must be included in the legal notice of the vote, the petition must be filed with the District Clerk at least 90 days before the vote.

Propositions submitted in accordance with legal requirements and these rules and accepted by the Board of Education will be printed on the ballot.

Board Approved: September 23, 2019

# Powers, Duties and Responsibilities of the Board and its Officers

The Board of Education shall exercise the powers, duties and responsibilities enumerated in the Education Law and by Commissioner's Regulations. The Board shall work through the Superintendent to meet all of its operational responsibilities.

## **BASIC RESPONSIBILITIES OF THE BOARD OF EDUCATION**

1. Act as the governing body of the School District consistent with NY State Law.
2. Provide leadership and make decisions for the well-being of students and to protect the interests of the District.
3. Provide for a quality educational program focused on high levels of student achievement and development of student character.
4. Develop sound written policies as guidelines to decision making and action.
5. Provide leadership for ongoing review and evaluation of curriculum, teaching practices and materials.
6. Select, hire, supervise and evaluate the Superintendent.
7. Provide for personnel practices and procedures that focus on high performance and continuous improvement.
8. Ensure a positive and supportive environment that attracts and retains a highly competent professional and support staff.
9. Provide for adequate funding to meet the short and long-term goals of the District.
10. Provide oversight for the financial affairs of the District.
11. Oversee the District budget process.
12. Conduct comprehensive, systematic long-term planning for the District.
13. Operate and maintain school facilities so as to provide a safe, orderly, efficient, and effective climate for student learning.
14. Maintain a program of public information for community understanding of the school's program and policies.
15. Work to build a strong supportive relationship between the school and the community.
16. Provide for necessary student services.
17. Engage in self-improvement programs and activities for the purpose of rendering better Board of Education service.
18. Provide for compliance with all applicable laws and regulations.

# Powers, Duties and Responsibilities of the Board and its Officers

## **BASIC RESPONSIBILITIES OF INDIVIDUAL BOARD MEMBERS**

1. Act as a member of the Board consistent with NY State Law and the vision and mission of the District.
2. Make decisions to protect the rights and welfare of all students and the interests of the District.
3. Develop and maintain a positive relationship with the Superintendent.
4. Act as a conduit for communication with the community.
5. Keep abreast of important issues in education and participate in Board development activities.
6. Complete mandatory fiscal accountability training.
7. Work cooperatively with school personnel, students, and the community.
8. Support Board decisions and policies.
9. Contribute to a positive and supportive environment conducive to the success of the educational program.
10. Participate in committee meetings and other planned activities of the Board.
11. Practice meeting conduct that promotes quality participation, decision making and leadership by the Board.
12. Participate in Board development activities which enhance Board of Education service.
13. Understand and respect that Board members have no authority over school affairs as individuals; Board members exercise their authority by voting in open session of Board meetings (except when a vote in Executive Session is authorized by law); they have authority only when acting as a corporate body duly called in session.

Education Law Sections 2102, 2503, 3205, 3241, 3242

Board Approved: September 23, 2019

Amended: October 22, 2019

Non-Substantive: January 13, 2020

# Duties of the President of the Board of Education

The President's duties include the following:

1. Preside at all meetings;
2. Call special meetings as necessary or on request;
3. Appoint members to all committees of the Board;
4. Serve ex-officio as a member of all committees;
5. Execute documents on behalf of the Board;
6. Act as spokesperson for the District, as appropriate;
7. Work with the Superintendent to prepare Board meeting agendas;
8. Facilitate the Superintendent evaluation process;
9. Facilitate the initial contract with a new Superintendent; review and manage the Superintendent's contract including authorization of leaves on an ongoing basis;
10. Provide leadership to promote positive Board relations;
11. Perform the usual and ordinary duties of the office.

Board Approved: September 23, 2019

Non-Substantive: January 13, 2020

# Duties of the Vice-President of the Board of Education

The duties of the Vice-President shall be:

1. Work with the Superintendent and the President to prepare Board meeting agendas;
2. Facilitate the Board self-evaluation discussion;
3. Assist the President with leadership responsibilities;
4. Preside at all meetings in the absence of the President;
5. By resolution of the Board, to sign documents in case of absence or disability of the President;
6. Fulfill duties of the President in the President's absence;
7. Perform the usual and ordinary duties of the office.

Board Approved: September 23, 2019

Non-Substantive: January 13, 2020

## Orientation for Board Candidates

The Board considers it important that a new member be knowledgeable about school governance and operations, and, insofar as possible, prepared to discuss and cast informed votes on matters before the Board beginning at the time they are sworn into office.

During the period of their candidacy, all candidates will be urged to attend, and be welcomed at, public meetings of the Board. All public information about the School District will be made available to them.

Additionally, the Board directs the Superintendent to cooperate impartially with all candidates in providing them with information about school governance, Board operations, and school programs. This cooperation may include, for example:

1. Notification of public meetings of the Board, with the agenda provided;
2. Meeting with a candidate or candidates to provide basic background information on the School District and School Board service and/or arranging such other candidate-orientation sessions as they find desirable;
3. Providing each candidate with information published by the New York State School Boards Association on the powers and duties of boards and other association materials germane to board service;
4. Providing each candidate with information on Four County School Boards Association orientation for board candidates.
5. Making arrangements for the candidate to review the current policies of the Board and other publications of the District.

The Board and its staff will seek to be impartial as they cooperate in the orientation of Board candidates. It expects the candidates to recognize that until and unless elected to the Board their official status is that of other members of the public and thus, they are not entitled to privileged information discussed only in executive session.

Board Approved: September 23, 2019

Non-Substantive: January 8, 2020



# Board Meetings

## **Regular Meetings and Workshops**

Regular Board meetings and workshops will be held on dates set by the Board at its annual organizational meeting (subject to change by the Board). All Board meetings are open to the public (except where the Board must meet in Executive Session, as discussed below) consistent with the Open Meetings Law.

## **Special Meetings**

Special Board meetings may be called by any member of the Board. Notice of special meetings must be given at least 24 hours before the meeting to every Board member, unless waived by all Board members.

## **Executive Session**

The Board may conduct an executive session to discuss one (or more) of purposes enumerated in New York Public Officers Law Section 105 and/or any other matter required or permitted by law. The Board may take action in executive session where specifically permitted by law.

## **Agenda Format/Preparation**

Items from Board members to be presented on the agenda are to be given to the President of the Board or, in their absence, to the Vice-President. The Superintendent will be responsible for scheduling agenda items originating from administrators, professional staff, and other employees. The Board President and Superintendent will meet to set up the final agenda.

Board Approved: September 23, 2019

## Public Expression at Board Meetings

The Board encourages public expression at Board meetings. Time permitting, the Board will designate a specific portion of its meeting agenda for this participation. In all circumstances, reasonable decorum and order must be maintained during the public comment period. The Superintendent shall create and, as warranted, periodically update regulations setting forth requirements and procedures relating to the conduct of public comment periods during Board meetings consistent with this policy and applicable law.

Board Approved: October 19, 2020; October 18, 2021

## Methods of Operation

The Board of Education shall act as a body in making decisions and in taking official action. No individual member of the Board shall be empowered to act in matters which require approval of the entire Board.

Official action may be taken only during a duly convened meeting of the Board of Education.

Education Law Sections 1701, 2502(1), and 2551

Board Approved: September 23, 2019

## Quorum and Attendance of the Board of Education

The quorum for any meeting of the Board shall be five (5) members. No formal action shall be taken at any meeting at which a quorum is not present.

Provided a quorum is present at a meeting, the Board shall act by majority vote of no less than five (5) of its members, unless otherwise required by the laws of the State of New York. When only a quorum is present, the Board shall act by unanimous vote.

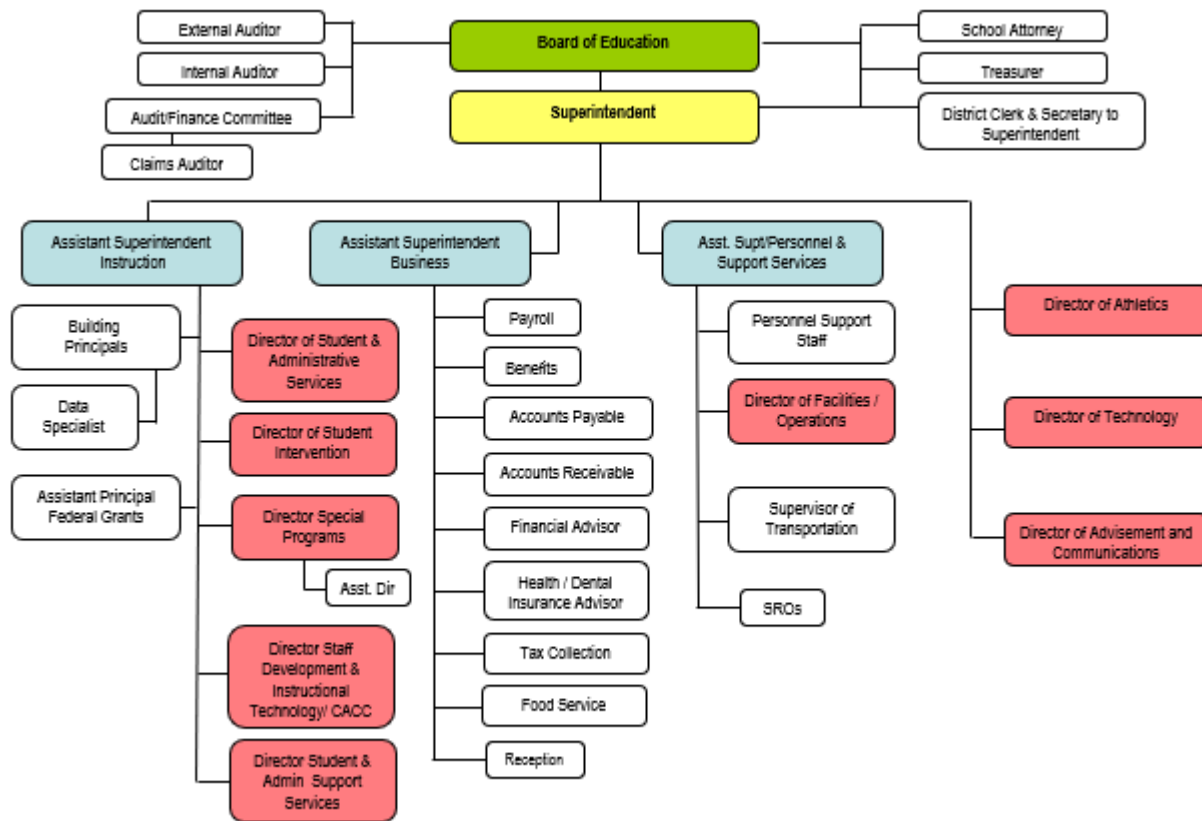
The Superintendent and members of their staff, at the Superintendent's discretion, shall attend all meetings of the Board.

The Superintendent shall attend all executive session meetings of the Board except those which concern their evaluation and salary determination. The Board may request the attendance of such additional persons as it desires.

Education Law Section 2502(8)

Board Approved: September 23, 2019

# Administrative Organization / Operation



Board Approved: September 23, 2019; May 10, 2021; October 18, 2021

## Board Policies

Board Policies are the governing statements of the District. The Superintendent shall act as an advisor to the Board in the adoption and approval of written Board policies. The Board shall also seek input from the staff and community where appropriate.

The adoption of a written policy shall occur only after the proposal has been discussed at two consecutive meetings of the Board of Education (or within 45 days of the first reading), and has been moved and voted affirmatively following the second reading. The policy draft may be amended at the second meeting. By a two-thirds majority vote, the Board may waive the second reading and complete the adoption of the proposed policy at its first reading.

Board Approved: September 23, 2019

# Administrative Regulations

Administrative Regulations are the specific actions, procedures, protocols, arrangements, etc. which are necessary or proper for the implementation of Board Policies or of applicable laws. The Superintendent is hereby given the responsibility of the creation (when necessary) and the enforcement of all administrative regulations. They must in every respect be consistent with Board Policy and/or all applicable laws. The Superintendent is also responsible for informing the Board periodically of changes in administrative regulations.

Board Approved: September 23, 2019

## Registration of Voters

All qualified voters residing within the boundaries of the Canandaigua City School District who registered for the preceding general election or any intervening School District election are entitled to vote at any school election.

All other voters must, in order to be entitled to vote, present themselves personally for registration before the Board of Registration of the Canandaigua City School District at a place and time designated by the Board of Education, and be registered in order to vote in any District election.

Education Law Section 2606

Board Approved: September 23, 2019



## Appointed Board Officials

The following Board Officials are appointed annually by the Board at the Organizational Meeting or as otherwise provided by law:

The following shall be appointed annually:

1. District Clerk;
2. District Treasurer;
3. District Deputy Treasurer;
4. District Tax Collector;
5. External Auditor;
6. Internal Auditor.

The following must be appointed, but need not be reappointed annually:

1. Census Enumerator and assistants;
2. School Physician/Physician Services;
3. Supervisors of Attendance;
4. Committee on Special Education and Committee on Preschool Special Education;
5. Records Access/Management Officer;
6. Data Privacy Officer;
7. Asbestos Hazard Emergency Response Act (AHERA)
8. Local Educational Agency (LEA) Designee;
9. Title IX/Section 504/ADA Compliance Officer;
10. Liaison for Homeless Children and Youth;
11. Chemical Hygiene Officer;
12. Information Resources for Substance Use Related Services.

The following may also be appointed:

1. School Attorney;
2. Claims Auditor;
3. Insurance Advisor;
4. Others deemed appropriate/necessary.

Designations:

The following designations shall be made by the Board of Education at the Annual Reorganization Meeting in July:

1. Petty Cash Fund(s);
2. Official Newspaper(s);
3. Official Bank Depositories;
4. Official Bank Signatories;
5. Purchasing Agent;
6. Certifier of Payrolls;
7. Educational Official designated to receive court notification regarding a student's sentence, adjudication in certain criminal cases and juvenile delinquency proceedings
8. Integrated Pest Management (IPM) Coordinator

## Appointed Board Officials

### Authorizations:

1. Approval of attendance at conferences, conventions, workshops, and the like;
2. Superintendent to approve budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;
3. Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
4. Establish mileage reimbursement rate;
5. Other(s) as deemed appropriate/necessary.

Education Law Sections 305(31), 409-h, 1709, and 2503

29 Code of Federal Regulations (CFR) 1910.1450

McKinney-Vento Homeless Assistance Act,

Section 722, as reauthorized by the No Child Left Behind Act of 2001

Board Approved: September 23, 2019

Non-Substantive: January 13, 2020

## Student Delegate

The Board of Education authorizes the seating of a student delegate to all open meetings of the Board of Education. The student delegate will give a brief report at each meeting to update the Board on student activities and events. When appropriate, the student delegate may be asked by the Board of Education President or Superintendent to express the views of the Academy Student Government on matters before the Board. An alternate delegate will be named and will attend Board meetings if the regular student delegate is unable to attend. The delegate and alternate will be chosen by the Academy Student Government and approved by the Academy Principal. The delegate/alternate shall serve for one academic year and must be in good standing.

Board Approved: September 23, 2019

## Commencement and Awarding Diploma

The President of the Board is the elected spokesperson and representative of the Board at official functions. As such, the President has the privilege of addressing the graduates at the Commencement Ceremony and awarding diplomas to graduating students. A member of the Board of Education or a member of the District administration may give an individual diploma to their child.

The Board recognizes that there are circumstances that could warrant a change in that practice. The Board may approve other exceptions based on a specific written request. It is important to maintain the formality of the occasion, and discretion should be used so that disruptions to the flow of the ceremony are kept at a minimum.

All requests must be made in writing to the Board President as soon as possible and no later than May 15.

Any person who is awarding a diploma is expected to wear a cap and gown and process with the Board and faculty.

Board Approved: September 23, 2019

## Voter Registration for Students

In an effort to promote student voter registration, the Board directs the Academy Principal to offer all students who are at least 16 years old the opportunity to register by hosting a voter registration day on site, once per year. These students must be otherwise qualified to register to vote. These pre-registrations will be automatically registered upon reaching the age of eligibility following verification of the person's qualifications and address.

Students who do not wish to pre-register to vote do not have to do so. There will be no penalty (including participation grades or credits) for choosing not to do so.

Ref: Election Law § 5-507

Board Approved: January 13, 2020

## Non-Discrimination

No person in the Canandaigua City School District will be unlawfully excluded from participation in, denied advantages of, or subjected to discrimination under any education program or activity, on the basis of military status, sexual orientation, gender identification, race, color, religion, national origin, political affiliation, marital status, ancestry, age, disability or any other status protected by law. The Superintendent is hereby authorized to establish any regulations which are necessary and proper to implement this policy, including but not limited to developing and disseminating procedures for the filing discrimination complaints, the investigation of same, and appeal procedures.

Board Approved: September 23, 2019

Non-Substantive: February 5, 2020

## Indemnification of Board Members, District Employees, and Volunteers

The Board hereby confers on District Board Members, School Officials (elected or appointed), District employees and volunteers (expressly authorized to participate in a publicly-sponsored volunteer program) the benefits of Public Officers Law §18 and agrees to be held liable for the costs incurred under its provisions. This duty to defend or indemnify and save harmless is conditioned upon: (i) delivery by the board member, official, employee or volunteer of a written request to the Superintendent or designee for the District to provide for their defense together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten days after they are served with such document, and (ii) the full cooperation of that individual in the defense of such action or proceeding and in defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal. These benefits supplement, and are available in addition to, defense or indemnification protection conferred by another enactment.

Board Approved: September 23, 2019

## Public Access to District Information

Legally authorized records of the Canandaigua City School District will be available for inspection and copying at 143 North Pearl Street, Canandaigua, New York 14424 through the Board of Education's designated Records Access Officer on any scheduled work day during regularly scheduled work hours.

Copies of records requested will be reproduced at a cost of twenty-five (25) cents per page. Electronic copies of documents may be electronically transmitted or reproduced at no charge to the requestor. In determining the actual cost of reproducing a record, we may include:

1. an amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record;
2. the cost of the storage devices or media provided;
3. the actual cost of engaging an outside professional service; or
4. no fee shall be charged unless at least two hours of time is needed.

Records available to the public and those that are exempt from public disclosure are defined by Section 2116 of the NY Education Law and the Freedom of Information Law.

Individuals must make their request for records in writing to the school district and must identify the desired records in sufficient detail for the request to be honored.

Education Law Section 2116  
Public Officers Law Section 84 et seq.

Board Approved: September 23, 2019  
Board Updated: October 19, 2020



## District Outcomes

*Our district outcomes embody a progression of skill, knowledge, and attitudes as we prepare our school community to be life-long learners. It is from these outcomes that we create the programs that align with our district's mission and vision.*

*We demonstrate our commitment to the whole child by:*

- 1. Providing rigorous opportunities in academics, the arts, and athletics;*
- 2. Supporting the social, emotional, and developmental needs of all students;*
- 3. Maintaining a focus on character development; and,*
- 4. Engaging families and our community*

### INTELLECTUAL DEVELOPMENT

Students demonstrate a developing intellect, having explored a broad range of offerings and acquired mastery of essential content, concepts and skills.

*Success is demonstrated by:*

1. Proficiency in Core Subjects to include: English Language Arts, Mathematics, Science, Social Studies, The Arts, and World languages
2. Continuous development of critical thinking and problem solving skills including analysis, reasoning, decision-making, innovation, reflection, and creativity
3. Pursuit of knowledge through inquiry, research, collaboration, and experimentation
4. Understanding of the attributes and skills necessary to be lifelong learners

### COMMUNICATION

Students communicate effectively by interpreting and sharing information, ideas, and feelings appropriately in a given context.

*Success is demonstrated by the ability to:*

1. Use communication for a range of purposes (inform, instruct, motivate, persuade)
2. Convey information, ideas, and feelings to various audiences using written, oral, visual, and artistic expression
3. Listen, receive, understand, process, interpret, and express information, ideas and feelings
4. Collaborate with others effectively

# District Outcomes

## ETHICAL AND EFFECTIVE USE OF TECHNOLOGY

Students will be active, creative, knowledgeable and ethical participants in our globally networked society.

*Success is demonstrated by the ability to:*

1. Access information efficiently and effectively
2. Use technology accurately and creatively as a tool to research, organize, evaluate, and communicate information
3. Use digital technologies and communication/networking tools to access, manage, integrate, evaluate, and create information to successfully function in a knowledge economy
4. Apply a fundamental understanding of the ethical/legal issues surrounding the access and use of information technologies

*(from 21<sup>st</sup> Century Learning Skills Site and “Transforming American Education: Learning Powered by Technology”)*

## SOCIAL AND EMOTIONAL COMPETENCIES

Students acquire and effectively apply the knowledge, attitudes, and skills that are necessary to function in all aspects of life.

*Success is demonstrated by:*

Self-awareness:

1. Ability to accurately recognize one’s emotions and thoughts and their influence on behavior
2. Accurately assess one’s strengths and limitations
3. Possessing a well-grounded sense of confidence and optimism

Self-management:

1. Flexibility and adaptability
2. Stress management
3. Impulse control and self-discipline
4. Self-motivation and self-directedness
5. Setting and working toward achieving personal and academic goals

Relationship Skills:

1. Ability to establish and maintain healthy and rewarding relationships with diverse individuals and groups (communicating clearly, listening actively, responding appropriately to feedback, cooperating, resisting inappropriate social pressure, negotiating conflict constructively, and seeking and offering help)

# District Outcomes

## PERSONAL STANDARDS

Students demonstrate positive personal character traits, including respect, responsibility, caring, honesty, and healthful lifestyles.

*Success is demonstrated by:*

1. Respect in word and action for themselves and others, for the rights and property of others, and for the laws and rules under which we live
2. Taking responsibility for their own actions, understanding and meeting expectations, and acting responsibly
3. Caring, kindness and self-discipline in respect to yourself and others
4. Honesty and integrity, telling, seeking, and representing truth
5. Healthful lifestyles including physical, mental, and emotional well-being
6. Assess personal strengths and weaknesses through reflection
7. Ability to make constructive and respectful choices about personal behavior and social interactions based on consideration of ethical standards, safety concerns, social norms, the realistic evaluation of consequences of various actions, and the well-being of self and others.

## SOCIAL RESPONSIBILITY

Students demonstrate a personal and ethical responsibility to family and to community.

*Success is demonstrated by:*

1. Being a respectful steward of our environment by understanding personal and societal impact
2. Development beyond self-interest to that of the larger community through local, national, and global citizenship
3. Willingness to give one's time, talents and resources for the well-being of society
4. Respecting diversity by understanding and accepting differences in others
5. Understanding and perpetuating democratic principles and civic responsibility
6. Ability to take the perspective of and empathize with others from diverse backgrounds and cultures
7. Understand social and ethical norms for behavior
8. Recognize family, school, and community resource and supports

(from [www.casel.org/social-and-emotional-learning/core-competencies/](http://www.casel.org/social-and-emotional-learning/core-competencies/))

## CAREER DEVELOPMENT

Students demonstrate an understanding of the career development process as it pertains to self-assessment, career exploration, and college and career planning.

*Success is demonstrated by:*

1. On-going assessment of one's interests, talents, hobbies, and strengths

## District Outcomes

2. Knowledge of career clusters and pathways opportunities
3. Implementation of career planning strategies

Board Approved: September 23, 2019

Non-Substantive: February 5, 2020

# Community Use of School Facilities, Property, and Equipment

It shall be the policy of the Board to encourage the greatest possible use of school buildings for community-wide activities. This is meant to include use by recognized civic, social and fraternal and religious organizations in accordance with law. Groups wishing to use the school facilities must secure written permission from the Superintendent and abide by the rules and regulations established for such use. The Superintendent, at their discretion, may consult with the Board of Education.

1. All meetings, entertainments or occasions held in the schools must be non-exclusive and open to the public.
2. No organization may use the facilities if admission fees are charged unless the net proceeds are to be devoted to an educational or charitable purpose. (Veterans organizations and organizations of volunteer firemen are exceptions.)
3. In approving the use of school facilities by non-school groups, discretion will be exercised by the administration as to the appropriateness of the activity. The administration may refer requests to the Board of Education if it deems it advisable to do so.
4. The use of school facilities is prohibited from merchandising for commercial purposes and/or gambling.
5. The school facilities are not to be used for political meetings or by political groups, except when non-partisan organizations may wish to sponsor public meetings involving debate or discussion by at least two political groups.
6. Equipment shall not be loaned for use outside the school building or off the school grounds without prior approval from the Superintendent except for equipment or instruments loaned to students and staff as part of the school program.
7. School facilities may not be used under the sponsorship of groups whose membership is not made up substantially of District residents.

## Granting of Approval

The Superintendent or designee is authorized to:

1. Approve and schedule the use of school facilities by a non-school organization for whose activities no admission charge is made in accordance with the "General Policy."
2. Approve and schedule the use of school facilities by a non-school organization for whose activities an admission charge is made, provided approval has been previously granted to such organization for similar activities, in accordance with the "General Policy."
3. Establish fees based on operational costs for the use of school facilities and in accordance with the District Facility and Equipment use form.
4. Establish and communicate to non-school groups guidelines of behavioral expectations and care of the school facility during use including restrictions on alcohol, tobacco, and drug use.

## Reservations

The Board reserves to itself power to approve the use of school facilities by any other non-school organization for whose activities an admission charge is made.

# Community Use of School Facilities, Property and Equipment

## School Grounds and Property in General

1. Defacing, damaging or destruction of school building, school property or school grounds is prohibited. Persons responsible for damage will be held responsible for restitution of same. Law enforcement officials will be contacted as appropriate in such instances.
2. School athletic fields, tennis courts, and grounds are closed to unscheduled use or assembly after dark.
3. Littering of school grounds and parking lots is prohibited.
4. Only authorized personnel are permitted on the roof of a school building.

## Equal Access Law

Education Law Section 414 and 4144(a)

Board Approved: September 23, 2019

Non-Substantive: February 5, 2020

# Recognition

It is the policy of the Board of Education to support the ongoing recognition of students, faculty, staff, graduates, and school volunteers.

The Superintendent shall develop an ongoing process for recognizing current members of the student body, faculty, staff, and volunteers.

The Board of Education will support approved recognition programs for graduates and former faculty and staff members. Any such program is subject to periodic review and approval by the Board of Education.

Board Approved: January 27, 2020

## Acceptable Use of Computer System

The Board of Education will provide access to various computerized information resources through the District's Computer System (DCS) consisting of software, hardware, computer networks, and electronic communications systems. This may include access to electronic mail, so-called "on-line services", and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.

One purpose of this policy is to provide notice to students and parents/legal guardians that, unlike most traditional instruction or library media materials, the DCS will allow student access to external computer networks not controlled by the School District where it is impossible for the District to screen or review all of the available materials. Some of the available materials may be deemed unsuitable by parents/legal guardians for student use or access. This policy is intended to establish general guidelines for acceptable student use. However, despite the existence of such District policy and accompanying guidelines and regulations, it will not be possible to completely prevent access to computerized information that is inappropriate for students. Furthermore, students may have the ability to access such information from their home or other locations off school premises. Parents/legal guardians of students must be willing to set and convey standards for appropriate and acceptable use to their children when using the DCS or any other electronic media or communications. The District respects the right of each family to decide whether or not to apply for independent computer access.

Student use of the DCS is conditioned upon written agreement by all students and their parents/legal guardians that student use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All agreements shall be kept on file in the District Office.

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to the use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use.

District students shall also adhere to the laws, policies, and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the District's school conduct and discipline policy and the Student Discipline Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages, or destroys property of the District. Further, the District may bring suit in civil court against the parents/legal guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.



## Acceptable Use of Computer System

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The computer coordinator may access all such files and communications to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should **NOT** expect that information stored on the DCS will be private.

The Superintendent or designee is authorized to establish regulations as necessary to implement the terms of this policy.

Board Approved: September 23, 2019

Non-Substantive: February 5, 2020

# Flag Display

In keeping with State Education Law and Executive Law, the Board of Education accepts its duty to properly display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as the statutes may require or the Board may direct.

When ordered by the President, Governor, or local official, to commemorate a tragic event of the death of an outstanding individual, the flag shall be flown at half-staff. The Superintendent's approval shall be required for the flag to be flown at half-staff upon any other occasion. The flag shall be displayed in every assembly room (e.g., the auditorium) including the room where the Board of Education meetings are conducted, as well as displayed in all rooms used for instruction.

Education Law Sections 418 and 419  
Executive Law Sections 402 and 403  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 108.1-108.3

Board Approved: September 23, 2019  
Non-Substantive: February 5, 2020

# Character Education

Character Education is fundamental to the mission of the Canandaigua City School District. In 1995-96, in response to an initiative in the Plan for Excellence, a broad-based stakeholder committee proposed five character traits that the District would seek to develop in our youth. In 2017, these traits were amended by the Character Education Committee and are:

Respect leads to Civility  
Responsibility leads to Accountability  
Honesty leads to Integrity  
Kindness leads to Compassion  
Effort leads to Perseverance  
Healthful Choices lead to Healthy Living

These character traits have been embraced by the Board of Education, the District administration and staff, parents, students, and the community. The District subscribes to the belief that character education is not a program, it is a commitment. It is a way of life that must be incorporated into the culture of the District and practiced in all that we do.

Board Approved: September 23, 2019

Non-Substantive: February 5, 2020

## School Symbols

The students of Canandaigua Academy have chosen the historical Native American Brave, typical of those that inhabited the Finger Lakes Region, to symbolize those characteristics. Because the Brave is a Native American symbol, great care needs to be taken to treat the legacy of the Brave with the highest level of respect. Therefore, the Superintendent of Schools shall develop guidelines for use of the Brave symbol and disseminate such guidelines. No inappropriate or unauthorized use of the Brave symbol in conjunction with the Canandaigua City School District shall be allowed.

Board Approved: September 23, 2019

## Animals on School Property

In order to maintain safe and sanitary buildings and grounds, dogs, and pets of any kind, are prohibited from being on school property at all times. Special, occasional permission may be granted by a building principal. This policy does not apply to guide/service animals.

Board Approved: September 23, 2019

# Social Media

The Canandaigua City School District uses social media to celebrate our successes and to spotlight our achievements. All District-related communication through social media and social networking outlets should remain professional in nature and should always be conducted in accordance with the District's communication expectations. Employees represent the District and its many constituents and therefore must not use any social media which associates them with their employment in the Canandaigua City School District for the seeking of political office, to conduct private commercial transactions, or to engage in private business activities. District employees may not publish information that includes confidential information about students or staff, copyright violations, threatening, harassing or any other comments or posts that violate District policies and/or its Code of Conduct.

All content published on District-authorized social media sites will be subject to monitoring. User-generated posts, as well as comments on the District's own social media sites will be rejected or removed when the content of the post:

1. Contains obscenity
2. Contains personal identifying information about a student
3. Is threatening, harassing or discriminatory
4. Incites violence or promotes illegal activities
5. Contains information that reasonably could compromise individual or public safety
6. Advertises or promotes a commercial product or service
7. Promotes or endorses political campaigns or candidates

This is not intended to be a complete or exhaustive list, but rather to provide examples of the kinds of posts that will be rejected or removed. Any posts which violate this or other policies of the District will also be subject to rejection and/or removal.

Board Approved: January 13, 2020

## Gender Neutral Single-Occupancy Bathrooms

All single-occupancy bathroom facilities in the district are designated as gender neutral. Signs designating gender neutral single-occupancy bathrooms must be posted on or near the entry door of that bathroom facility.

A “single-occupancy bathroom” is as defined in Public Buildings Law §145(d) as “a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy.”

The Superintendent of Schools or designee is directed to post appropriate signage to implement this policy consistent with applicable laws. Handbooks, directional signs, memos, safety plans, and maps will also be updated as necessary.

Ref:

Education Law §409-m (single-occupancy bathrooms designated gender neutral)  
Public Buildings Law §145(d)

Board adopted: March 22, 2021

# Programs for Students with Disabilities

The Board of Education shall provide appropriate programs and maintain records for each child residing in the district identified by the Committee on Special Education (CSE) as having a disability. The following outlines the district plan, program, and committee guidelines:

## **District Plans for Special Education Programs and Services**

The district will prepare biennial plans describing the full range of its special education programs and services. Such description shall include the number and age span of children served by these programs, the methods of evaluation used, and the program's estimated budget (including date of adoption).

## **Access to School Programs by Students with Disabilities**

Each student with a disability residing in the District will have access to and opportunity to participate in the full range of programs and services of this school district, including extracurricular programs and activities, which are available to all other students enrolled in the public schools of the district to the maximum extent appropriate to the needs of the student. Each preschool student with a disability residing in the District shall have the opportunity to participate in district preschool programs, if any.

## **Committee on Special Education; Committee on Preschool Education:**

### Appointment and Training of Appropriately Qualified Personnel

#### The Committee on Special Education

The Committee on Special Education ("CSE") shall be designated by the Board of Education on an annual basis to ensure timely evaluation and placement of students with disabilities. The CSE members shall be appointed upon the recommendation of the Superintendent of Schools. Members shall include, but not be limited to, individuals in those positions designated in Section 4402 of the New York State Education Law. The Director of Special Programs and the CSE Chairperson shall be designated as the "chairperson" of the CSE. Additional CSE chairs may be designated by the Superintendent and approved by the BOE.

#### Subcommittees

The number of Subcommittees on Special Education will be determined by the CSE. The subcommittee on Special Education will be composed of members who have functions consistent with the Regulations of the Commissioner of Education.



# Programs for Students with Disabilities

## The Committee on Pre-School Education

The Committee on Preschool Education (“CPSE”) is established to conduct meetings to develop, review, and revise the Individualized Education Program of preschool children with a disability in accordance with Article 89 of the New York Education Law and Part 200 of the Regulations of the Commissioner of Education. Members shall include, but not be limited to, those positions designated in Section 4410 of the New York State Education Law.

## Training

The Superintendent of Schools shall establish administrative regulations for training all District personnel who are a member of the CSE or the Committee on Preschool Special Education to carry out the functions related the District’s obligations under Part 200 of the Commissioner’s Regulation.

## **Operation of Educational Programs for Students with Disabilities**

The special education programs shall be operated in accordance with the regulations of the Commissioner of Education.

The CSE shall recommend the provision of special education services in the least restrictive environment appropriate for the student and, where grouped in a special education class with other students with a disability, with students of similar individual needs.

The District will provide special services and/or programs to the extent appropriate to the needs of each student with a disability to enable the child to participate in regular education services to the extent appropriate and to be involved in and progress in the general education curriculum. In developing each IEP, the CSE is to consider programs and services appropriate to the needs of each student so that the student may participate in and progress in the general education curriculum.

The Superintendent of Schools shall establish regulations to provide students with the special education services specified on the student’s IEP and, subject to the Board of Education’s right to return a recommendation to the original or new CSE if it disagrees with a recommendation of the CSE, to arrange for those services to be implemented within 60 days of receipt of the parent’s consent to evaluate or referral to the CSE for review.

Appropriate modifications to instructional techniques and materials shall be prescribed on the student’s IEP.

## Programs for Students with Disabilities

### **Consent for Evaluation**

The Superintendent of Schools is responsible for establishing administrative regulations for the purpose of ensuring that parents of school age and preschool children receive the request for consent for evaluation prior to any evaluation and that they understand the request.

### **Confidentiality of Personally Identifiable Data, Information or Records Pertaining to a Student with a Disability**

The Superintendent of School is responsible for establishing regulations for ensuring the confidentiality of personally identifiable data, information, or records pertaining to a student with a disability consistent with Part 200 of the Regulations of the Commissioner of Education, the Regulations established pursuant to the Individuals with Disabilities Education Improvement Act of 2004 and the Family Educational Rights and Privacy Act and Regulations established thereto.

### **Pre-referral Interventions**

The Superintendent of Schools is responsible for establishing administrative plans, practices and procedures for implementing school-wide approaches and pre-referral interventions in order to remediate a student's performance prior to referral for special education.

### **Declassification**

The Superintendent of Schools is responsible for establishing administrative plans and practices for the appropriate declassification of students with disabilities. Such plan and practice shall include, at the minimum, that students with disabilities be regularly considered for declassification when believed by any member of the CSE to be appropriate and, at least, as part of the three-year re-evaluation. Such plan and practice shall also provide that no student will be declassified without a prior reevaluation and that the student will be provided appropriate educational and support services upon declassification.

### **Impartial Hearing Officers**

In the event that a request for a due process hearing is made and is not resolved in a resolution session, the Board of Education will arrange for an impartial hearing to be held. The Board of Education shall appoint an impartial hearing officer from the list of impartial hearing officers maintained by the State Education Department available to serve in Ontario County in accordance with the alphabetical rotational selection process established by the Regulations of the Commissioner of Education. The President and Vice President of the Board of Education are each designated to appoint the impartial hearing officer if the a regularly scheduled meeting of the Board is not to occur within 24 hours of the impartial hearing officer selection. The Board of Education shall report information relating to the impartial hearing process to the Impartial Hearing Reporting System (IHRS).

## Programs for Students with Disabilities

Impartial hearing officers shall be compensated at the hourly rate allowable by State law for pre-hearing, hearing, and post-hearing activities. They shall be reimbursed for travel expenses at the IRS travel rate plus tolls or the cost of alternative transportation, whichever is less, and for reasonable lodging and meal expenses, when necessary, upon presentation of an invoice therefore.

### **Instructional Materials in Usable Alternative Format**

The Superintendent of Schools is responsible for establishing and implementing a plan to make all instructional materials to be used in the District's schools available in a usable alternative format consistent with the National Instructional Materials Accessibility Standards to all students with a disability in accordance with the student's educational needs and course selections at the same time that such materials are available to non-disabled students. Alternative format includes any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a student with a disability.

### **Instructional Materials in Usable Alternative Format**

The Superintendent of Schools is responsible for establishing and implementing a plan to make all instructional materials to be used in the District's schools available in a usable alternative format consistent with the National Instructional Materials Accessibility Standards to all students with a disability in accordance with the student's educational needs and course selections at the same time that such materials are available to non-disabled students. Alternative format includes any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a student with a disability enrolled in the District, including but not limited to Braille, large print, open and closed captioned, audio or electronic file. Electronic files must be compatible with at least one alternative format conversion software program that is appropriate to meet the student's needs.

The plan shall (1) give a preference in the purchase of instructional materials to those vendors who agree to provide such materials in alternative formats; (2) specify, when an electronic file is provided, how the format will be accessed by students and/or how the district will convert to the accessible format; (3) specify the process to be used when ordering materials to identify the needs of students with disabilities for alternative format materials; (4) specifying ordering timelines to ensure that alternative format materials are available at the same time as regular format materials; and (5) include procedures to initiate the process to obtain materials in alternative formats without delay when a student with a disability moves into the school district during the school year and needs the same.

### **Providing Teachers and Service Providers with a Copy of the IEP**

Each regular education teacher, special education teacher, related service provider and/or other service provider, including representatives of another public school district, BOCES, or other facility where a student receives IEP services, who is responsible for implementing an IEP is to be provided a paper or electronic copy of that IEP, as well as any amendments thereto, prior to its implementation. Individuals responsible for implementation of a student's IEP shall also be notified and trained how to access an IEP electronically.

## Programs for Students with Disabilities

The CSE Chairperson is to designate for each student with a disability one, or as appropriate, more than one professional employee of the District with knowledge of the student's disability and education program to inform each regular education teacher, special education teacher, related service provider, teacher assistant, teacher's aide, and other provider or support staff person assisting in the implementation of the IEP of his or her responsibility to implement the recommendations on a student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services, in accordance with the IEP.

The IEP shall continue to remain confidential and shall not be disclosed or re-disclosed to any other person except in accordance with the Individuals with Disabilities Education Improvement Act and the Family Educational Rights and Privacy Act. Procedures will be established to ensure that copies of students' IEPs are stored in secure locations and retrieved or destroyed when such professionals are no longer responsible for implementing the IEP.

### **Highly Qualified Personnel.**

To meet the needs of students with disabilities and to provide them access to the general education curriculum, including the challenging expectations that have been established for all students, to the maximum extent appropriate, the Board of Education is committed to recruit, hire, train, and retain highly qualified personnel to provide special education programs and services. To that end, the District will take the following measurable steps:

Follow the district Professional Development Plan Provide a teacher mentor program

### **District Wide Assessments**

Appropriate accommodations to measure academic achievement and functional performance in District wide assessments shall be provided to students with a disability in accordance with each student's:

504 plan

IEP Test Accommodations

To the extent feasible, universal design principles (thereby allowing use by students with the widest range of functional capabilities, with and without assistive technology) will be used in developing and administering the District- wide assessment program according to the following:

504 Plan

IEP Test Accommodations

Ref: 8 NYCRR 200.

## Time Out Rooms

The Board of Education recognizes that use of a time out room may be an effective and safe means for a student with a disability to safely deescalate, regain control, and prepare to meet expectations to return to his or her education program. It also recognizes that it may be needed to remove a student from a potentially dangerous situation. Except where there is an unanticipated and immediate concern for the physical safety of a student or others, a time out room is to be used only in conjunction with a student's behavioral intervention plan.

A student may not be placed in a locked room as a means of "time out" and may not be placed in a room, or in a space within a room, where the student cannot be continuously observed and supervised. Any and all time-out rooms must conform to the requirements set forth below.

A student may be placed in a time out room only (1) in accordance with that student's behavioral intervention plan, which is to include specification of factors to determine the need for use of the time out room and limitations for the time to be spent in the time out room or (2), if not designated on a behavioral intervention plan, when the student's behavior poses an immediate and unanticipated concern for the physical safety of that student or of others and it is determined by the professional staff working with the student that use of the time out room is the least restrictive means to enable the student or others to remain safe and/or to enable the student to safely deescalate and regain control.

Use of the time out room for an individual student may not exceed that time designated on the student's behavioral intervention plan or, if not so designated, may not exceed 120 minutes per incident. If the student is not able to safely return to his or her education program after the time specified in the behavioral intervention plan, the staff shall adhere to the behavioral intervention plan for other behavioral intervention. If there is not a behavioral intervention plan, or if the behavioral intervention plan does not specify use of the time out room, the student's parent will be called and arrangements made for the student's removal from school if the student is not able to safely return to his or her educational program after 120 minutes.

All parents of students with a disability whose behavioral intervention plan specifies the use of a time out room shall be provided with a copy of this policy and shall be notified prior to its implementation that the plan incorporates the use of a time out room and that they have the right to view the physical space to be utilized as a time out room.

Staff shall continuously monitor any student in the time out room. The Superintendent of Schools or designee is to establish and implement procedures to document when the time out room is used, the duration of its use for each student on each occasion, and other information to monitor the effectiveness of the use of the time out room to decrease specified behaviors of the student. Such information is to be made available to the CSE and, upon request, to the student's parents.

The Superintendent of Schools is to arrange for training of staff regarding this policy and procedures related to the use of the time out room.

# Time Out Rooms

## Time Out Room Requirements

The time out room must be of adequate width, length, and height to allow the student to move about and recline comfortably. It must provide a means for continuous visual and auditory monitoring of the student and must have adequate lighting and ventilation. Wall and floor coverings should be designed to prevent injury. The temperature of the room is to be within the normal comfort range and consistent with the rest of the building. The room is to be clean and free of all objects and fixtures that could be potentially dangerous to a student. It is to meet all local fire and safety codes. The time out room shall be unlocked and able to be opened from the inside.

8 NYCRR §200.22(c)

Board Approved: September 23, 2019

## Independent Educational Evaluations

Parents/guardians of a student with a disability (or a student who is thought to have disability) have the right to receive an “independent educational evaluation” of their child if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE). This evaluation will be paid for by the District pursuant to the terms of this policy and any associated administrative regulation.

The independent evaluation must be conducted by a qualified examiner who is not employed by the District. 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 will 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 for an independent evaluation within 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 or that the evaluation obtained by the parent or guardian does not meet the District’s criteria. 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 Superintendent will develop regulations establishing the geographic area in which such evaluations may take place, and minimum qualifications of the professional who administer and interpret various tests; and a reasonable timeline for seeking reimbursement.

Board Approved: September 23, 2019

## Regarding Response to Intervention “RTI”

In accordance with regulations of the Commissioner of Education, The Board of Education of the Canandaigua City School District adopts the following policy and procedures to identify those students in Grades K – 5 who are not making academic progress at the expected rate, to provide targeted interventions and instruction matched to those students’ needs, and to determine whether each of those students responds to scientific, research-based instruction or whether a school- based referral of the child to the Committee on Special Education as a student suspected to have an educational disability is warranted. Such procedures shall include, as part of the District’s general education program, a process referred to as Response to Intervention (RTI).

It is the intent of the Board of Education that there be a district-wide multi-tiered RTI model that allows each school the flexibility to determine interventions specific to its population.

The basic components of the RTI process shall include:

- Scientific, research-based core instruction in reading and mathematics by qualified personnel for all students in the general education class. Reading instruction shall include scientific research- based reading programs that include explicit and systematic instruction in strategies to increase students’ phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension.
- Screening for all students in Grades K-5 at least three (3) times per year to identify those students who are not making academic progress at the expected rate.
- Research-based interventions matched to the student’s targeted need at increasing levels of intensity for those students who do not make satisfactory progress in age or grade level standards.
- Repeated assessments of targeted skill areas using curriculum-based measures to determine if interventions are resulting in student progress toward age or grade level standards.
- Additional diagnostic assessments as needed to clarify a student’s learning profile to identify the root cause of learning issues in order to specifically adjust instruction.
- A building-based Instructional Support Team (“IST”) to review individual student profiles and performance, problem solve areas of challenge (social-emotional, behavioral, academic, medical), and to make decisions related to the criteria for determining the levels of intervention, types of interventions, and amount and nature of student performance data to be collected and the manner and frequency for progress monitoring.



## Regarding Response to Intervention “RTI”

Each IST will be comprised of the following: a general education teacher to serve as IST Coordinator, one general education teacher from each grade level, a special education teacher, building administrator and educational services personnel appropriate to the student (ex: interventionist). Other staff members may be included depending on the case being reviewed. The Team shall convene to conduct the following tasks:

1. Identify the interventions appropriate for each level of the tiered model and for movement in and out of each level consistent with regulations developed by the Superintendent of Schools or designee;
2. Review and analyze data collected pursuant to this policy;
3. Make decisions regarding the appropriateness of the interventions used and the grouping of students to maximize effectiveness;
4. Recommend changes in students’ instructional programs based upon the analysis of the data.
5. Recommend further diagnostic assessment as needed;
6. Reconvene to review student performance data once instruction has been adjusted to assess the students’ response to intervention(s);
7. Determine whether students are making progress and when or if a referral to the CSE is appropriate.

Written notice to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:

1. The techniques, strategies, and/or programs that will be used to address deficit areas to increase the student’s rate of learning and performance level
2. The amount and nature of the student performance data that will be collected and the general education services that will be provided
3. The parents’ right to request an evaluation for special education

The Superintendent shall be responsible to ensure that staff have the knowledge and skills necessary to implement a RTI program and that the RTI program is implemented in accordance with this Policy and the Regulations of the Commissioner of Education.

## Adoption of Courses and Curriculum, Selection of Textbooks, and Library Materials

The Board of Education is responsible for the approval and purchase of instructional materials used in the District. As part of this duty, the Board of Education affirms the Library Bill of Rights of the American Library Association and is committed to providing materials that:

Support the philosophy and goals of the District and respond to the diverse needs of students and the requirements of the curriculum.

Provide opposing points of view on controversial issues so that students may develop, under guidance, the practice of critical reading and thinking

Stimulate growth in factual knowledge and literary appreciation

Assure a comprehensive collection for academic and leisure reading

The Board delegates the responsibility for the selection of instructional materials to the professionally trained personnel of the District in accordance with the guidelines and criteria established in administrative regulations. The Board also allows a process for challenging instructional materials.

Board Approved: September 23, 2019

# Internet Safety

**Filtering.** Pursuant to the Children’s Internet Protection Act (CIPA), filtering software will be used to block minors’ access to:

- Visual depictions that are (a) obscene, (b) child pornography, or (c) harmful to minors; and
- Internet sites which, as determined by the Superintendent or designee, contain material which is “inappropriate for minors.” (See below.)

Adult access to visual depictions that are obscene and/or child pornography will also be blocked. However, the Superintendent or designee may disable the software to enable access to blocked sites for bona fide research or other lawful purposes.

**Matter Inappropriate for Minors.** The Superintendent or designee will determine what Internet material is “inappropriate for minors” in the District.

**Safety of Minors When Using Direct Electronic Communications.** In using the computer network and Internet, minors are not permitted to reveal personal information (such as home addresses, telephone numbers, their real last names or any other information which might allow someone they are **communicating** with online to locate them) without appropriate supervision. No minor may arrange a face-to-face meeting with someone they “meet” on the computer network or Internet without their parent’s permission.

**Unauthorized Access and Other Unlawful Activities.** It is a violation of this Policy to:

Use the School’s computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access;

- damage, disable or otherwise interfere with the operation of computers, computer systems, software or related equipment through physical action or by electronic means; and/or
- violate state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or any other applicable law or municipal ordinance.

**Unauthorized Disclosure and Dissemination of Personal Identification Information Regarding Minors.** Personally identifiable information concerning minors may not be disclosed or used in any way on the Internet (e.g., on the District’s web page or otherwise) without the permission of a parent or guardian. If a student is 18 or over, the permission may also come directly from the student.

**Instruction on Internet Social Interaction and Cyberbullying.** The District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites/chat rooms as well as cyberbullying awareness and response.

## Internet Safety

**Monitoring.** Those responsible for supervising minors while using District computers will also be responsible for monitoring their online activities by circulating throughout the area where the computers are located and directly observing the nature of those activities.

**Regulations and Dissemination.** The Superintendent is authorized to develop and implement regulations consistent with this policy. The Superintendent will also be responsible for disseminating the policy and associated regulations to school personnel and students.

Board Approved: September 23, 2019

# Field Trips and Excursions

## Curricular Field Trips

Field trips designed to stimulate student interest and inquiry and provide opportunities for social growth and development are considered appropriate extensions of the classrooms. To the extent that they provide the most effective means for accomplishing general curriculum objectives of the Canandaigua City School District, field trips may be authorized by the building principal with the exception that field trips which will extend overnight must be approved by the Superintendent and the Board of Education.

To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation of the class, and opportunities for students to assimilate the experience during and at the conclusion of the trip. To this end, teachers and principals will be expected to consider the following factors in selection of field trips:

- a) Value of the activity to the particular class group or class groups;
- b) Relationship of the field trip activity to a particular aspect of classroom instruction;
- c) Suitability of the activity and distance traveled in terms of the age level;
- d) Mode and availability of transportation;
- e) Safety of students and supervisors; and
- f) Cost.

Parents/guardians must be apprised of all pertinent information concerning the field trip and a separate parental permission slip is required for each student participating in each trip.

The Superintendent shall prepare procedures for the operation of a field trip activity. Field trip support shall be determined annually by the Board during its budget deliberations. Regardless of the fiscal support for field trips, the rules of the School District for approval and conduct of such trips shall apply.

## Excursions

Excursions are defined as travel from a student's assigned building to another district-owned facility or nearby community facility directly connected to the school program. They are considered a part of the regular school program (Example: grades 3-5 swimming at the Academy). Parents/guardians must be apprised of all excursions that involve students leaving their assigned building. Parental permission slips are not required.

## Extra-curricular Field Trips

Extra-curricular Field Trips are designed to stimulate student interest, provide opportunities for alternative competitions, instruction/training, and team building and are considered appropriate extensions of the normal extra-curricular program. Day trips may be authorized by the building principal/Athletic Director. All overnight and out of state trips must be recommended by the Superintendent and approved by the Board of Education.

## Field Trips and Excursions

Teachers, coaches, and administrators will be expected to consider the following factors in the selection and planning of field trips:

- a) Value of the trip and accomplishing the program objectives;
- b) Missed school days and instructional time;
- c) Suitability to the activity and distance traveled;
- d) Mode and availability of transportation;
- e) Number and qualifications of chaperones required;
- f) Safety of students and supervisors; and
- g) Cost and fund raising required.

Students are expected to adhere to the school rules and act as mature adults at all times.

Parents/guardians must be apprised of all pertinent information concerning the field trip and a separate parental permission slip is required for each student participating in each trip.

The Superintendent shall prepare procedures for the planning and approval of all field trip activity. It is understood that the costs of extra-curricular field trips are not normally included in the budget of the District.

### Cancellation

The Superintendent/designee may cancel previously approved field trips and/or excursions due to extenuating circumstances.

Board Approved: September 23, 2019  
Amended: October 21, 2019

# School Volunteers

Services of volunteers may be authorized only by the Superintendent of Schools, central office administrators, building principals, or the Board of Education and such authorization may be revoked at any time.

Volunteers may come from all backgrounds and age groups and may include any persons willing to give their time for the purpose of helping children through planned auxiliary services. Volunteers may be involved in many facets of school operations, from mentor/tutor relationships to clerical tasks. School personnel who are responsible for tasks or projects that will make use of volunteers will identify appropriate tasks and time schedules for such activities, as well as make provisions for adequate supervision, in-service programs, and evaluation. Any information gained through volunteering must be held in strict confidence with the principal/designee assuring that the volunteer has no access to confidential student or personnel data.

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.

Board Approved: September 23, 2019

# Student Progress

## Placement

The placement of a student within the school system, with respect to building, teacher, and grade or special class, shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such decisions, the administrator will be guided by performance in class, past records, parent/guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information, but the final decision shall rest with the school administration.

## Promotion and Retention

The procedures to be followed by the staff regarding promotion and retention of a student will be developed by the Superintendent or their designee and will be continually evaluated in the light of School District policy.

## Student Assessment

Student assessment is an integral part of the instructional program and will incorporate a variety of strategies designed to allow students to demonstrate their level of performance.

The purposes of student assessment are to:

- Provide the student and teacher with information regarding learning progress
- Establish student instructional goals
- Monitor student growth
- Adjust instructional strategies
- Communicate student achievement to parents
- Report district-wide student achievement results to the Board of Education and the public
- Evaluate program

The Superintendent of Schools will develop regulations for this policy.

Board Approved: September 23, 2019  
Non-Substantive: December 16, 2020



# Graduation Requirements

The Board will determine the graduation requirements for the school district in accordance with any specific Regulations of the Commissioner of Education. The Superintendent of Schools will establish regulations setting forth diploma requirements.

## **Early Graduation**

Early graduation may be accomplished upon fulfillment of requirements with parental approval and upon notice to the guidance department and upon approval of the High School Principal.

Board Approved: September 23, 2019

## Parent and Family Engagement (Title 1)

The Canandaigua City School District encourages and supports family engagement in all school programs. The District believes that a collaborative community that understands and proactively supports a partnership between school and families is essential for the success of all students in every aspect of their education.

The District and the Title I Coordinator work to involve families in the development of the Title I Grant. The district will work with PTSA to identify family representatives from each school to meet at least once a year with the Title I coordinator to review the Title I program.

Canandaigua City School District firmly believes that all students and families deserve access to consistent, high quality instruction. Through coordinated efforts by the Office of Instruction, building principals, program directors, and PTSA representatives, the district will support all schools in planning and implementing effective family engagement activities to improve student academic achievement and school performance. Various assessment tools, effective practices, resources, a parent information meeting, and additional supports as needed will be used to assure opportunities for family engagement.

The District will inform families, in a timely manner and in plain language, of the instructional support services available to their children. In addition, families will be regularly informed of student progress within Academic Intervention Services.

The District will support family members in understanding state and local academic achievement standards and assessments, including Title I requirements, to assist their children with academic success. The District will create opportunities for families to become more familiar with technology, through parent nights and open house sessions, and will expand the District website to provide families and students with access to resources for academic support.

To further strengthen family engagement, the District will provide professional development to staff regarding the importance of family engagement. Professional learning may include how to reach out to and work with families as equal partners, including ways to implement family programs, and how to build successful school-home relationships.

Board Approved: September 23, 2019  
Non-Substantive Change: December 16, 2020

## Instruction for English Language Learners

It is the District's philosophy and practice to educate English Language Learners in the least restrictive environment and to provide them with full access to a free-standing English as a New Language program, taught by duly certified Teachers of English to Students of Other Languages.

The Superintendent will develop and implement administrative regulations designed to:

- Screen students as potential English Language Learners, pursuant to Part 117 of the Commissioner's regulations;
- Identify qualifying students as English Language Learners;
- Annually evaluate each English Language Learner's performance in content areas to measure the student's academic progress;
- Provide a description, per building, of the curricular and extracurricular services provided to English Language Learners;
- Provide a description of the District- and school-level procedures for the management of the program, including staffing, site selection, parental notification, coordination of funds, applicable training, and program planning.

The Board fully supports full access of English Language Learners to all appropriate instructional and support services offered within the District, including guidance programs, pursuant to section 100.2[j] of the Commissioner's regulations, as well as equal opportunity to participate in all school programs and extracurricular activities.

In cases where an English Language Learner is suspected of having an educational disability, a referral is made to the appropriate building Committee on Special Education, and a bilingual (if indicated), multi-disciplinary assessment will be conducted, to assure that a comprehensive, appropriate evaluation is undertaken.

In order to enhance communication regarding school-related programs and activities, the District will make every effort to communicate with the parents of English Language Learners in their home language. In addition, this will include the use of an interpreter/translator, when appropriate, for parent conferences and any other meetings where the use of an interpreter/translator would be seen as best practice.

Board Approved: September 23, 2019

# Student Harassment and Bullying Prevention and Intervention

The Board of Education prohibits all acts of discrimination, harassment, and bullying (including “cyber-bullying”) of students as well as retaliation by other students, school officers/employees, volunteers, vendors, or visitors on school property or at school functions. The same actions occurring off-campus are also prohibited if the action or actions adversely affect the educative process and/or endanger the health, safety or morals of students and may be subject to disciplinary consequences.

## **Definitions**

### **Bullying**

Bullying is a form of harassment that consists of inappropriate persistent behavior including, but not limited to: threats of intimidation of others, treating others cruelly, terrorizing, coercing, stalking, or habitual put-downs and/or badgering of others, whether done directly, indirectly, face-to-face, or remotely through electronic communication (i.e., “cyber-bullying”). In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation, or discrimination. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

### **Cyber-bullying**

Cyber-bullying is a form of bullying which occurs via electronic communication on the Internet, on cellular phones or other electronic media. It can involve, but is not limited to: sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad.

### **Discrimination**

Discrimination is the act of denying rights, benefits, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class, or category to which that person belongs (as enumerated in the *Definitions* section, under Harassment, below).

### **Hazing**

Hazing is a form of harassment among students defined as any intentional or reckless act directed against another for the induction, initiation, or membership process in any school sponsored activity, organization, club, or team involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury, or public ridicule. Hazing of a student includes soliciting, encouraging, aiding, or engaging in “hazing” behavior as defined pursuant to District policy, regulation and/or law. Hazing is demeaning, abusive and/or illegal behavior that harms victims, and is inconsistent with the educational goals of the District by negatively impacting the school environment. Hazing of a student by another student or group of students is strictly prohibited on school property; in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus.

# Student Harassment and Bullying Prevention and Intervention

## Harassment

Harassment has been defined in various ways in federal and state laws and regulations. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation, or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race, color, weight,
- national origin, ethnic group, religion,
- religious practice, disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression)

In some instances, bullying or harassment may constitute a violation of an individual's civil rights. The District is mindful of its responsibilities under the law and in accordance with District policy regarding civil rights protections.

## Retaliation

Retaliation is a separate and distinct violation of this policy in which any employee, student, or visitor mistreats any person because they reported in good faith, testified about, or otherwise assisted in an investigation, proceeding, or hearing related to alleged harassment or bullying.

## School Property

School Property means in or within any building, structure, athletic spaces, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus or other school vehicle.

## School Function

School Function means a school-sponsored extracurricular event or activity.

# Student Harassment and Bullying Prevention and Intervention

## **Dignity Act Coordinator**

The Board of Education shall designate at least (1) staff member at every school building to be thoroughly trained to handle human relations in the area of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, gender expression, and other characteristics protected by applicable federal, state and local laws (the Dignity Act Coordinator).

In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Dignity Act Coordinator, pending approval of a successor Coordinator by the applicable governing body within 30 days of the date the position was vacated. In the event a Dignity Act Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as the Dignity Act Coordinator, pending return of the previous Dignity Act Coordinator to his or her duties.

## **Administrative Regulations**

The Superintendent will establish regulations consistent with this policy designed to:

- Further define harassment/bullying/retaliation (giving specific examples thereof);
- Prevent harassment/bullying/retaliation of students;
- Provide students/parents with easy-to-follow complaint procedures for reporting harassing/bullying/retaliatory conduct;
- Provide means for stopping harassing/bullying/retaliatory conduct;
- Provide for immediate and thorough investigations of all complaints;
- Take corrective action if harassing/bullying/retaliatory conduct is discovered; and
- Prevent retaliation against those who make good faith reports of harassing/bullying conduct or assist in an investigation related to same

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## Age of Entrance

A resident child must be at least five years old by December 1 of the school year of entry to be admitted to kindergarten during that school year.

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## Transfer Students Under Disciplinary Penalty

When a student under a disciplinary penalty from another district transfers into Canandaigua City School District, the Superintendent will require the building principal and a designee to review the records of the student. After reviewing the records, a recommendation for educational placement will be given to the Superintendent. The recommendation will be based upon a review of the transfer records, the charges and discipline imposed by the previous district, taking care to safeguard the student's due process rights.

Board Approved: September 23, 2019



## Non-Resident Students

Non-resident students will be accepted only under the following circumstances:

1. Students whose parents or guardians move from the Canandaigua City School District after April 1 of a year will be permitted to attend the Canandaigua Schools on a non-tuition basis until the end of the school year during which the move occurs as long as they remain students in good standing and avoid serious disciplinary issues. Transportation will not be provided outside of District boundaries for any non-resident student.
2. Students who have begun their Junior year shall be permitted to attend Canandaigua Academy through their senior year as long as they remain a student in good standing and avoid serious disciplinary issues.
3. Parents or guardians who have proper written verification that they will become School District residents after the beginning of a school year and who want to enroll students as soon as possible at the school they will be attending may do so. The parents or guardians must become legal residents of the District within ninety (90) calendar days after their child/children commence attendance in order for their children to remain in the Canandaigua City School District.
4. After students have been accepted and enrolled in school, it is the responsibility of the parents or guardians to notify the School Office immediately upon becoming residents of the District. Transportation shall not be provided to non-resident students except as required by law, or as might be arranged at no additional cost to the District.
5. Students admitted by the Board of Education as foreign exchange students shall attend on a non-tuition basis during the period of the authorized stay.
6. A child of a non-resident employee may attend Canandaigua Schools on a tuition-free basis as long as the child remains a student in good standing and avoids serious disciplinary issues and the parent/guardian remains a full-time employee of the Canandaigua City School District or a part-time employee working at least six (6) hours per day on all school days. If an employee should discontinue their employment, the child shall be allowed to finish the semester in which they are enrolled unless they have begun their Junior year in which case they shall be allowed to finish their Senior year.
7. In the event of significant hardship, parents or guardians of non-resident students may appeal to the Superintendent to have their children attend the Canandaigua City School District.

# Comprehensive Student Attendance

## Statement of Overall Objectives

School attendance is both a right and a responsibility. The School District is an active partner with students and parents in the task of helping all students meet or exceed the New York State Learning Standards. Because the School District recognizes that consistent school attendance, academic success, and school completion have a positive correlation, the School District will develop, review and, if necessary, revise a Comprehensive Student Attendance Policy to meet the following objectives:

- A) To increase school completion for all students;
- B) To raise student achievement and close gaps in student performance;
- C) To identify attendance patterns in order to design attendance improvement efforts;
- D) To know the whereabouts of every student for safety and other reasons;
- E) To verify that individual students are complying with education laws relating to compulsory attendance;
- F) To determine the District's average daily attendance for State aid purposes.

## Description of Strategies to Meet Objectives

The School District will:

- A) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.
- B) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness, or early departure of each student.
- C) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- D) Develop early intervention strategies to improve school attendance for all students.

## Determination of Excused and Unexcused Absences, Tardiness and Early Departures

Based upon our District's education and community needs, values, and priorities, the School District has determined that absences, tardiness, and early departures will be considered excused or unexcused according to the following standards. See attached attendance code description.

- A) **Excused:** An absence, tardiness, or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, obtaining learner's permit, road test, approved cooperative work programs, military obligations, or other such reasons as may be approved by the Building Principal.
- B) **Unexcused:** An absence, tardiness, or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (including, but not limited to, family vacation, hunting, babysitting, haircut, oversleeping).

# Comprehensive Student Attendance

## Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness, and early departure shall be kept in a register of attendance in a manner consistent with Commissioner's Regulations. An absence, tardiness, or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

Attendance shall be taken and recorded in accordance with the following:

- A) For students in non-departmentalized kindergarten through grade five (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), such student's presence or absence shall be recorded after the taking of attendance once per school day.
- B) For students in grades six through twelve or in departmentalized schools at any grade level (i.e., students pass individually to different classes throughout the day), each student's presence or absence shall be recorded after the taking of attendance in each period of scheduled instruction. Attendance shall be taken in accordance with paragraph "a" above.
- C) Any absence for a school day or portion thereof shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.
- D) In the event that a student at any instructional level from kindergarten through grade twelve arrives late for or departs early from scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness, or early departure shall be coded on a student's record in accordance with the established District/building procedures.

Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

## Online/Distance/Remote Learning

Students learning remotely will need to show daily school participation, which is to be recorded by teachers and reported under the provisions of this policy. Such participation will vary depending on the type of remote learning taking place. This is completed by documented participation in online or virtual classes. Teachers are also expected to pay particular attention to the educational progress of students learning remotely, and initiate appropriate interventions with the student and their family if a student does not show adequate engagement or growth.

# Comprehensive Student Attendance

## **Student Attendance**

The District believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Consequently, for each marking period a certain percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the building administrator and/or classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

## **Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse**

The district shall notify by telephone the parent/person in parental relation to a student who is absent, tardy, or departs early without proper excuse. The staff member shall explain the importance of good attendance and review key elements of the policy with parents related to student achievement. If the parent/person in parental relation cannot be reached by telephone, the staff member will provide such notification by mail. Further, the District's Attendance Policy will be mailed to the parent/person in parental relation to promote awareness and compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent/person in parental relation, a school conference shall be scheduled between the parent/person in parental relation and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

## **Disciplinary Consequences**

Unexcused absences, tardiness, and early departures will result in disciplinary sanctions as described in the District's Code of Conduct. Consequences may include, but are not limited to, in-school suspension, loss of parking privileges, loss of senior privileges, detention, and denial of participation in interscholastic and extracurricular activities.

Parents/persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness, or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parent/person in parental relation.

# Comprehensive Student Attendance

## Developing Intervention Strategies

In addition to the communication of the responsibilities of the students, parents and school, the implementation of incentives and the enforcement of consequences, each building administration will meet on a yearly basis to evaluate the effectiveness of their intervention programs. New interventions will be discussed and implemented with approval from the principal. All strategies utilized by each school will be summarized and sent to the Director of Student Services who will maintain a current list of all strategies used throughout the district.

## Appeal Process

A parent/person in parental relation may request a building level review of their child's attendance record. Students/parents must first appeal to the principal or designee, in writing, if they feel their attendance record is not accurate. The appeal must be made within five (5) days of receiving the quarterly report card in which the disputed absence occurred. At this review, the absences will be discussed. Further appeals may be made to the superintendent or designee.

## Communication of Attendance Policy

A summary of the Attendance Policy will be printed in each student handbook. Teachers will review the attendance policy at the start of each school year. Parents will be sent a copy of the Attendance Policy summary each year in the school calendar and in the parent guide. Back-to-school events and open houses will include an explanation of the policy, stressing the parent's crucial responsibility for ensuring children's attendance.

All staff will be provided with the Attendance Policy. They will be made aware of the procedures necessary for the accurate attendance recording for each class they teach. Teachers will review the policy with their students at the beginning of each school year.

## Building Review of Attendance Records

The building principal will work in conjunction with the building attendance clerk and other designated staff in reviewing attendance records at the end of each term. This review is conducted to identify individual and group attendance patterns and to initiate appropriate action to address the problem of unexcused absences, tardiness and early departures.

# Comprehensive Student Attendance

## Community Awareness

The Board of Education shall promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

- A) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of each school year and promoting the understanding of such a policy to students and their parents/persons in parental relation;
- B) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and
- C) Providing copies of the policy to any other member of the community upon request.
- D) The attendance codes for student absences are attached as a supplement to this policy.

Education Law Sections 3024, 3025, 3202, 3205,  
3206, 3210, 3211, and 3213 8 New York Code of Rules and  
Regulations (NYCRR) Sections 104.1, 109.2 and 175.6

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Amended: October 21, 2019

Amended: November 16, 2020

## Online, Distance, and Remote Learning

The Board of Education recognizes that new technologies are changing the way instructional material can be delivered to students. These technologies may permit the district to more effectively reach all students and provide expanded and enriched curriculum opportunities. Therefore, the Board encourages teachers and administrators to utilize online instructional opportunities for students. The use of distance learning opportunities (e.g., through BOCES), where students attend class in the district with instruction provided remotely by a teacher at another location, may be utilized but is not covered by this policy.

In accordance with Commissioner's regulations, the Board authorizes the use of district-approved online courses which enable students to earn course credit toward a Regent's Diploma, in accordance with this policy. Such online course instruction may be used to supplement a class offered by the district ("blended course") or it may be the sole mechanism for delivering the subject matter ("online course"). Online courses may be provided either with district instructional staff, through a BOCES contract, or through a shared services contract with another school district.

The Superintendent/designee is directed to develop the following:

1. a mechanism for reviewing and approving online educational programming that can be used to enable students to earn course credit as either part of a blended or online course in accordance with Commissioner's Regulations;
2. criteria and procedures for admitting students to online courses; and
3. methods for monitoring the efficacy of online courses. In developing the procedures above, the Superintendent, with the assistance of appropriate staff, will consider:
  - the equitable access of students to blended and/or online courses;
  - the adequacy of instructional support for students utilizing blended and/or online courses;
  - the budgetary impact of use of blended and/or online courses; and
  - the fit of online education resources to New York State learning standards.

### Emergency Utilization During School Closures

During emergency situations such as extended 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.

# Online, Distance, and Remote Learning

## 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 3190, 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.

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

Board Approved: November 16, 2020



## Student Publications

The Board of Education supports and encourages student publications because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism. All student publications will comply with the rules for responsible journalism. Libelous statements, unfounded charges and accusations, obscenity, false statements, materials advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations or materials which otherwise disrupt the educational process will not be permitted.

Student publications which are paid for or otherwise sponsored by the district and/or produced under the direction of a teacher as part of the school curriculum are not considered a public forum. The Board reserves the right to edit or delete such material which is inconsistent with the district's educational mission. The faculty advisor will review all students' publications prior to distribution to verify that the District standards are met.

Students who edit, publish or distribute handwritten, printed, electronic, or duplicated matter among students within the school must also comply with the applicable provision of this Policy and any associated regulation.

Board Approved: September 23, 2019

## Screening of New School Entrants

The Board of Education directs the Superintendent to establish regulations to screen every new entrant to school to determine which students may have disabilities, may be gifted, may qualify for academic intervention, or may be of limited English proficiency. The regulations are to be consistent with federal, state law and the Commissioner's regulations.

Board Approved: September 23, 2019

## Academic Intervention Services

The Board directs the Superintendent to oversee the development, maintenance, and evaluation of Academic Intervention Services. The program will specifically address the needs of students who must be provided with these services as a result of test scores on state-required tests (in compliance with the Regulations of the Commissioner of Education), as well as the needs of students who, by district measures, may be at risk of not meeting New York State Standards.

To determine student eligibility for such a program, the Superintendent or designee is to design appropriate assessment procedures, with input from parents, regular classroom teachers, guidance, and special education personnel.

Board Approved: September 23, 2019

## Interpreters for Hearing Impaired Parents

The Board of Education will provide interpreter services, provided sufficient notice is given, at no charge, to parents or persons in parental relation, who are hearing impaired for school meetings or activities related to their child's educational program. Notice of the need for an interpreter will be considered sufficient if a written request for the service has been submitted to the District's Title IX Compliance Officer and received no less than five (5) school days prior to the scheduled meeting or activity. If an interpreter is unavailable, the District will make other reasonable accommodations which are satisfactory to the parents (e.g., note taker, transcript, decoder, or telecommunication device for the deaf).

Board Approved: September 23, 2019

# Child Abuse Prevention and Reporting

The Superintendent will develop, maintain and disseminate regulations for mandated child abuse reporters. The District will have in place the services and procedures necessary to safeguard the life or health of the child. The Superintendent or designee will be responsible for establishing and implementing a training program for all current and new school officials regarding these regulations and procedures for prevention of and responding to suspected child abuse and maltreatment.

Board Approved: September 23, 2019

# Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors

This Policy is intended to state and affirm the parental rights afforded by the Protection of Pupil Rights Amendment (PPRA) which governs the administration to students of a survey analysis, or evaluation that concerns one (1) or more of the following eight (8) protected areas:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors. The terms used throughout this policy are defined in the PPRA.

In the event that the district plans to survey students to gather information included in the list above, the district will obtain written consent from the parent/guardian in advance of administering the survey. The notification/consent form will also apprise the parent/guardian of their right to inspect the survey prior to their child's participation.

## I. PPRA General Provisions

This Policy and the statute (PPRA) are not intended to preempt applicable provisions of State law that require parental/guardian notification.

The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA). Further, PPRA does not supersede any of the requirements of the Family Educational Rights and Privacy Act (FERPA).

The rights provided to parents/guardians under PPRA transfer from the parent/guardian to the student when the student turns eighteen (18) years old or is an emancipated minor under applicable State law.

The School District may use funds provided under Part A of Title V of the Elementary and Secondary Education Act of 1965 to enhance parental/guardian involvement in areas affecting the in-school privacy of students.

# Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors

## II. Annual Parental Notification of Policies/Prior Written Consent/"Opt Out" Provisions

The School District shall provide for reasonable notice of the adoption or continued use of this policy directly to parents/guardians and eligible students enrolled in the District. At a minimum, the District shall provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

Further, in the notice, the District shall offer an opportunity for parents/guardians to provide written consent or opt their child out of participation in the following activities in accordance with law and the surveys conducted:

A. The administration of any survey containing one or more of the eight protected areas, regardless of funding.

1. U.S. Department of Education-Funded Surveys: Prior written consent from parents must be obtained before students are required to submit to the survey.

2. Surveys funded by sources other than U.S. Department of Education: Notification may indicate the specific or approximate dates during the school year when surveys will be administered and provide an opportunity for the parent to opt child out of participating upon receipt of the notification.

B. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

C. Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

## III. Specific Notifications Other than Annual Notice

In the event that the District does not identify the specific or approximate dates of the activities or surveys to be administered in the general annual notification, it shall "directly" notify, such as through U.S. Mail or email, the parents of students who are scheduled to participate in the specific activities or surveys prior to participation and provide an opportunity for the parent to provide written consent or opt out of participation in accordance with law and the surveys conducted.

## IV. U.S. Department of Education-Funded Surveys

In compliance with the Protection of Pupil Rights Amendment (PPRA), the School District is committed to protecting the rights and privacy interests of parents/guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).

## Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors

The District shall make instructional materials available for inspection by parents/guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate.

In addition, the School District shall obtain prior written parental/guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning any of the eight protected areas listed above.

### V. Other Survey Inspection Rights

The School District has developed and adopted this Board policy, in consultation with parents/guardians, regarding the following non-DOE-funded surveys:

A. The parent/person in parental relation has the right to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents/guardians to inspect such surveys are to be submitted, in writing, to a building administrator at least ten (10) days prior to the administration or distribution of any survey. Further, the District shall grant a request by the parent/guardian for reasonable access to such survey within a reasonable period of time after the request is received by the District.

B. Arrangements shall be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the eight protected areas, including the right of the parent/guardian of the student to inspect, upon request, any survey containing one or more of the eight protected areas. Such requests must be submitted by the parent/guardian, in writing, to a building administrator at least ten (10) days prior to the administration or distribution of any survey.

### VI. Marketing

Unless mandated or authorized in accordance with Federal or State law and/or regulation, it is the policy of the Board not to collect, disclose, or use personal information gathered from students for the purpose of marketing or selling that information or providing it to others for that purpose. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students or educational institutions.

### VII. Inspection of Instructional Material

Parents/guardians shall be granted, upon request, reasonable access and the right to inspect any instructional material, used as part of the educational curriculum for students. "Instructional material" is defined as: "instructional content that is provided to a student, regardless of format including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). It does not include tests or academic assessments."



## Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the Building Principal. Upon receipt of such request, arrangements shall be made to provide access to such material to within 30 calendar days after such request has been received by the District.

### VIII. Invasive Physical Examinations

Prior to the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law, a student's parent/guardian will be notified and given an opportunity to opt their child out of the exam. Hearing, vision and scoliosis screenings are not subject to prior notification.

Ref: 20 USC §1232h (No Child Left Behind Act)  
34 CFR Part 98  
Education Law §903

Board Approved: September 23, 2019

## Student Records

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. As part of this responsibility, the Board will ensure that eligible students and parents/guardians have the right to inspect and review education records, the right to seek to amend education records and the right to have some control over the disclosure of information from the student's education record. The procedures for ensuring these rights will be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

FERPA affords parents and students over 18 years of age certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of a request for access. This includes all official records, files and data that are incorporated into the student's cumulative record.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.
3. The right to consent to disclosures of personally identifiable information contained in the student's educational records except to the extent that FERPA allows.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA.

In the case of divorced or separated parents, the parent with custody of the student will receive the official school report card. The building principal may release information on student progress to the other parent upon request and determination of legality.

The District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. The District will document requests for, and the release of, students educational records, and retain such documentation in accordance with law. Furthermore, pursuant to Chapter 56 of the Laws of 2014, the District will execute agreements with third-party contractors who collect, process, store, organize, manage or analyze student personally identifiable information (PII) to ensure that the contractors comply with the law in using appropriate means to safeguard the data.

The Board also recognizes its responsibility to ensure the orderly retention and disposition of the District's records, including but not limited to student records, in accordance with the Retention and Disposition Schedule for New York Local Government Records (LGS-1) as adopted by the Board.

## Student Records

The Superintendent of Schools is responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

### **Annual Notification**

At the beginning of each school year, the District will publish a notification that informs parents, guardians and students currently in attendance of their rights regarding education records under FERPA and New York State Law and the procedures for exercising those rights. A 'Parents' Bill of Rights for Data Privacy and Security' will be posted on the District website and included in any agreements with third-party contractors. The notice and 'Bill of Rights' may be published in a newspaper, handbook or other school bulletin or publication. The notice and 'Bill of Rights' will also be provided to parents, guardians, and students who enroll during the school year.

The notice and Parents' Bill of Rights will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education record;
2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the District to comply with FERPA and its regulations; and/or file a complaint regarding a possible data breach by a third party contractor with the district and/or the New York State Education Department's Chief Privacy Officer for failure to comply with state law.

The annual notice and Parents' Bill of Rights will inform parents/guardians and students:

1. It is the District's policy to disclose personally identifiable information from student records, without consent, to other school officials within the District whom the District has determined to have legitimate educational interests. The notice will define 'school official' and 'legitimate educational interest'.
2. Upon request, the District will disclose student education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. A student's personally identifiable information will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.

## Student Records

4. The District, at its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent.
5. The District will not sell directory information.
6. Upon request, the District will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.
7. The procedure for exercising the right to inspect, review and request amendment of student records.
8. The District will provide information as a supplement to the 'Parents' Bill of Rights' about third parties with which the District contracts that use or have access to personally identifiable student data.

The district may also release student education records, or the personally identifiable information contained within, without consent, where permitted under federal law and regulation. For a complete list of exceptions to FERPA's prior consent requirements see accompanying regulation 3265-R.

The District will effectively notify parents, guardians and students who have a primary or home language other than English.

In the absence of the parent or secondary school student exercising their right to opt out of the release of information to the military, the district is required to, under federal law, release the information indicated in number six (6) above.

### **Directory Information**

The District has the option under FERPA of designating certain categories of student information as "directory information." The Board directs that "directory information" include a student's

- Name;
- ID number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems (only if the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the student's identity);
- Address (except information about a homeless student's living situation, as described below);
- Telephone number;

## Student Records

- Date and place of birth;
- Major course of study;
- Participation in school activities or sports;
- Weight and height if a member of an athletic team;
- Dates of attendance;
- Degrees and awards received;
- Most recent school attended;
- Grade level;
- Photograph;
- Video of participation in school programs, such as (athletics and performing arts);
- E-mail address; and
- Enrollment status.

Information about a homeless student's living situation will be treated as a student educational record, and will not be deemed directory information. A parent/guardian or eligible student may elect, but cannot be compelled, to consent to release of a student's address information in the same way they would for other student educational records. The District's McKinney-Vento liaison will take reasonable measures to provide homeless students with information on educational, employment, or other postsecondary opportunities and other beneficial activities.

Social security numbers or other personally identifiable information will not be considered directory information.

The District will publish an annual public notice informing parents or eligible students (students age 18 or older) of their right to refuse, or to opt out of, the release of student "directory information" (defined below) and indicate a time period to exercise this right. Following such public notice and a reasonable response period, the District may release such information to the public without individual consent. Such disclosures of directory information may include, but are not limited to, placing the information in school newsletters, school yearbooks, school-sponsored websites, and school sports programs.

Students who opt out of having directory information shared are still required to possess their student ID cards.

Once the proper FERPA notification is given by the District, a parent/guardian or student will have 14 days to notify the District of any objections they have to any of the "directory information" designations. If no objection is received, the district may release this information without prior approval of the parent/guardian or student for the release. Once the student or parent/guardian provides the "opt-out," it will remain in effect after the student is no longer enrolled in the school district.

## Student Records

The District may elect to provide a single notice regarding both directory information and information disclosed to military recruiters and institutions of higher education.

### **Regulations Relating to Student Records**

The Board directs that administrative regulations and procedures be formulated to comply with the provisions of federal law relating to the availability of student records. The purpose of such regulations and procedures shall be to make available to the parents/guardians of students and noncustodial parent(s) whose rights are not limited by court order or formal agreement, or students who are eighteen (18) years of age or older student records, and files on students, and to ensure the confidentiality of such records with respect to third parties.

Ref: Family Educational Rights and Privacy Act, as amended, 20 USC 1232g; 34 CFR Part 99

No Child Left Behind Act, 20 USC §7908 (Military Recruiter Access)  
10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY 2002  
Education Law §§ 2-a; 2-b; 2-c; 2-d; 225;  
Public Officers Law §87(2)(a)  
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)

8 NYCRR Part 121 (Data Privacy)  
8 NYCRR §185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use by School Districts and BOCES  
“Guidance for Reasonable Methods and Written Agreements,”  
[http://www2.ed.gov/policy/gen/guid/fpc/pdf/reasonablemtd\\_agreement.pdf](http://www2.ed.gov/policy/gen/guid/fpc/pdf/reasonablemtd_agreement.pdf)  
Parents’ Bill of Rights for Data Privacy and Security, July 29, 2014:  
<http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>  
Family Policy Compliance Office/Student Privacy Policy Office website:  
<http://www2.ed.gov/policy/gen/guid/fpc/index.html>

Adoption date: January 25, 2021

# Notification of Release of Sex Offenders

When the Superintendent of Schools receives information as provided by law concerning the release of sex offenders within the District, the Superintendent or designee will communicate appropriate information to District staff and the community.

Board Approved: September 23, 2019

Amended: October 22, 2019

## Wellness

The Canandaigua City School District is committed to providing a school environment that enhances learning and development of lifelong wellness practices.

To accomplish these goals, the Canandaigua City School District will provide for the following:

- Child Nutrition Programs comply with federal, state and local requirements.
- Child Nutrition Programs are accessible to all children.
- Sequential and interdisciplinary nutrition education is provided and promoted.
- Patterns of meaningful physical activity connect to students' lives outside of physical education.
- All school-based activities are consistent with local wellness policy goals.
- All food and beverages made available on campus (including vending, concessions, a la carte, student stores, parties, and fundraising) during the school day are consistent with the current Dietary Guidelines for Americans.
- All foods made available on campus adhere to food safety and security guidelines.
- The school environment is safe, comfortable, pleasing, and allows ample time and space for eating meals. Food and/or physical activity is not used as a reward or punishment.
- The District Wellness Committee periodically reviews the Wellness Policy.

Board Approved: September 23, 2019



## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

### IDENTIFICATION OF STUDENTS IN TEMPORARY HOUSING

Under the federal McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act of 2015 (ESSA) and Education Law Section §3209, as amended in 2017, all districts are obligated to affirmatively identify all students in temporary housing. Therefore, it is the policy of this local educational agency (“LEA”) Canandaigua City School District to determine whether there are students in temporary housing within the LEA by using a housing questionnaire to determine the nighttime residence of all newly enrolled students and all students whose address changes during the school year. Not all students in temporary housing can be identified through social service agencies or shelters, as children may be sharing the housing of other persons, such as family or friends, due to loss of housing, economic hardship, or other similar reason. For this reason, Canandaigua City School District uses a housing questionnaire that asks for a description of the current living arrangements of the child or youth in order to determine whether the child or youth meets the definition of a homeless child under the McKinney-Vento Homeless Education Assistance Act (42U.S.C. § 11434A(2)) (“McKinney-Vento”) and Education Law § 3209(1)(a).<sup>4</sup>

In addition to using the housing questionnaire, Canandaigua City School District will also contact our local department of social services (<https://otda.ny.gov/workingfamilies/dss.asp>) to identify students in temporary housing, as well as the local runaway and homeless youth shelter (<http://ocfs.ny.gov/main/Youth/rhydirectory.asp>), and any other shelters located within the LEA boundaries to ensure all students in temporary housing are properly identified and served.

### DEFINITION OF HOMELESS CHILD AND UNACCOMPANIED YOUTH

Pursuant to McKinney-Vento 42 USC § 11434A(2), Education Law § 3209(1)(a), and 8 NYCRR § 100.2(x)(1)(iii) a homeless child is defined as:

- (1) a child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is:
  - (i) sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as “doubled-up”);
  - (ii) living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
  - (iii) abandoned in hospitals;or
- (iv) a migratory child as defined in subsection two of section thirteen hundred nine of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, who qualifies as homeless under any of the provisions of clauses (i) through (iii) of this subparagraph or subparagraph two of this paragraph;

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

- (v) an unaccompanied youth, as defined in section seven hundred twenty-five of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act; or
- (2) a child or youth who has a primary nighttime location that is:
  - (i) a supervised publicly or privately-operated shelter designed to provide temporary living accommodations including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth established pursuant to article nineteen-H of the executive law; or
  - (ii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar setting.

An unaccompanied youth is defined as a homeless youth who is not in the physical custody of a parent or guardian. *42 USC § 11434A(6); 8 NYCRR §100.2(x)(1)(iii)(6)*

### DUTIES OF THE MANDATED MCKINNEY-VENTO LIAISON

Every LEA, regardless of whether it receives a McKinney-Vento subgrant, is required to designate a local liaison for homeless children and youth (known as the “McKinney-Vento liaison”). The McKinney-Vento liaison for Canandaigua City School District serves as one of the primary contacts between families experiencing homelessness and school staff, district personnel, shelter workers, and other service providers. The McKinney-Vento liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed.

The Canandaigua City School District’s McKinney-Vento liaison must ensure that:

1. Students in temporary housing are identified by school personnel and through coordination activities with other entities and agencies;
2. Students in temporary housing enroll in, and have full and equal opportunity to succeed in, the schools of Canandaigua City School District;
3. Students in temporary housing and their families receive educational services for which they are eligible, including Head Start programs administered by an LEA, Early Head Start, early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq), and other preschool programs administered by the LEA.
4. Students and parents in temporary housing receive referrals to health care services, dental services, mental health and substance abuse services, housing services and other appropriate services;

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

5. Parents or guardians of students in temporary housing are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
6. Parents and guardians of students in temporary housing, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school district of origin and are assisted in accessing transportation services;
7. Disputes regarding eligibility, school selection, enrollment and/or transportation are mediated in accordance with the requirements of McKinney-Vento, Section 3209 of the Education Law, and Section 100.2(x)(7)(ii) of the Regulations of the Commissioner of Education;
8. Assistance in commencing an appeal pursuant to Education Law §310 of a final determination regarding eligibility, enrollment, school selection and/or transportation is provided to the students in temporary housing’s parent or guardian or the unaccompanied youth in accordance with the provisions of 8 NYCRR §100.2(x)(7)(iii)(c);
9. Public notice of the educational rights of students in temporary housing is posted in locations where such students receive services, such as schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of students in temporary housing, and unaccompanied youth; A record is maintained of all appeals of enrollment, school selection and transportation; and
10. School personnel providing services to students in temporary housing receive professional development and other support; and
11. Unaccompanied youths—
  - a. are enrolled in school;
  - b. have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner’s regulations, and
  - c. are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and that the youths may obtain assistance from the local educational agency liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).
12. School personnel, service providers, advocates working with students in temporary housing, parents and guardians of students in temporary housing, and students in temporary housing are informed of the duties of the McKinney-Vento liaison.

*42 USC §11432(g)(6)(A)-(B); 8 NYCRR §100.2(x)(7)(iii)(a)*

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

### SCHOOL OF ORIGIN

School of origin is:

- The public school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool or a charter school;
- The designated receiving school at the next grade level for all feeder schools for a student in temporary housing who completes the final grade level served by the school of origin; and
- The public school or preschool in which such child would have been entitled or eligible to attend based on such child’s last residence before the circumstances arose which caused such child to become homeless if the child becomes homeless after such child is eligible to apply, register, or enroll in the public preschool or kindergarten or if the child is living with a school-age sibling who attends school in the school district of origin.

*42 USC §11432(g)(3)(G); NY Education Law §3209(1)(i)*

Feeder school means:

- a preschool whose students are entitled to attend a specified elementary school or group of elementary schools upon completion of that preschool; or
- a school whose students are entitled to attend a specified elementary, middle, intermediate, or high school or group of specified elementary, middle, intermediate, or high schools upon completion of the terminal grade of such school; or
- a school that sends its students to a receiving school in a neighboring school district.

*NY Education Law §3209(1)(f)*

Receiving school means:

- a school that enrolls students from a specified or group of preschools, elementary schools, middle schools, intermediate schools, or high schools; or
- a school that enrolls students from a feeder school in a neighboring local educational agency.

*NY Education Law §3209(1)(h)*

Preschool means a publicly funded prekindergarten program or a Head Start program administered by Canandaigua City School District and/or services under the Individuals with Disabilities Education Act administered by Canandaigua City School District.

*NY Education Law §3209(1)(g)*

### SCHOOL AND SCHOOL DISTRICT DESIGNATIONS

Canandaigua City School District understands that the “designator” makes an initial decision about which school and school district a student in temporary housing will attend. A designator is:

- the parent or person in parental relation (guardian) to a student in temporary housing; or

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

- the student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or
- the director of a residential program for runaway and homeless youth, in consultation with the student in temporary housing, where such student is living in such program.

*See, NY Education Law §3209(1)(b); 8 NYCRR §100.2(x)(1)(i)*

Canandaigua City School District will ask the designator to designate one of the following as the school district of attendance:

- **School district of current location** - the public school district within the State of New York in which the hotel, motel, shelter or other temporary housing arrangement of a student in temporary housing or the residential program for runaway and homeless youth is located, which is different than the school district of origin.
- **School district of origin** - the public school district within the State of New York in which the student in temporary housing was attending a public school on a tuition-free basis or was entitled to attend when circumstances arose that caused such child to become homeless which is different from the school district of current location. The school district of origin also includes the school district in the state of New York in which the child was residing when circumstances arose which caused such child to become homeless if such child was eligible to apply, register, or enroll in public preschool or kindergarten at the time such child became homeless, or the homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose which caused such child to become homeless.
- **School district participating in a regional placement plan** - a regional placement plan is a comprehensive regional approach to the provision of educational placements for homeless children, which must be approved by the Commissioner of Education.

Canandaigua City School District will also ask the designator to designate one of the following as the school where a student in temporary housing seeks to attend:

- the school of origin; or
- any school that permanently housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

**Please note:** Students can maintain enrollment in the school of origin for the duration of homelessness and through the end of the school year in which the student becomes permanently housed. The student may be able to remain in the school of origin for one additional year, if the year constitutes the student’s terminal year in such school building.

*42 USC §11432(g)(3)(A); NY Education Law §§3209(1)-(2); 8 NYCRR §§100.2 (x)(1)-(2)*

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

### DESIGNATION/STAC 202 FORM

Canandaigua City School District will identify all students in temporary housing, and a designation form will be completed by the designator for all such students and any other student who claims homelessness. Designations must be made on the STAC 202 form provided by the Commissioner. A copy of the form is available at [http://www.nysteachs.org/media/INF\\_SED\\_STAC202\\_Form.pdf](http://www.nysteachs.org/media/INF_SED_STAC202_Form.pdf).

- The appropriate designator must complete the designation form. Canandaigua City School District makes designation forms available to a student in temporary housing who seeks admission to school or to the parent or person in parental relation who seeks to enroll such child in school.
- Where a parent or person in parental relation or a child who is neither placed in a temporary housing facility by the local department of social services nor housed in a residential program for runaway homeless youth, designates Canandaigua City School District as the school district of current location, Canandaigua City School District will forward to the State Education Department a completed designation form and a statement of the basis for its determination that the child is a homeless child entitled to attend the schools of the district.

*NY Education Law §3209(2)(e); 8 NYCRR §100.2(x)(3)*

### UPON RECEIPT OF THE DESIGNATION/STAC 202 FORM: IMMEDIATE ENROLLMENT AND BEST INTEREST DETERMINATIONS

Upon identification of a child who is in temporary housing and/or receipt of a completed designation form, Canandaigua City School District will:

- immediately review the designation form to assure that it has been completed and admit the student in temporary housing even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, immunization records, proof of residency or other documentation and even if the child or youth has missed application deadlines;
- determine whether the designation made by the designator is consistent with the best interests of the student in temporary housing. In making best interests decisions Canandaigua City School District will:
  - o presume that keeping the child in the school of origin is in the child’s best interest, except when doing so is contrary to the wishes of the parent or guardian (or youth in the case of an unaccompanied youth); and
  - o consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child’s parent or guardian (or the youth, if a homeless unaccompanied youth). If the Canandaigua City School District determines that it is in the best interest of the student in temporary housing to attend a school other than the school of origin or the



## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

designated school, Canandaigua City School District shall provide the parent or guardian (or youth, if an unaccompanied youth) with a written explanation of its determination, including information about the right to appeal. (*See Dispute Resolution Process*).

*42 USC §11432(g)(3)(B); NY Education Law §3209(2)(f)(3); 8 NYCRR §100.2(x)(7)(ii).*

- provide the child with access to all of Canandaigua City School District’s programs, activities and services to the same extent as they are provided to resident students;
- immediately contact the school district where the child’s records are located in order to obtain a copy of such records and coordinate the transmittal of records for students with disabilities pursuant to section 200.4(e)(8)(iii) of the Commissioner’s regulations;
- immediately refer the parent or guardian of the student in temporary housing to the McKinney-Vento liaison who must assist in obtaining necessary immunizations or immunization or medical records if the child or youth needs to obtain immunizations or immunization or medical records;
- forward the STAC 202 form to the Commissioner and the school district of origin, where applicable. In all cases, the Canandaigua City School District will give a copy of the completed STAC 202 to the designator and keep a copy of the STAC 202 form for the LEA’s records.

*42 USC §§11432(g)(3)(C)&(g)(4); NY Education Law §3209(2); 8 NYCRR §100.2(x)(4)*

### UPON RECEIPT OF A REQUEST FOR RECORDS

Within five days of receipt of a request for school records from a new school, Canandaigua City School District will forward, in a manner consistent with state and federal law, a complete copy of the student in temporary housing’s records, including, but not limited to, proof of age, academic records, evaluations, immunization records, and guardianship papers, if applicable. NY Education Law §3209(2)(g); 8 NYCRR §100.2(x)(5)

### TUITION REIMBURSEMENT

Canandaigua City School District is eligible to request reimbursement from the State Education Department for the direct costs of educational services to students in temporary housing that are not otherwise reimbursed under special federal programs, when:

- the district is either the school district of current location or a school district participating in a regional placement plan,
- the district is designated as the school district of attendance, and
- the school district of origin for the student in temporary housing is within New York State. All claims for reimbursement will be made on the STAC 202 form prescribed by the Commissioner of the

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

State Education Department.  
*NY Education Law §3209(3)(a)*

In addition, Canandaigua City School District is eligible for reimbursement for the direct costs of educational services, including transportation costs for students who continue enrollment in Canandaigua City School District after finding permanent housing midyear in a different school district within New York State. In such cases, Canandaigua City School District will directly bill the new district where the student permanently resides for all direct costs of educational services, including transportation, that are not otherwise reimbursed under special federal programs.

*NY Education Law §3209(4)(i); NYS Field Memo, September 26, 2013 (available at: [http://nysteachs.org/media/STACGuidance\\_Final\\_9-26-13.pdf](http://nysteachs.org/media/STACGuidance_Final_9-26-13.pdf))*

### TRANSPORTATION RESPONSIBILITIES

- A social services district is responsible for providing transportation to students in temporary housing, including preschool students and students with disabilities who are eligible for benefits under Social Services Law §350-j and placed in temporary housing arrangements outside their designated districts. Where the social services district requests that Canandaigua City School District provide or arrange for transportation for a student in temporary housing in the circumstances above, Canandaigua City School District shall provide or arrange for the transportation and directly bill the social services district so that the district will be fully and promptly reimbursed for the cost of the transportation. *NY Education Law §3209(4)(a)*
  - If Canandaigua City School District is the designated school district of attendance Canandaigua City School District shall provide for the transportation of each student in temporary housing who is living in a residential program for runaway and homeless youth, including if such temporary housing is located outside the school district. The costs for transportation for each student in temporary housing who lives in a residential program for runaway youth and homeless youth located outside of the designated school district will be reimbursed by the State Education Department, to the extent funds are provided for such purpose, with the submission of a Runaway and Homeless Youth Act Transportation Program Form. Where Canandaigua City School District provides transportation for a student living in an Runaway and Homeless Youth (“RHY”) facility, the district will promptly request reimbursement using the Runaway and Homeless Youth Act Transportation Form, which is available from the Homeless Education Program Office (518-473-0295) and online at [www.nysteachs.org](http://www.nysteachs.org). *NY Education Law §3209(4)(b)*
- Canandaigua City School District will transport any student in temporary housing to their school of origin, including preschools and charter schools, where it is the designated district of attendance and the student in temporary housing is not entitled to receive transportation from the Department of Social Services. *NY Education Law §3209(4)(c); 8 NYCRR §100.2(x)(6)(iv)*



## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

- When Canandaigua City School District is designated as the school district of current location for a student in temporary housing and the student does not attend the school of origin, Canandaigua City School District will provide transportation on the same basis as it is provided to resident students, unless the local transportation policy represents a barrier to the student’s attendance in school. *NY Education Law §3209(4)(d) & (6)(b); 8 NYCRR §100.2(x)(6)(iii)*
- If the student in temporary housing designates Canandaigua City School District as the school district of attendance, transportation will not exceed 50 miles each way, unless the Commissioner of the State Education Department determines that it is in the best interest of the child. *NY Education Law §3209(4)(c); 8 NYCRR §100.2(x)(6)(ii)*
- Where Canandaigua City School District is designated as the school district of attendance and it has recommended the student in temporary housing attend a summer educational program, such district of attendance will provide transportation services to students in temporary housing for summer educational programs if the lack of transportation poses a barrier to the student’s participation in the program. *NY Education Law §3209(4)(e); 8 NYCRR §100.2(x)(6)(v)*
- Where Canandaigua City School District is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities when:
  - o The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school; and
  - o The student meets the eligibility criteria for the activity; and
  - o The lack of transportation poses a barrier to the student’s participation in the activity. *NY Education Law §3209(4)(f); 8 NYCRR §100.2(x)(6)(vi)*
- Where Canandaigua City School District is designated as the school district of attendance, it will provide transportation as described above for the duration of homelessness, unless the social services district is responsible for providing transportation. After the student becomes permanently housed, Canandaigua City School District will provide transportation to the school of origin until the end of the school year and for one additional year if that year constitutes the child's terminal year in the school building. *NY Education Law §3209(4)(i); 8 NYCRR §100.2(x)(6)(iv)*

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

- Availability of transportation to the school of origin for students who are homeless, including for preschoolers who attend a preschool of origin, for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and possibly an additional year if it is the student's terminal grade; transportation is provided to the school of origin up to 50 miles each way, even if service is not available to students who are permanently housed, and transportation for students who are homeless to participate in extracurricular activities and summer school if the lack of transportation is a barrier.

### DISPUTE RESOLUTION PROCESS

Canandaigua City School District has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

- Canandaigua City School District will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth if Canandaigua City School District determines Canandaigua City School District is not required to either enroll and/or transport such child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or if there is a disagreement about a child's or youth's status as a homeless child or unaccompanied youth. The written explanation will be in a manner and form understandable to such parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney- Vento liaison's availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.
- Canandaigua City School District will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.
- If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school he or she is enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals. *42 USC §§11432(g)(3)(B) & (E); NY Education Law §3209(5); 8 NYCRR §100.2(x)(7)(ii)*

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

### MCKINNEY-VENTO LIAISON’S DISPUTE RESOLUTION RESPONSIBILITIES

Canandaigua City School District’s McKinney-Vento liaison must assist the student in temporary housing’s parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner under Education Law §310 of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation, Canandaigua City School District’s McKinney-Vento liaison will:

- provide the parent or guardian or unaccompanied youth with a copy of the form petition, which is available at: <http://www.counsel.nysed.gov/appeals/homelessForms>;
- assist the parent or guardian or unaccompanied youth in completing the form petition;
- arrange for the copying of the form petition and supporting documents for the parent or guardian or unaccompanied youth, without cost to the parent or guardian or unaccompanied youth;
- accept service of the form petition and supporting papers on behalf of any school district employee or officer named as a party or the school district if it is named as a party or arrange for service by mail by mailing the form petition and supporting documents to any school district employee or officer named as a party and, if the school district is named as a party, to a person in the office of the superintendent who has been designated by the board of education to accept service on behalf of the school district;
- provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgment verifying that the McKinney-Vento liaison has received the form petition and supporting documents and will either accept service of these documents on behalf of the school district employee or officer or school district or effect service by mail by mailing the form petition and supporting documents to any school district employee or officer named as a party and, if the school district is named as a party, to a person in the office of the superintendent who has been designated by the board of education to accept service on behalf of the school district;
- transmit on behalf of the parent or guardian or unaccompanied youth, within five days after the service of, the form petition or any pleading or paper to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;
- provide the parent or guardian or unaccompanied youth with a signed and dated acknowledgement verifying that the McKinney-Vento liaison has received the form petition and supporting documents and will transmit these documents on behalf of the parent, guardian or unaccompanied youth to the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234;
- accept service of any subsequent pleadings or papers, including any correspondence related to the appeal, if the parent or guardian or unaccompanied youth so elects. The liaison must also make such correspondence available to the parent or guardian or unaccompanied youth; and
- maintain a record of all appeals of enrollment, school selection, and transportation determinations.

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

### COORDINATION

- Canandaigua City School District will coordinate the provision of services described above with local social services agencies, housing providers and other agencies or programs providing services to students in temporary housing and their families, including services and programs funded under the Runaway and Homeless Youth Act.
- Canandaigua City School District will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.
- Canandaigua City School District will coordinate implementation of the above provision of services with the requirements of the Individuals with Disabilities Education Act (IDEA) for students with disabilities.

*42 USC §11432(g)(5); 8 NYCRR §100.2(x)(7)(iv)*

### COORDINATION WITH TITLE I

Canandaigua City School District acknowledges that students in temporary housing are eligible for services under Title I, Part A, whether or not they live in a Title I school attendance area or meet the academic requirements required of other children. Canandaigua City School District will ensure that:

- Title I, Part A funds are set aside as are necessary to provide students in temporary housing, who may have unique needs that differ from their permanently housed peers, with educationally related support services;
- Its local plan includes a description of how the plan is coordinated with McKinney-Vento;
- Its local plan describes the services provided to students in temporary housing;
- Its local plan describes the efforts it made to identify students in temporary housing, including unaccompanied youth, if Canandaigua City School District reports that there are no students in temporary housing enrolled in the LEA. Such efforts will include contacting the local department of social services or Office of Children and Family Services (OCFS) to verify that there are no students in temporary housing in the LEA; and
- Its housing questionnaire asks about the living arrangements of the child or unaccompanied youth, including asking if he or she is living in a shelter; with relatives or others due to loss of housing or economic hardship; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing. Documentation of the LEA’s efforts to identify students in temporary housing will be maintained on file and a copy of the housing questionnaire that asks the above questions will also be kept on file.

*20 USC §§6312(b)(6) & 6313(c)(3)*

## Local Educational Agency (“LEA”) on the Education of Students in Temporary Housing

### **REPORTING**

Canandaigua City School District will collect and transmit to the Commissioner, at such time and in such manner as the Commissioner may require, reports containing such information as the Commissioner determines is necessary, including the numbers of homeless students, their grade, and their nighttime residence.

*NY Education Law §3209(6)(c); 8 NYCRR §100.2(x)(7)(v)*

### **ACCESS TO FREE MEALS**

Canandaigua City School District will provide free meals to all children identified as homeless. They do not have to complete a free or reduced-price meal application. When the McKinney-Vento liaison or a shelter director provides a child’s name to the Canandaigua City School District’s school food service office, free school meals will commence immediately.

*42 USC §§1758(b)(5) &(b)(12)(A)*

### **REMOVAL OF BARRIERS**

Canandaigua City School District will review and revise local policies that may act as barriers to the identification of students in temporary housing and their enrollment and retention in school, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

*42 USC §§11432(g)(1)(I)&(g)(7)(A); NY Education Law §3209(6)(b)*

### **COMPARABLE SERVICES**

Canandaigua City School District will provide services to students in temporary housing comparable to those offered to other students in the district, including transportation services; educational services for which the child or youth meets the relevant eligibility criteria, such as services provided under Title I or similar State or local programs; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

*42 USC §11432(g)(4); NY Education Law §3209(9)*

### **PRIVACY OF STUDENT INFORMATION**

Information about a student in temporary housing’s living situation shall be treated as a student education record and shall not be deemed to be directory information under the Family Educational Rights and Privacy Act (FERPA). A parent/guardian or homeless unaccompanied youth may consent to the release of a student’s address information in the same way they would for other student education records under FERPA.

Questions about this policy or the protections available to students in temporary housing can be directed to the McKinney-Vento Liaison: Mr. John LaFave, Canandaigua City School District . Questions can also be directed to NYS-TEACHS at (800) 388-2014 or the State Education Department at (518) 473-0295.

## Athletic/Extra-Curricular Eligibility

The Canandaigua City School District Board of Education firmly believes that its students benefit from participating in athletics and/or extra-curricular activities during their secondary school years. This experience presents learning opportunities that enrich and expand upon the contributions of our academic program. Students who engage in these activities broaden their connections to the school and the community at large. The Board of Education's goal is to encourage its student body to become involved in the numerous opportunities that are available throughout their middle and high school year, and to represent the school community in a positive manner. The Board of Education recognizes that participation in athletics/extracurricular activities is a privilege. Student participation is dependent on their commitment and performance related to the academic program and demonstration of positive behaviors in school and in the community.

The Superintendent of Schools will also be responsible for establishing the administrative regulations.

Board Approved: September 23, 2019

Non-Substantive: December 16, 2020

## Admission of Exchange Students

The Board of Education believes that international student exchange programs significantly enrich the experiences of both the individual student and the school. The Board reserves the right to set terms and conditions concerning the admission of foreign exchange students. A foreign exchange student shall be defined as a citizen and resident of another nation who is between the ages of 15 and 19 years who has formally applied for admission or who has been admitted to a District school for a specific period of time through an approved exchange program for the purpose of study in a prescribed curriculum. In most circumstances, a foreign exchange student is not eligible for a New York State Diploma.

In order to be admitted, foreign exchange students must meet the following criteria:

- a) They must be living with, have lived with or planning to live with a resident family of the Canandaigua City School District.
- b) A written recommendation from a sponsoring organization and/or school official shall be submitted for review by the Superintendent of Schools/designee. This recommendation shall attest to the student's scholarship and character in alignment with District expectations. The Superintendent/designee reserves the right to request additional material to assist in the review process.
- c) A completed application should be received no less than ninety (90) days prior to the beginning of the semester for which the student is to be admitted.
- d) The student will be in compliance with all laws governing legal foreign nationals or other laws which pertain to their status.
- e) It is understood that such admission is temporary; therefore, the student will not be regarded as a legal resident of the District and will therefore not receive a New York State diploma. Therefore, all such admissions shall be subject to the Superintendent's recommendation and Board of Education approval.
- f) The student will be enrolled in school in accordance with District rules and regulations and will then be subject to said rules and regulations. It is understood that serious disciplinary infractions may result in termination of the student's temporary admission status.
- g) Foreign exchange students shall be considered only at the high school level. The number of such students admitted in any single year shall not exceed five (5) except in special circumstances as approved by the Board of Education.
- h) Programs shall be approved at the discretion of the Superintendent or designee. In a given school year, students from no more than four (4) approved programs will be accepted for admission. Exchange programs must be approved 60 days prior to the submission of applications or recruitment of host families. Only approved programs may submit student applications. The Board reserves the right to periodically review these programs.

Education Law Section 3202(2)  
8 NYCRR Section 174.2

Board Approved: September 9, 2019



## Use of Video and/or Audio Recording Devices in Classrooms

The video or audio recording of classroom and extracurricular instruction by visitors or students is prohibited without the prior permission of the classroom teacher, coach or advisor, and the administrator in charge.

Board Approved: September 23, 2019



# Fundraising

The Board of Education recognizes the value of fundraising programs undertaken by organizations for the purpose of supporting the District's educational and extra-curricular programs.

The Board provides the following guidelines for fund raising programs:

The Board expects that all fundraising projects will comply with District Policies and Regulations.

All fundraising programs will not be engaged in with representation, direct or implied, that it is being done under the auspices of the School District; however, it is acceptable for appropriate activities to take place during the school day. Fund raising by students during the school day shall not disrupt educational time.

For safety reasons, the Board does not condone door-to-door fundraising efforts or the use of student drivers for those efforts.

All remuneration for regular services rendered by coaches, advisors, instructors and others shall be made by the Board of Education.

Board Approved: September 23, 2019  
Non-Substantive: December 16, 2020

## Dissection of Animals

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project that shall be approved by such student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or legal guardian. Students who perform alternative projects who do not perform or witness the dissection of animals shall not be penalized.

The Superintendent of Schools or designee shall provide reasonable notice to all students enrolled in a course that includes the dissection of an animal and students' parents or legal guardians about their rights under this policy. Such notice shall be made available upon request at the school and distributed to parents and students enrolled in a course that includes dissection at least once at the beginning of the school year.

Board Approved: September 23, 2019

## Home Schooling – Participating in Extracurricular Activities

Commissioner's Regulation Section 135.4( c) (7)(ii)(b)(2) directs that a participant in interscholastic sports must be enrolled in the public school. Additionally, it is Board of Education policy to not allow participation in non-instructional, extracurricular activities for students in a home instructional setting.

8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.10 and 135.4( c)(7)(ii)(b)(2)

Board Approved: September 23, 2019

## Student Awards and Scholarship

Student gifts or scholarship awards are to adhere to the following:

Gifts or scholarship awards may be made only with the approval of the Principal. Donors of scholarship awards shall submit a written proposal to the Principal. This proposal should indicate:

1. Definition of purpose of award.
2. Criteria to be used for selection of recipient.
3. Method of selection e.g. individual committee, faculty, by application, etc.
4. Nature or amount of award and duration.
5. How and by what person or group the award will be financed.

All scholarship awards must first be approved by the Board of Education. The following general guidelines are established to help determine which awards are most appropriately presented:

1. Any award presented at Commencement will carry a value of \$1,000 or greater and shall go to a graduating senior;
2. All other awards shall be presented at the Awards Assembly;
3. For all awards, it should be the intent that the award will be presented annually for a period of at least three (3) years. However, significant one (1) year awards may also qualify.

Superintendent shall develop regulations for selection committees and administration of said funds.

Education Law, Section 1709 (12 and 12a)  
Comptroller's Opinion No. 62-367

Board Approved: September 23, 2019  
Non-Substantive: December 16, 2020

## Supervision of Students

Students working on any activity must be supervised by the staff member in charge of the activity. This applies to all activities and the permission to hold practices or meetings must not be granted unless a teacher or staff member is directly in charge.

1. Physical education personnel and coaches in the School District will be responsible for the supervision of all students in either their class or their after-school activities. The coaches will maintain supervision over the dressing rooms by being present during the dressing periods.
2. Coaches are responsible for the supervision of their athletes at the end of practice. This may entail bus duty or making sure students have transportation home.
3. Staff members will be responsible for the playground supervision of all the children under their jurisdiction during the recess periods. The principal will distribute the responsibility so that the playground will be properly monitored.

Students are not to be sent on any type of errand away from the building.

Board Approved: September 23, 2019

Non-substantive: December 16, 2020

## Use of Electronic Media

The Board of Education encourages the appropriate use of instructional media (e.g. videos, DVDs, web-based products, etc.)

The Board believes instructional time is precious. All use of electronic media shall be standards-based and consistent with highly developed lesson plans. Care should be taken to avoid inappropriate or over use of such media. In addition, teachers should not use materials with a media rating inappropriate for their student-age level, i.e., G, PG-13. Any use of “R” rated material requires the prior approval of the building principal.

The Superintendent will develop regulations.

Board Approved: September 23, 2019

## Fiscal Practices

The annual school budget will be developed and administered in a fiscally sound manner. The basic goals of this policy include:

1. Ongoing expenses and recurring revenues should be matched. One-time revenues should only be used to pay one-time expenses.
2. To maintain the District's creditworthiness and protect it from unforeseen financial events and cyclical economic changes, the Board of Education supports maintaining a fiscally responsible balance in reserve funds and fund balance.
3. Reserve funds should be used to pay recurring expenses only if the amount of money on deposit in the reserve fund is clearly sufficient to support these expenses for a number of years and when it can reasonably be anticipated that funds in the reserve can be replenished before they are exhausted.
4. Should it be necessary to expend reserve funds or fund balance in a manner not consistent with this policy, the Assistant Superintendent for Business Administration will develop a reasonable plan to limit the District's future reliance on these funds.

Board Approved: September 23, 2019

Non Substantive: February 24, 2021

## Transfer of District Funds

The transfer of funds between and within functional unit appropriations of the General Fund is commonly required during the school year. The Superintendent of Schools, in accordance with the Regulations of the Commissioner of Education, is authorized to make such budget transfers. The Superintendent will report any transfers to the Board of Education as a part of the monthly Budget Status Report.

Board Approved: September 23, 2019



## Accepting Gifts

The Superintendent of Schools or designee is authorized on behalf of the District to accept gifts and/or donations valued at less than \$500. Any gifts or donations which exceed this value must be approved by the Board of Education before they can be accepted.

Board Approved: September 23, 2019

## Sale and Disposal of Surplus Property

School District equipment or supplies that are obsolete, unusable, out of date, or otherwise not needed by the District will be declared surplus by the Superintendent of Schools or designee and disposed of in a manner that is calculated to obtain the most benefit for the District. The District will maintain a listing of items declared as surplus for sale or for disposal. In selling or otherwise disposing of surplus personal property, the Superintendent will seek to achieve the prudent and economical use of public moneys in the best interests of taxpayers, and to guard against favoritism, improvidence, extravagance, fraud, or corruption. The method of disposal that is chosen shall be consistent with the provisions of this policy.

The Superintendent shall provide such administrative regulations as are necessary to define and implement this policy.

Board Approved: September 23, 2019

## District Investments

The Treasurer, under the direction of the Assistant Superintendent for Business, is hereby authorized and directed to invest District funds that exceed those necessary to meet the District's current expenses in accordance with state and federal law. The Asst. Superintendent for Business is responsible for the oversight and administration of the District's investments and must establish written procedures for the operation of the investment program consistent with law and this Policy. These written procedures should include at a minimum (as set forth more fully in N.Y. Gen. Municipal Law §39): (a) a list of the permitted types of investments; (b) procedures and provisions to secure the District's financial interest in investments; (c) standards for written agreements pursuant to which investments are made; (d) procedures for the monitoring, control, deposit and retention of investments and collateral; (e) standards for security agreements and custodial agreements with banks or trust companies pursuant to which obligations and collateral are held; (f) standards for the diversification of investments; and (g) standards for the qualification of firms with whom the District transacts business.

The District's investment objectives are, in priority order, as follows:

- to conform to all applicable federal, state, and other legal requirements (legality);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity for timely payment of all operating, capital, and other expenditures (liquidity); and
- to obtain a reasonable rate of return dependent on market conditions (yield).

This policy shall be reviewed annually by the Board of Education.

Board Approved: September 23, 2019

## Accounting and Reporting

The District will adhere to the accounting and reporting procedures required by the New York State Uniform System of Accounts for School Districts, the Board of Education, and other applicable state and federal law and/or regulation.

Board Approved: September 23, 2019

# Purchasing

## **Purchasing Responsibility**

The purchase of services, equipment, and supplies is centralized in the Business Office by the Purchasing Agent. The Purchasing Agent is authorized to sign purchase orders and enter into cooperative bidding and purchasing agreements. All purchasing transactions are conducted through this office. Purchases may only be made within budgetary appropriations. This policy pertains to the expenditures of federal, state and/or local funds.

## **Procurement of Goods and Services**

Goods and services which are not required by law to be procured by competitive bidding will be procured according to procedures developed by the Superintendent. These procedures must conform to the requirements of General Municipal Law §104-b.

## **“Piggybacking” and Best Value Purchasing**

The Purchasing Agent may enter into purchasing contracts based on existing contracts made by the United States of America, any state, county, political subdivision or district in the United States to the extent permitted by New York State law.

The best value award methodology is authorized for use in purchasing contracts.

## **Preference for Instructional Materials in "Alternative Formats"**

The Board of Education will give a preference in the purchase of instructional materials to vendors who agree to provide materials (of comparable quality) in alternative formats. For the purposes of this policy, 'alternative format' means any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the school district, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in an approved format, as defined in the regulations of the Commissioner.

This policy will be reviewed annually by the Board of Education.

Board Approved: September 23, 2019

Non Substantive: February 24, 2021

## Insurance

The budget will provide for the purchase of insurance to protect the District's real and personal property against loss or damage and liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

Board Approved: September 23, 2019

## School Meals and Prohibition against Shaming

The Board of Education recognizes that on occasion, students may not have enough funds for a meal. To ensure that students do not go hungry, the Board will allow students who do not have enough funds to charge the cost of meals to be paid back at a later date subject to the terms in this policy.

To comply with State guidelines and maintain a system for accounting for charged meals, regarding both full and reduced-price meals, the Board shall:

- allow only regular reimbursable meals to be charged, excluding extras, à la carte items, side dishes, additional meals, and snacks (competitive foods); and
- use a computer-generated point of sale system, which identifies and records all meals as well as collects repayments.

Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies are not to be considered à la carte transactions, as a section on the daily cash report or deposit summary reads “charges paid.”

Students shall not be denied a reimbursable meal, even if they have accrued a negative balance from other cafeteria purchases, unless the parent/guardian has provided written permission to the school to withhold a meal. No student with unpaid charges will be prohibited from purchasing food if they have money that day.

If school food authorities (SFAs) suspect that a student may be abusing this policy, written notice will be provided to the parent/guardian.

Students who cannot pay for a meal or who have unpaid meal debt shall not be publicly identified or stigmatized (including wristbands or hand stamps), required to do chores or work to pay for meals, or have meals thrown away after they have been served. District staff shall not discuss a student’s unpaid meal debt in front of other students. The district shall not take any action directed at a student to collect unpaid school meal fees. However, the district may discretely notify students of their account balances, and why certain items (e.g., à la carte, etc.) could not be provided with charged meals.

### Student Account Balance Notification

The district’s payment system allows for automatic replenishment when a balance reaches a certain amount set by the parent/guardian. The district shall encourage parents/guardians to utilize this option.

Parents/guardians shall be discreetly notified of student account balances regularly. When a student’s account balance falls to \$5.00 and whenever a meal is charged, the district will discretely notify the parent/guardian of the balance, and the process to refill the account. This notification will continue regularly until the account is replenished. Parents/guardians must repay all unpaid charges remaining at the end of the year or before their child leaves the district, whichever occurs first.

## School Meals and Prohibition against Shaming

The district shall discretely notify parents/guardians of students with negative balances of at least five meals and make at least two attempts to reach the parent/guardian to fill out a free/reduced price meal application, determine if the student is directly certified to be eligible for free meals, and attempt to reach the parent/guardian to assist them in the application process for free and/or reduced price meals, and determine if there are other issues within the household causing the insufficient funds and offer appropriate assistance. If a parent/guardian regularly fails to provide meal money and does not qualify for free or reduced price meals, the district may take other actions as appropriate, including notifying the local department of social services if neglect is suspected.

The school district shall notify all parents/guardians in writing on an annual basis at the start of the school year and to families transferring during the year, outlining the requirements of this policy. Enrollment packets will contain a printed free/reduced price meal application. The policy shall also be published in appropriate school and district publications. All staff involved in implementing and enforcing this policy shall also be notified of these requirements and their responsibilities. The district's enrollment process shall include the application process for free and reduced price meals. If the district becomes aware that a student is so eligible, it shall file an application for the student. Staff responsible for assisting foster, homeless and migrant students shall coordinate with the food services staff to ensure such students receive free school meals.

### *Unpaid Meal Charges and Debt Collection*

Unpaid meal charges are a financial burden to the district and taxpayers and can negatively affect the school program. Unpaid meal charges shall be considered delinquent as per the district's accounting practices. The district shall attempt to recover unpaid meal charges before the end of the school year, but may continue efforts into the next school year. The district shall notify parents/guardians of unpaid meal charges at regular intervals, and may engage in collection activities by district staff, which do not involve debt collectors as defined in federal law (15 USC §1692a), and may not charge fees or interest. The district shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until unpaid charges are paid.

### *Remaining Account Balances*

Remaining funds may be carried over to the next school year. When students leave the district or graduate, the district will attempt to contact the parent/guardian to return remaining funds. Parents/guardians may request that funds be transferred to other students (e.g., siblings, unpaid accounts). All transfer requests must be in writing. Unclaimed funds remaining after one school year shall be absorbed by the school meal account.

### *Staff*

Staff members are allowed to purchase food from the district's food services. However, all purchases must be paid for at the point of sale: cash, payment account or check. Staff members are not allowed to charge meals to be repaid later.



## School Meals and Prohibition against Shaming

Building Principals, working with the head of food services, shall ensure that all district and food service staff with responsibilities under this policy will be trained on the provisions of this policy and the requirements of Education Law section 908.

Board Approved: September 23, 2019

## Infectious Disease Control Program

The District's administration shall establish an exposure control program designed to prevent and control exposure to infectious disease consistent with the New York State Department of Labor's standards.

Board Approved: September 23, 2019

# Transportation

Transportation Supervisor and parents will be notified annually.

**Eligibility for Transportation - Home/School Walking Distances:** Transportation service for students to public, private and parochial schools, subject to change by the voters of the District as provided by law, will be as follows:

- Grades K, walking distance more than .25 miles;
- Grades 1-5, walking distance more than .5 miles; and
- Grade 6, walking distance more than .7 miles; and
- Grades 7-9, walking distance more than 1.5 miles; and
- Grades 9-12, walking distance more than 2.0 mile from school.

**Child Care Transportation:** It is the policy of the Board of Education to provide child care transportation for children from kindergarten through grade eight in accordance with Education Law Section 3635. In addition, eligibility for transportation as set forth in this policy will be computed walking distance between the child care location and the school.

**Video Cameras:** The Superintendent or designee may approve the installation of video cameras in district buses. These cameras are intended to identify individuals who may pose a security or safety problem on the bus. Parents will be notified of this policy on an annual basis. Recordings will be maintained for a period of ten days, unless an incident has been recorded that has potential administrative or legal uses. Such recordings must be maintained for at least three years pursuant to New York State's record retention requirements for school districts.

**Bus Safety:** The Superintendent of Schools or designee, in cooperation with the principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. Every bus driver is required to report promptly any school bus accident to the Transportation Supervisor.

**Cooperative Transportation:** The Board of Education authorizes the Transportation Supervisor to enter into arrangements with other districts to provide or receive transportation services on a limited basis without board approval. Board of Education approval will be required if formal contracts with other districts are required.

**Residency:** Students living outside the district will not be provided transportation except as required by law.

The Superintendent of Schools may adopt such regulations as deemed appropriate to implement this policy.

## Drug and Alcohol Testing of Bus Drivers and Other Safety Personnel

The Omnibus Transportation Employee Testing Act of 1991 (P.L. 102-143) (the "Act") requires employers, including School Districts, to conduct mandatory drug and alcohol testing of bus drivers and other employees performing safety-sensitive functions. The Department of Transportation ("DOT") has issued regulations (49 C.F.R. parts 40, 382, 391 and 395) (the "Regulations") to implement the Act. It is the District's intention to fully comply with the mandates of the Act and Regulations, which are hereby incorporated into this policy.

Prior to performing required testing on covered employees, the District shall provide each covered employee with educational materials that explain the requirements of the Act, and the DOT regulations.

Any violation of this policy, the Act or Regulations by a covered employee shall be grounds for disciplinary action, up to and including discharge, in a manner consistent with the District's pre-existing policies, practices, and any applicable collective bargaining agreement.

The Superintendent shall develop regulations/procedures to implement this policy and comply with the Act and the Regulations.

Board Approved: September 23, 2019

## Extra Classroom Activity Funds

The conduct, operation and maintenance of Extra Classroom Activity Funds are to conform with the regulations of the Commissioner of Education (8 NYCRR Part 172). These funds may only be used for purposes which benefit the student body.

The monies received or derived from any “extra classroom activity” (as defined in 8 NYCRR Part 172) are to be deposited with the extra classroom treasurer designated by the Board for each school involved, who, in turn, will be responsible for the deposit of the funds in the appropriate bank. Extra classroom activity funds held in the custody of the extra classroom treasurer must be invested pursuant to General Municipal Law Section 11.

The Board of Education is authorized to establish regulations consistent with 8 NYCRR Part 172 regarding the establishment, conduct, operation, and maintenance of extra classroom activities and for the safeguarding, accounting and audit of all moneys received.

Board Approved: September 23, 2019

# Accidents

Procedures are to be established and maintained by the Superintendent for the handling of injuries that occur on school property and during school activities.

Board Approved: September 23, 2019

## Travel and Conferences

From time to time it is necessary for District employees or members of the Board of Education to travel on school business. Attendance at conferences, meetings, and training sessions are part of the normal course of school operations. The Superintendent will develop Regulations for this policy.

Board Approved: September 23, 2019

## Credit and Procurement Cards and Charge Accounts

The Board of Education recognizes that credit cards, procurement cards and charge accounts (credit) may be necessary for the conduct of District business and may provide certain efficiencies that are in the District's interest. The Board of Education hereby authorizes the acquisition and use of credit cards consistent with this Policy.

Consistent with their authority under the District's procurement policy, and this Policy, the Purchasing Agent and Deputy Purchasing Agent shall be permitted to use credit. The Board of Education also authorizes the use of credit by other school officials and employees to pay for actual and necessary expenses incurred in the performance of work-related duties for the district.

Care is to be taken to ensure that credit is not used in a manner that is inconsistent with this Policy, District's procurement policy and related administrative regulations and is used only for appropriate and authorized purposes.

The Assistant Superintendent for Business may authorize use of credit in a manner consistent with this Policy and the procurement policy (#4070) and its regulations. The Assistant Superintendent for Business shall establish appropriate limits on the use of credit cards, purchasing cards and charge accounts and shall determine which employees shall be issued credit or procurement cards. A list of those individuals will be maintained in the Business Office.

Employees are encouraged to use personal credit cards and submit claims for reimbursement consistent with the procurement policy (#4070) and regulations. District employees are never permitted to make personal charges using district credit or purchasing cards or charge accounts.

The use of credit or purchasing cards or charge accounts are for administrative convenience. They are not to be used to avoid compliance with this Policy, the procurement policy (#4070) and regulations or applicable laws.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and discipline of the employee.

Users must submit detailed documentation, including itemized receipts for commodities, services, travel and/or other actual and necessary expenses that have been incurred.



## Meals and Refreshments

Under some circumstances, it is appropriate to provide a snack, beverage, or full meal at a District meeting or as part of District reimbursed travel. The Superintendent will develop Regulations.

Board Approved: September 23, 2019

## Naming School Facilities

The Board of Education may from time to time decide to recognize outstanding service to the District, or substantial financial contribution, by naming a District building, room, field, or component thereof. The establishment of a facility name, memorial item, or plaque marker shall support the District's Mission Statement and core values.

### **Eligibility Criteria**

A facility may be named, or a tribute marker adopted, to honor or commemorate a person or organization of exemplary character. Consideration of an honorary naming or tribute marker shall pose no conflict of interest within the District, nor shall it have any influence over district decision making with respect to educational policy or practice. A facility or component may be named, or a tribute or memorial item placed to honor a person or organization, for service (a person who has rendered extraordinary service to the District) or support (in recognition of significant financial support which benefits the district and its mission).

Decisions to place a plaque marker and/or memorial item shall be made by a majority of the Board, based upon the Superintendent's recommendation.

As an alternate to actually naming a District facility or field after an individual, the Board of Education may choose to dedicate a facility/field and provide a plaque so indicating. The Superintendent shall develop regulations to establish the process for receiving and reviewing all request related to this policy, and to keep a log of the location of all such donated items and markers.

Board Approved: September 23, 2019

## Reporting and Investigations of Allegations of Fraud or Misconduct

Any district employee or other person who has a good faith reason to believe that fraud, financial impropriety, or other wrongful conduct is occurring within the District is encouraged to report that belief to the appropriate authorities, such as the Superintendent, the Independent (external) Auditor, the Internal Auditor, the school attorney, a member of the Board of Education, or law enforcement officials.

The person who receives such an allegation shall promptly report it to the Superintendent who shall ensure that other appropriate persons are informed and that a thorough investigation of the allegation is conducted, except that if the allegation relates to conduct of the Superintendent, the person receiving the allegation shall report it to the Board President or school attorney, who shall ensure that the thorough investigation is conducted. When the allegation involves conduct that appears to be criminal, the Superintendent or other person conducting the investigation shall ensure that the School Attorney and appropriate law enforcement authorities are notified promptly.

If the District determines that a school official or employee has engaged in wrongdoing, appropriate disciplinary measures will be applied, in accordance with law, District policy and regulation, and any applicable collective bargaining agreement. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

The Board prohibits any retaliatory behavior directed against those individuals who, in good faith, report allegations of fraud, financial impropriety and/or wrongful conduct as well as witnesses and/or any other individuals who participate in the investigation of an allegation of such conduct. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Any person who knowingly makes false allegations of fraud, financial impropriety or wrongful conduct will also be subject to appropriate disciplinary action by the District.

The Superintendent will develop regulations regarding this policy and take appropriate steps to inform all employees of this Policy.

Board Approved: September 23, 2019

## Information Security Breach and Notification

The District is required by State Technology Law to notify affected individuals when there has been (or is reasonably believed to have been) a security breach in the District's computer system which compromises the individuals' private information. "Private information" includes personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. Social security numbers;
2. Driver's license numbers or non-driver identification card numbers; or
3. Account numbers, credit or debit card numbers, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include information that is lawfully made available to the general public from federal, state, or local government records. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

The Superintendent of Schools, or designee(s), will comply with the requirements of State Technology Law, Section 208.

Board Approved: September 23, 2019

## Equal Employment Opportunity

It is the policy of this District to provide equal opportunities for employment, retention, and advancement of all people regardless of gender, sexual orientation, race, color, religion, national origin, age, disability, or any other characteristic protected by applicable federal, state, or local law. The District will also comply with the requirements of the Genetic Information Nondiscrimination Act (GINA). Pursuant to GINA, District officials will not ask for any “genetic information” (as that term is defined in the law) when requesting medical information about employees (for example, in connection with a fitness-for-duty examination).

The Superintendent or designee will be responsible for publicizing and disseminating this policy, both internally and externally, and to ensure its availability to interested citizens and groups and to establish regulations associated with filing, investigating, and resolving complaints consistent with establish law.

Board Approved: September 23, 2019

# Sexual Harassment

## Introduction

Canandaigua City School District is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Canandaigua City School District's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>1</sup> and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Canandaigua City School District. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

## Policy:

1. Canandaigua City School District's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Canandaigua City School District. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Canandaigua City School District will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Canandaigua City School District who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working in the workplace who believe they have been subject to such retaliation should inform a supervisor or manager. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Canandaigua City School District to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

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<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity or expression, familial status, predisposing genetic characteristics, and criminal history.

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

## Sexual Harassment

6. Canandaigua City School District will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Canandaigua City School District will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
7. All employees are encouraged to report any harassment or behaviors that violate this policy. Canandaigua City School District will provide all employees a complaint form for employees to report harassment and file complaints.
8. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to Assistant Superintendent for Personnel.
9. This policy applies to all employees, paid or unpaid interns, and non-employees, such as contractors, subcontractors, vendors, consultants or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

## Sexual Harassment

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
  - Sabotaging an individual’s work;
  - Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.



## Sexual Harassment

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### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

### **Retaliation**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

## Sexual Harassment

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone's responsibility.** Canandaigua City School District cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, or the Assistant Superintendent for Personnel. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or the Assistant Superintendent for Personnel.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Assistant Superintendent for Personnel.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

## Sexual Harassment

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Canandaigua City School District will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Assistant Superintendent for Personnel will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

## Sexual Harassment

- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by Canandaigua City School District but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Canandaigua City School District, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year (three years beginning August 12, 2020) of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Canandaigua City School District does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

## Sexual Harassment

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police

## Drug-Free Workplace

The possession, manufacture, use, or distribution of illicit drugs and alcohol on school premises or as a part of school activities is strictly prohibited.

Employees under the influence of alcohol, drugs, or controlled substances while on duty are a serious risk to themselves, to students, and to other employees. Employees who display physical manifestations of drug or alcohol use while on duty may be subject to drug testing. Any employee who violates this policy will be subject to disciplinary action up to and including termination as provided for by statute and/or collective bargaining agreement, as well as referral for prosecution. Employees may also be required to satisfactorily participate in rehabilitation programs.

As a condition of employment, all employees must abide by the terms of this policy. Employees who are convicted of a drug offense which occurred on school premises or while on duty must notify the Superintendent of their conviction. Notification must be made by the employee to the Superintendent within 5 days of the conviction. Within 10 days, the Superintendent will provide notice of such violation to the Impact Aid Program, United States Department of Education, or other appropriate government agency.

The District administration will conduct a drug-free awareness program to inform employees of: (1) the dangers of drug and alcohol abuse in the workplace; (2) this policy of maintaining a drug-free workplace; (3) available counseling and rehabilitation; and (4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

The District will conduct a biennial review of this policy to determine its effectiveness, implement necessary changes, and to see that the disciplinary sanctions are consistently enforced.

This policy should be distributed in writing to all present and future employees.

Board Approved: September 23, 2019

## Conditional/Emergency Appointments Child Safety

If an employee is serving under a conditional appointment or emergency conditional appointment pending employment clearance from the State Education Department, the Superintendent or designee, will advise the employee's immediate supervisor and/or building principal of such appointment status, and request that they provide enhanced supervision as deemed appropriate to address safety of children who have contact with the employee. The immediate supervisor or building principal will, upon the commencement of the staff member's employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee will promptly notify the immediate supervisor or building principal of any changes in the employee's appointment status, including receipt of clearance for employment.

Board Approved: September 23, 2019

## Firearms and Other Weapons

The Board of Education prohibits firearms, other weapons or any object that reasonably can be considered a weapon, bomb, or firework, on any portion of the premises or in any building or property owned or controlled by the school district. Police officers who are on-duty or otherwise required to carry a firearm are the only people permitted on school property to have a firearm in their possession.

Board Approved: September 23, 2019



## Certification

Each employee whose employment requires certification or other licensure is required to inform the Superintendent of Schools immediately of any change in the status of their certification or licensure. The changes may include, but are not limited to, the granting, revocation, upgrading, expiration, conversion, and/or extension of these documents as to their periods of validity or their titles.

The original certificates and/or licenses must be presented for examination and copying in the office of the Superintendent of Schools as soon as they are available to the employee. The copies will be maintained in the Superintendent's files in support of the legitimate employment of each affected employee. The failure of any such employee to possess the required certification or other licensure may result in the discharge of that employee.

Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for their assignment.

Board Approved: September 23, 2019

## Family and Medical Leave

The Board of Education recognizes the right of eligible employees to unpaid, job protected family and medical leave for up to twelve (12) workweeks per twelve (12) month period. All eligible employees who use such leave shall have their health benefits continued and shall be returned to an equivalent position according to established Board practices, policies, and collective bargaining agreements.

The district uses a “rolling” 12-month period measured backward from the date an employee uses an FMLA leave, as its method for calculating the whether an employee has exhausted their leave for the year. Under the “rolling” 12-month period, each time an employee takes FMLA leave, the remaining leave entitlement would be the balance of the 12 weeks which has not been used during the immediately preceding 12 months.

To be eligible for FMLA an employee must have been employed for at least twelve months and have worked at least 1,250 hours during the prior twelve months.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member is entitled to a total of 26 workweeks of unpaid, job protected leave in a single 12-month period to care for the service member who is seriously ill or injured in the line of duty.

The Superintendent or designee develop Regulations to comply with the Family and Medical Leave Act (FMLA).

Board Approved: September 23, 2019

# Code of Ethics for All District Personnel

In addition to the prohibitions against conflicts of interest contained in N. Y. General Municipal Law, Art. 18, and federal awards requirement CFR 200 318(c)(1), every officer and employee of the district, whether paid or unpaid, including members of the Board of Education, and their professional or nonprofessional staff and appointees (referred to collectively as “District officers and employees”), are subject to and must abide by the following standards of conduct:

**Confidential Information:** District officers and employees may not disclose confidential information acquired by them in the course of their official duties or use such information to further their private interests\*.

**Disclosure of interest in matters before the Board:** District officers and employees who participate in discussions with or give official opinions to the Board on any matter being considered by the Board must publicly disclose (in writing) to the Board, and (except for Board members) to their immediate supervisor, the nature and extent of any direct or indirect financial or other private interest\* they have in such matter. This interest also includes any interest a District officer’s or employee’s spouse may have, will have or will later acquire in such matters. Such disclosure must be made as soon as the individual has knowledge of their (or their spouse’s) actual or prospective interest.

**Investments in conflict with official duties:** District officers and employees may not invest in or hold any investment directly or indirectly in any financial, business, commercial enterprise or transaction that creates a conflict with their official duties.

**Private employment:** District officers and employees may not engage in, solicit, negotiate for, or promise to accept private employment when that employment creates a conflict with or impairs the proper discharge of his or her official duties.

**Future employment:** District officers and employees may not, after the termination of service or employment with the Board, appear as a paid representative before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which they personally participated during the period of his or her service or employment or that was under their active consideration.

**Selection of contract for federal award:** No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

# Code of Ethics for All District Personnel

## *Penalties*

In addition to any penalty provided for by law, any person who knowingly and intentionally violates any of the provisions of the B Code of Ethics or Article 18 of the N.Y. General Municipal Law may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

\* The terms “interest” and “conflict” used throughout this policy have the same meanings given to those terms in N.Y. General Municipal Law, Article 18.

Board Approved: September 23, 2019

Amended: November 16, 2020

## Appropriate Staff-Student Relations

The Board of Education requires that all School District employees maintain a professional and ethical relationship with District students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges, reports to the State Education Department pursuant to Part 83 of the Regulations of the Commissioner of Education, and/or disciplinary action by the District up to and including termination of employment, in accordance with applicable law and collective bargaining agreements.

In addition to the above, prohibited inappropriate employee behavior also includes, but is not limited to, requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (via phone, e-mail, text messages, social media, letters, notes, etc.) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations. All such conduct is prohibited regardless of whether it was initiated by the student.

Any student who believes that he/she has been subjected to prohibited behavior by a staff member as set forth in this policy, or third parties, or who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal, or the District's designated complaint officer. In all events such reports shall be forwarded to the designated complaint officer for further investigation. Anonymous complaints of prohibited behavior by staff members with students shall also be investigated by the District.

Investigations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be initiated and completed promptly. These matters will be treated as confidential and private to the extent possible within legal obligations and constraints. Upon completion of such investigations, the District will take prompt corrective action.

Any employee having knowledge of -- or reason to believe that -- another employee may have engaged in prohibited conduct with a student that may constitute child abuse must also follow the District's reporting procedures for such allegations in compliance with applicable State law. If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her building principal or supervisor.

## Appropriate Staff-Student Relations

### **Prohibition of Retaliation**

The Board of Education prohibits any retaliatory behavior against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to prevent the alleged conduct from resuming and to verify that no one involved has suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

### **District Responsibility/Training**

The principal of each school and/or program supervisor shall be responsible for informing students, staff, and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute prohibited conduct under this policy. Students shall be provided such training in an age appropriate manner.

The District's policy (or a summary thereof) shall be disseminated as appropriate to staff, students, and parents. Further, this topic shall be addressed in the District Code of Conduct.

Title IX of the Education Amendments of 1972,  
20 United States Code (USC) Section 1681 et seq.  
Education Law Article 23-B  
Social Services Law Sections 411-428  
8 New York Code of Rules and Regulations  
(NYCRR) Part 83

Board Approved: October 19, 2020