

Chenango Valley Central School District

2023-24 Policy Handbook



Last Updated: 8/18/2023

Chenango Valley Central School District Policies are located in all school main offices and on our district website: www.cvcsd.stier.org/PolicyManual.aspx

All district policies may be updated by the CV Board of Education. The most recent editions can be found in school main offices and on our district website.

Notifications of policy updates will be included in our internal staff e-newsletter, *The Valley Voice*, which is emailed to staff members monthly throughout the school year.



Our Mission

We inspire, engage, and empower all students to achieve their full potential.

Our Vision

We aspire to be a model of innovation and educational excellence that prepares our students for the challenges of life in the 21st century.

Our Core Beliefs

- Students are our first priority.
- Partnerships among students, staff, parents, and the community are integral to student success.
 - We value respect for self and others.
- All students and staff deserve a safe, positive, and supportive environment.
 - We hold high expectations for our students, parents, and ourselves.
 - We embrace change and strive to be lifelong learners.
- We believe all students can learn and will never give up on any student.

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NOTE: The date in parentheses after each policy indicates the date the policy was either first adopted or last reviewed/revise as of the publication of this booklet. Policy numbers that are not included in sections have been previously repealed. Click on a policy in the Table of Contents to go directly to the policy in this PDF document. It is your responsibility to be aware of your duties as it pertains to all of the school district policies, but especially the ones highlighted below.

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Title IX Coordinators

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By-Laws of the Board of Education

Article I – Office

1. The office of the Superintendent of Schools of the district shall be at 221 Chenango Bridge Road, Binghamton, County of Broome, State of New York.
2. The district will also have an office for the clerk of the district at 221 Chenango Bridge Road, Binghamton, County of Broome, State of New York.

Article II – Annual Budget Hearing and Budget Vote

1. The Annual Budget Hearing of the district shall be held in the Chenango Valley Middle/High School at 6:30 p.m. seven (7) to fourteen (14) days prior to the annual budget vote. The annual budget vote shall be held at the Chenango Valley Middle/High School (location may change to another district building if circumstances warrant) from 12:00 noon to 8:00 p.m. on the third Tuesday in May of each year. It shall be the duty of the clerk of the Board of Education to give due notice of the annual budget hearing and budget vote.

Article III – Officers

1. The officers of the Board of Education shall consist of a president and a vice president who shall be elected from the membership of the board at the organizational meeting of the Board of Education, and such other officers as may be required by Education Law of the State of New York.

Article IV – Meetings of Board of Education

1. An organization meeting of the Board of Education shall be held in July as prescribed by the Education Law for the purpose of electing a president and a vice president; appointing a clerk, tax collector, treasurer and counsel for the purpose of transacting such other business as properly comes before the organizational meeting of the Board. Notice for such meeting shall be deemed sufficient if given by the last duly appointed clerk of the Board or the last duly elected president to the members of the Board, including those elected at the annual meeting preceding said organizational meeting if the same is given three (3) days prior to the time for which said meeting was called and whether said notice be verbal or written.
2. The regular meeting of the Board shall normally be held on the third Wednesday of each month. All meetings except emergency meetings require notice.
3. A special meeting of the Board of Education may be called at any time by the president of the Board or by any member of the Board provided 24 hours' notice of said meeting shall be given to each member of the Board.
4. (a) The place of all meetings of the Board of Education shall be in the district, 221 Chenango Bridge Road, Binghamton, county of Broome, State of New York, or, (b) Such other school building within the district as the president may designate provided notice of said meeting and place thereof is set forth in the notice of said meeting, said notice to be given three (3) days prior to the meeting.
5. Time of all meetings shall be at 6:30 p.m. with a proposed executive session and a regular session to begin at 7:00 p.m. unless another hour is designated in a call of the meeting.

6. The president of the Board of Education shall be the presiding officer at any meeting of the Board or in his/her absence, the vice president. Should the president and vice president be absent without having made a designation of presiding officer or without the person so designated being present, then such personnel as shall be chosen from their membership by those members of the Board present, and such meeting shall be conducted in accordance with the statutory requirements of the State of New York and where the same are silent as to procedure in accordance with the then current edition of Roberts' Rules of Order.
7. The Board of Education of Chenango Valley Central School District consists of nine (9) members. Each Board of Education member is elected for a five (5) year term, unless specifically elected to fill the remaining years of a duly elected member who is unable to complete his term. The Board at its discretion may appoint an eligible citizen to fill the board vacancy until the next annual meeting.
8. For all meetings of the Board of Education a quorum requires a majority of the members of the whole Board to be in attendance. Those in attendance may adjourn a meeting of the Board that does not have a quorum to a later date. A quorum shall be required for actions at any subsequent meeting. Notice of the adjourned meeting shall be provided to all members of the Board and as required by law.

Article V – Books and Records

1. The books, accounts and records of the district shall be kept at the Superintendent of School's office of the district, except the books and records of the clerk, which may be kept at the clerk's office, and the current records of other statutory officers of the district, which may be kept by them at their respective offices.

Article VI – Notice

Whenever the provisions of statute or these by-laws require notice to be given to any member of the Board or officer thereof, they shall not be construed to mean personal notice unless specifically required by statute or these by-laws, but such notice may be given in writing by depositing the same in a post office box or letter box in a post-paid sealed wrapper addressed to such member of the Board or officer at his or her address as the same appears upon the books of the district, and the time when the same shall be mailed shall be deemed to be the time of giving of such notice. A waiver of any notice in writing signed by a member of the Board or officer, whether signed before or after the time stated in such waiver for holding a meeting, shall be deemed equivalent to a notice required to be given to any member of the Board of Education or officer.

Article VII – Seal

1. The corporate seal of the Board shall consist of a circular seal upon which there shall be inscribed "Chenango Valley Central School District."

Article VIII – Amendment of By-laws

1. Alteration, amendment, or repeal of by-laws may be made by a majority vote of the whole Board of Education at any regular or special meeting provided notice of such alteration amendment or repeal has been given to each member of the Board of Education in writing at least three (3) days prior to said meeting or provided such alteration, amendment or repeal was proposed and entered in the minutes of a previous meeting.

Article IX – Committees

- 1) Committees – The president of the Board shall have the power to appoint committees when in his/her opinion it shall be necessary or as directed by vote of the Board.
- 2) The membership of the respective committees is to be determined by the president, who shall appoint said committee from the membership of the Board. Additional membership may be appointed to committees from citizens of the district as recommended by the president and approved by the Board. Committees containing additional members beyond the Board of Education shall be appointed for a specific task and for a specific time period.
- 3) Committees can only be eliminated by the majority of the Board of Education.

Article X – Supervision

1. The supervision of the schools within the district shall be by a Superintendent of Schools who shall be the Chief Executive Officer and shall have full charge and authority over all employees. The clerk, treasurer, tax collector, counsel, and any person employed primarily to assist or advise the Board of Education apart from assisting in the daily administration of the school shall not be deemed an employee within the meaning of this paragraph.

Public Order

It is the policy of the Board of Education to maintain public order on the premises of Chenango Valley Central School District. The rules and regulations of this policy are designed to apply to all persons on the premises and are in no way to be interpreted as superseding or replacing regulations contained in any student handbook or other announced rules as they apply to students.

Students enrolled in the school, faculty and staff members employed by the school, and all other persons such as visitors, licensees, and invitees on the school premises are expected to conduct themselves in such a way as not to endanger the welfare of the students or the public order on such premises. The following activities are (without limitation) potentially detrimental to the maintenance of public order, and any person or persons on the premises engaging in such activities without authority are liable to disciplinary action:

I. Prohibited Activities

- (1) Obstruction or disruption of teaching, administrative functions, disciplinary procedures or other school activities or of activities on the school premises authorized by duly constituted administrative officers;
- (2) The use of any intimidation tactics including words, physical threat, physical restraint or detention of any person or removal of any person from any place where he is authorized to remain, or obstruction of the free movement of persons and vehicles in any place where these rules apply;
- (3) Physical abuse or intimidation of any person on school-owned or controlled property or at school sponsored or supervised functions or conduct which threatens or endangers the health or safety of such persons by any acts, including those which employ devices of physical intimidation such as firearms, knives, weapons, etc.;
- (4) Unauthorized entry into or use of school facilities, including seizure by force or threat of force of part or all of any school building or other school facility;
- (5) Refusal to leave any building or facility after being requested to do so by an authorized administrative officer, or remaining in any building or facility after it is closed;
- (6) Theft of or damage to property of the school or of a member of the school community or a campus visitor;
- (7) Bringing or possessing a weapon or firearm on district property, on a district bus or vehicle, in district buildings, or at district sponsored activities or settings under the control or supervision of the district regardless of location;
- (8) Willfully inciting others to commit any of the acts herein prohibited with specific intent to procure them to do so;

- (9) Loitering in the school buildings or on school grounds;
- (10) Possession of illegal drugs (or of drugs requiring a prescription without the existence of a valid prescription);
- (11) Possession of alcoholic beverage in the school buildings or on school grounds.

II. Program for Enforcement

- A. The Superintendent of Schools or his/her designee shall be responsible for enforcing the regulations. The procedure for enforcement will depend on the circumstances accompanying the infraction. Every effort will be made to handle all situations with school staff. However, in cases which pose a clear and present danger to persons and/or property, recourse may be made to civil authorities.
- B. Violators who are neither students, faculty, or staff and who are not subject to school discipline shall be directed to leave the school premises, and if necessary, shall be ejected from such premises by the school authorities or by civil authorities.
- C. The various stages through which action to avoid and cope with disorders arising from infraction(s) of the regulations by students, faculty and staff might be expected to proceed are summarized below. (This is not meant to establish a prescribed order, which will depend on the kind and seriousness of the infraction, but rather to indicate the range of possible procedures.)
 - (1) Notice by school officials to those involved in the infraction of the existence and content of the stated regulations and of the penalties provided for under school judicial procedures that may be incurred by a failure to desist from such activities. Failure to desist would result in:
 - (2) Assignment of school personnel to identify those involved by appropriate means including requests to produce identity cards, or other appropriate documents. In addition, students, faculty, or staff may be ejected from these premises in which their presence is unauthorized and in violation of the rules.
 - (3) If identification is refused (which is in itself a violation of school regulations) and/or if the infraction continues, recourse to civil authorities may be elected, or the school may seek a court order restraining those involved from continuing in their actions. Persons involved will be informed of the prospect of a restraining order being presented and of the significance of such an action. They will be given an opportunity to desist from their activities before formal presentation of the order. Failure to respond will result in:
 - (4) Serving of the court order and consequent action by the civil authorities.
 - (5) If order is not maintained by the above procedures, or in cases of severe disorder which threatens damage to persons and/or property, assistance will be sought from the appropriate law enforcement agencies.

III. Penalties: Students

- A. Students charged with violation of these regulations shall be subject to the established discipline procedures of the school. (See School Conduct & Discipline policy)
- B. In situations that have resulted in the involvement of civil authorities, students are also liable to prosecution under criminal charges that may result from such involvement.

IV. Penalties: Faculty

- A. Violation of these regulations by a faculty member shall in all cases be considered a violation of professional conduct.
- B. All complaints against a faculty member suspected of violating these regulations shall be sent to the Superintendent of Schools. He/she has the following courses of action open to him/her:
 - (1) If in the opinion of the Superintendent the alleged activities do not warrant a recommendation of dismissal for cause, he/she shall interview the alleged offender and after an opportunity for the offender to be heard, either dismiss the matter, recommend appropriate corrective action, and give such reprimand or censure as shall be required; or
 - (2) If in the opinion of the Superintendent the alleged activities warrant consideration of dismissal for cause, shall proceed with the same in accordance with the applicable sections of the Education Law.
 - (3) In situations that have resulted in the involvement of civil authorities on school premises, faculty members are also liable to prosecution under criminal charges that may result from such involvement.

V. Penalties: Non-Faculty Staff

- A. Classified Civil Service Personnel - Action against members of the classified civil service charged with violations of the regulations shall be governed by the provisions of Section 75 of the Civil Service Law, which provides for disciplinary action up to and including dismissal. Other penalties include reprimand, suspension without pay, and reduction of grade that may result from such involvement.
- B. Unclassified Civil Service Personnel - non-faculty - Complaints against members of the unclassified Civil Service shall be referred to the Superintendent of Schools to be dealt with by administrative procedures that may lead to disciplinary action up to and including dismissal. Other penalties may include reprimand or suspension without pay that may result from such involvement.
- C. All Others - All other persons who may be legally present on the school premises by reason of their employment and who are charged with violation of the regulations are subject to ejection from the premises by school authorities or by civil authorities. They are subject to any criminal charges that may be lodged as a result from such involvement.

VI. Penalties: Others

- A. Licensees and invitees - Licensees and invitees and other persons legally on the school premises for any purposes shall be subject to the requirements of the regulations. Any licensee or invitee in violation of this regulation shall have his license or invitation withdrawn. A violator whose authorization has thus been withdrawn will be required to leave the premises and will be summarily ejected, if necessary, by the school authorities or by civil authorities. Violators are subject to any criminal charges, which may be made as a result of such involvement.

- B. Unauthorized Persons - Unauthorized persons are subject to the law governing loiterers. Such persons may be ejected from school premises by the school authorities or by civil authorities. They are subject to any criminal charges, which may be lodged as a result of violations from such involvement.

Library Materials Selection

- I. It is the policy of the Chenango Valley Central School District Board of Education that library materials be selected:
- (a) To establish a comprehensive, modern library which reflects and is responsive to the curriculum needs and interests of students and support of the instructional program;
 - (b) To create at an early age a strong, positive attitude toward reading;
 - (c) To provide a wholesome attitude toward children's physical, emotional and societal growth and development; and
- II. Further, it is the Board of Education policy that:
- (a) Materials are selected by Library Media Specialists or designee.
 - (b) Before purchase of library materials, consideration is given to:
 - (1) general purpose and appropriateness of grade level;
 - (2) timeliness or permanence;
 - (3) quality of writing and production;
 - (4) authoritativeness;
 - (5) reputation of publisher, producer, author and artist; and
 - (6) format and price

Whenever possible materials are examined firsthand, but when this is impractical, decisions for purchase must be made on the basis of professional reviews, approved or recommended lists and faculty or staff recommendation.

- (c) While some materials are acquired through donations, they are graciously accepted with the understanding that they will be used, discarded or traded based upon the librarian's or designee's professional judgment and in light of the needs of the library.
- III. Further, it is the Board of Education policy and understanding that:
- (a) Libraries should provide information that adequately discusses issues suitable for students;
 - (b) Any library material is potentially open to criticism;
 - (c) Students shall have the privilege to select, within the bounds of the assigned subject matter, those materials that appeal to them.
 - (d) Any selection rule, out of necessity, must be in general terms since every library material must be considered separately. If, on balance, a material's strengths outweigh its weaknesses, it may be chosen for the library collection.

Library materials considered questionable for use by students are treated as follows:

- (1) The use of profanity or frankness in dealing with sex may be controversial, but when materials open a clearer vision of life, develops understanding of other people or breaks down intolerance, these virtues must be weighed against the possible harm to be done by some offending work or passage in the book, particularly where taste rather than morals is the issue;
- (2) Religious books of an obviously denominational nature whose primary purpose is to present one sect as superior to another are not purchased for collections, nor are books that belittle any faith. Only well-written books that make no attempt to sway the emotions of the student toward or against any one faith should be included in collections for students;
- (3) Materials that are evaluated as questionable but ultimately approved for student use belong on open shelves of student collections and are thereby treated in the same fashion as books on other subjects.

School Board Meeting Agenda & Public Participation

School Board Meeting Agenda

It is the policy of the Board of Education that prior to regular Board of Education meetings, an agenda will be circulated to Board members, media, administrative staff, Association officers and others. It will contain the action, discussion and information items scheduled for the meeting. The development of an agenda, however, does not preclude additional items being added at the time of the meeting. Copies of the agenda will be available at each regular Board meeting.

The Superintendent of Schools will develop the Board of Education's agendas in cooperation with the Board president. Board members may place items on an agenda by notifying the Superintendent of Schools or Board of Education president. Appropriate back-up material will be developed by the administration.

Occasionally non-Board members may wish to bring a topic to the Board of Education for discussion or action. It is the policy of the Board of Education that this be a planned agenda item in accordance with the following procedure:

- A. The item under consideration may be placed on the agenda by a written request to the Superintendent of Schools at least two (2) weeks prior to the meeting. This will permit the Superintendent of Schools to judge the appropriateness of the topic and to provide for sufficient time for its presentation. Should the topic be judged inappropriate, the Superintendent will communicate the reason to both the entire Board of Education and the submitter.
- B. Occasionally, an issue of a pressing nature may be brought before the Board of Education. In such a situation the customary two-week notice and back-up material may be waived.
- C. Written back-up material may be requested by the Superintendent of Schools for inclusion with the agenda for Board members to fully acquaint them with the issue.

Board Meeting – Public Participation

It is the policy of Chenango Valley Central School District to encourage attendance at Board of Education meetings by members of the community, staff, and students. Notice of the meetings and agenda topics are posted in a timely fashion as provided for under the law, and efforts will be made to hold public meetings in a location and setting suitable to accommodate and encourage attendance by the public.

The business of the school district must be conducted in public with the exception of executive session matters protected by law. While there is no legal requirement that the public participate in the meeting, the president (or other presiding Board member) may allow attendees at the Board of Education meetings to raise questions or comment on agenda items. Members of the staff routinely make presentations or add information to agenda items before the Board of Education.

Members of the public may request time on the Board of Education agenda. The Board will provide up to fifteen minutes of public comment at the beginning of each regular Board of Education meeting. Prior to the period of public comment, the presiding officer will refer to the guidelines.

Members of the public will be permitted to speak in accordance with the following guidelines:

- Each speaker will be limited to a maximum of five (5) minutes. Each speaker must be recognized by the chairperson of the meeting and provide the clerk of the Board with his or her name and address.
- No comments by the speaker will be permitted that deal with executive session subjects, individuals, personnel matters, discipline issues pertaining to specific individuals, or revelation of the identity of a student either directly or indirectly.
- The Board certainly wishes to hear from the public on school-related matters. However, it must be recognized that the Board of Education may not be able to respond to every issue.

News Release and Home/School Communication

It is Board of Education policy that information be disseminated on activities and concerns in our schools. While it is impossible to know how news releases will be treated by the media, every possible effort should be made to obtain coverage of school activities that will create and maintain a dignified and professionally responsible image for Chenango Valley. In order that this publicity be given wide coverage and be coordinated into a common effort and purpose, these guidelines will be followed in giving official information to the news media:

1. The Board of Education president and the Superintendent of Schools are the official spokespersons for the Chenango Valley Central School District with respect to news releases.
2. News releases pertaining to crisis situations or established district policy are the responsibility of the Superintendent or designee.
3. News releases that are of concern to only one school or to an organization within one school are the responsibility of the principal of that particular school. All releases made to the media on behalf of that school building by other staff members of that particular school must be cleared with the principal.
4. News releases regarding sports activities are the responsibility of the Director of Athletics. Coaches, in the course of their duty, will be delegated the responsibility to discuss with the media the performance of their teams and individual student athletes.

On occasion the district may face an unusual situation that has the potential to affect the health or safety of the students or staff. In the interest of supporting a strong bond of communications between the school district and the home, at times written communication will be used to keep parents or guardians informed of necessary details, thereby enabling them to properly counsel and guide their children. No information will be shared with the community at-large that is of a confidential or personal nature, involving either students or staff members.

Decisions regarding the dissemination of information falling within this category resides with the Superintendent of School or his/her designee. Upon such decision, the Superintendent of Schools or his/her designee will concurrently notify the Board president. The remaining members of the Board of Education shall be notified by the most expedient method practical.

Public Complaints

It is the policy of the Board of Education to encourage parents and other citizens to express their concerns, to ask questions, and to take an active interest in the school's educational program and school environment by attending Board meetings, contacting the schools and meeting with members of the staff. The Board also recognizes the right of individuals and groups to present complaints concerning school personnel, the curriculum, school services or facilities. In the interest of responding to all complaints fairly and expeditiously, the following guidelines are established:

- 1) Whenever a complaint is initially directed to the Board, as a whole, the individual or group involved will be advised to confer with the appropriate school staff member first.
- 2) The individual or group will be advised of the routine channel of complaints, which is found on the attached contact guide.
- 3) Should a complaint be received by the Board of Education after the individual or group followed the channel of complaints outlined above, the Board will review a report on the matter from administration and provide a response. The complainant, at the discretion of the Board of Education, may be invited to an executive session of the Board for further information or discussion.
- 4) Should an individual Board member receive a complaint, the person or group should be advised of the channels outlined in this policy. The Superintendent should be informed of the complaint received by the Board members. Individual Board members do not have the authority to directly attempt to solve the problem. In cases where the Board member is unsure of the background on a specific matter, the Superintendent will provide information to enable a response to the complaint by either an authorized Board member or other spokesperson for the district.
- 5) Complainants must provide their identity.



Chenango Valley Central School District Contact Guide

2023-2024 School Year



Questions About	1st Contact	2nd Contact	3rd Contact	4th Contact	5th Contact
Academics	Teacher	School Counselor	Building Principal	Assistant Superintendent	Superintendent
Athletics	Coach	Director of Athletics, Physical Education & Health, Asst. Principal	Assistant Superintendent	Superintendent	
Behavior	Teacher	Building Principal	Assistant Superintendent	Superintendent	
BOE Policies	Assistant Superintendent	Superintendent	Board of Education		
Budget	Business Executive	Superintendent			
Building Use	Director of Athletics, Physical Education & Health, Asst. Principal	Assistant Superintendent	Superintendent		
Cafeteria	Food Services Manager	Business Executive	Assistant Superintendent	Superintendent	
Classroom Procedures	Teacher	Building Principal	Assistant Superintendent	Superintendent	
Co-Curricular	Teacher	Building Principal	Assistant Superintendent	Superintendent	
Curriculum and Instruction Materials	Teacher	Building Principal	Director of Curriculum	Assistant Superintendent	Superintendent
Facilities	Director of Facilities	Business Executive	Superintendent		
Health Office	School Nurse	Building Principal	Director of Athletics, Physical Education & Health, Asst. Principal	Assistant Superintendent	Superintendent
Scheduling/ Grad Requirements	School Counselor	Building Principal	Director of Pupil Services	Assistant Superintendent	Superintendent
Special Education	Special Education Teacher or Service Provider	Director of Special Education	Assistant Superintendent	Superintendent	
Technology	Teacher	Building Principal	Director of Technology	Assistant Superintendent	Superintendent
Transportation	Bus Driver	Transportation Supervisor	Business Executive	Assistant Superintendent	Superintendent



Chenango Valley Central School District Contact Guide

2023-2024 School Year



PORT DICKINSON ELEMENTARY

(Grades: Pre-K - 2)

770 Chenango St., Binghamton, NY 13901

Mailing Address: 221 Chenango Bridge Rd., Binghamton, NY 13901

Principal/DASA Coordinator: Jessica Carl | JCarl@cvcsd.stier.org

Main Office Phone: 607-762-6970 | **Fax:** 607-762-6979

Attendance Office: 607-762-6849

School Nurse: Beth Kresge, RN..... 607-762-6973

CHENANGO BRIDGE ELEMENTARY

(Grades: 3 - 5)

741 River Rd., Binghamton, NY 13901

Mailing Address: 221 Chenango Bridge Rd., Binghamton, NY 13901

Principal/DASA Coordinator: Jennifer Yurko | JYurko@cvcsd.stier.org

Main Office Phone: 607-762-6950 | **Fax:** 607-648-8888

Attendance Office: 607-762-6954

School Nurse: Ashley Armagno, RN..... 607-762-6952

CHENANGO VALLEY MIDDLE SCHOOL

(Grades: 6 - 8)

221 Chenango Bridge Rd., Binghamton, NY 13901

Principal/DASA Coordinator: Eric E. Attleson | Attleson@cvcsd.stier.org

Main Office Phone: 607-762-6902 | **Fax:** 607-762-6945

Attendance Office: 607-762-6931

School Nurse: Kim Riquier, RN..... 607-762-6911

Homework HotlinesPlease see district website.

CHENANGO VALLEY HIGH SCHOOL

(Grades: 9 - 12)

221 Chenango Bridge Rd., Binghamton, NY 13901

Principal/DASA Coordinator: Jennifer Ostrander | JOstrander@cvcsd.stier.org

Main Office Phone: 607-762-6900 | **Fax:** 607-762-6946

Attendance Office: 607-762-6931

School Nurse: Amy Frost, RN..... 607-762-6912

GUIDANCE

MS/HS Guidance Office Main Phone Number: 607-762-6918 | **Fax:** 607-762-6944

SOCIAL WORKERS:

Jackie Arnold-HS.....JArnold@cvcsd.stier.org
Beth Hubenthal-MS.....BHubenth@cvcsd.stier.org
Jessica Isaacs-MS/HS.....JIsaacs@cvcsd.stier.org
Kimberlee Katusha-CB.....KKatusha@cvcsd.stier.org
Amanda Silvanic-PD.....ASilvanic@cvcsd.stier.org

SCHOOL COUNSELORS:

Judy Hayes-HS.....JHayes@cvcsd.stier.org
Shelby Samson-HS.....SSamson@cvcsd.stier.org
Ashley Skiff-MS/HS (8-9).....ASkiff@cvcsd.stier.org
MS (6-7).....TBD
Megan Cieri-CB.....MCieri@cvcsd.stier.org
Tina Hall-PD.....THall@cvcsd.stier.org

SUPERINTENDENT OF SCHOOLS

Dr. Larry Dake.....Phone: 607-762-6810 | Fax: 607-762-6890

LDake@cvcsd.stier.org

ASSISTANT SUPERINTENDENT OF SCHOOLS

Michelle Feyerabend.....Phone: 607-762-6811 | Fax: 607-762-6890

MFeyerabend@cvcsd.stier.org

DIRECTOR OF ATHLETICS/HEALTH/PE AND ASSISTANT PRINCIPAL

Brad Tomm.....Phone: 607-762-6904 | Fax: 607-762-6942

BTomm@cvcsd.stier.org

DIRECTOR OF CURRICULUM

Tom Curry.....Phone: 607-762-6866 | Fax: 607-762-6890

TCurry@cvcsd.stier.org

DIRECTOR OF FACILITIES AND OPERATIONS

Andrew Burlingame.....Phone: 607-762-6861 | Fax: 607-762-6896

ABurlingame@cvcsd.stier.org

DIRECTOR OF PUPIL SERVICES

Johanna Hickey.....Phone: 607-762-6918 | Fax: 607-762-6944

JHickey@cvcsd.stier.org

DIRECTOR OF SPECIAL EDUCATION

Tara Williams Whittaker.....Phone: 607-762-6830 | Fax: 607-762-6895

TWhittaker@cvcsd.stier.org

DIRECTOR OF TECHNOLOGY

Sarah Latimer.....Phone: 607-762-6820 | Fax: 607-762-6890

SLatimer@cvcsd.stier.org

FOOD SERVICES MANAGER

John Marino.....Phone: 607-762-6840 | Fax: 607-762-6890

JMarino@cvcsd.stier.org

SCHOOL BUSINESS EXECUTIVE

Beth Donahue.....Phone: 607-762-6803 | Fax: 607-762-6890

EDonahue@cvcsd.stier.org

TRANSPORTATION SUPERVISOR

Jason Hibbard.....Phone: 607-762-6850 | Fax: 607-762-6896

JHibbard@cvcsd.stier.org

CV HIGH SCHOOL ASSISTANT PRINCIPAL

Suzanne Stephenson.....Phone: 607-762-6887 | Fax: 607-762-6890

SStephenson@cvcsd.stier.org

Board of Education Self-Evaluation

It is the policy of the Board of Education to conduct an annual evaluation of its performance. The purpose of this self-evaluation is to better serve the Chenango Valley Central School District and the students attending its schools. The process shall include, but not be limited to the following:

- A Board of Education self-evaluation instrument shall be developed by a Board committee for completion by each Board member, independently, in preparation for discussion by the full Board.
- A special meeting or a portion of a regular meeting of the Board of Education will be devoted to a group discussion, summarization and review of the responses to the self-evaluation instrument. This meeting will be held as an Executive Session for personnel matters.
- The Board of Education goals will be developed at an open meeting, taking into consideration the recommendations of the Superintendent of Schools and from other sources as necessary. These goals will be parallel to and consistent with the administrative goals as recommended by the Superintendent of Schools with information provided to the Board by the public/community.

School District Voting

It is the policy of the Board of Education to encourage eligible voters of the Chenango Valley Central School District to exercise their right to vote on school district matters. Each year the district budget for the upcoming school year is brought before the voters. Occasionally other issues are brought to public vote as a result of a Board of Education resolution or petitions presented to the district.

Eligible voter qualifications include: eighteen (18) years of age or older, a citizen of the United States, and a resident of the school district for at least thirty (30) days. Voters will be required to display proof of residency at all school Board member and school budget votes. The Chenango Valley Board of Education deems the following forms of identification acceptable as proof of residency:

- New York State Driver's License
- New York State Identification Card
- Senior Citizen Identification Card, or
- Utility bill that indicates district residency

This procedure ensures that all voters are residents of Chenango Valley Central School District at the time of the school Board member and/or school budget votes.

Voting hours, unless otherwise required by New York State law, shall be from noon until 8:00 p.m. on the third Tuesday in May.

Reasonable accommodations will be made to assist handicapped voters and signs will also be posted to assist voters.

Use of School District Facilities

It is the policy of the Board of Education of the Chenango Valley Central School District to make the facilities of the district available to residents and other applicable organizations so that the community as a whole may utilize and enjoy our facilities.

Use of the facilities will be in accordance with the requirements of the United States and New York State Constitution, the New York State Education Law and the rules and regulations of the Chenango Valley Central School District Board of Education including but not limited to the district's Code of Conduct, Dignity for All Students Act, Harassment policies and adhering to our mission statement.

The rules and regulations of the Chenango Valley Central School District Board of Education are enacted to clarify (a) the requirements for use of the facilities, (b) the facilities available, (c) the procedure to secure the use of facilities, (d) the fees required for their use, and the responsibilities of those to whom use is granted.

The Board of Education is responsible to this community for maintaining the public schools. Part of this duty (Section 414 and 2503, sub. 6, Education Law of New York) is to govern the use of school buildings and grounds.

These regulations apply to the use of all Chenango Valley Central School District buildings and property and have their basis in state and federal law.

Facilities Available

Subject to the restrictions in this Policy, district facilities are available for use by organizations or groups of residents after school hours and when not in use for school purposes or when the school is in use for school purposes if in the opinion of the Board of Education use will not be disruptive of normal school operations. The district also encourages the use of our outdoor facilities for the enjoyment of the Chenango Valley community during such hours and under such conditions as allowed.

INDOOR FACILITIES

Chenango Bridge Elementary School (CBE) – cafeteria, classrooms, gymnasium, multi-purpose room

Middle/High School (MS/HS) – auditorium, cafeteria, classrooms, gymnasium, swimming pool, weight room

Port Dickinson Elementary School (PDE) – classrooms, gymnasium, multi-purpose room

OUTDOOR FACILITIES

Outdoor facilities, such as athletic fields, parking lots, concessions stand, existing in conjunction with the various buildings are available for special organizations or groups when the facilities listed above are inadequate for the type of program to be held. The use of Chenango Valley Central School District's outdoor facilities are open to the community when these areas are not reserved by specific school and/or community groups. Specific school and/or community groups need to complete a request for outdoor facilities, and will follow same application procedures outlined in "Request for Use of Facilities Packet."

Procedures to Secure Use of School Facilities

The Director of Athletics or Designee of the Chenango Valley Central School District shall be the responsible representative of the school district in all matters concerning the use of school facilities by outside organizations or groups of residents.

Appeals from rulings or decisions of the Director of Athletics or Designee shall be brought to the Superintendent of Schools. Denial of requests for use of school district facilities may be appealed within three (3) days of denial in writing to: Superintendent of Schools, Chenango Valley CSD, 221 Chenango Bridge Road, Binghamton, NY 13901. Further appeal must be made within three (3) days of the Superintendent's decision in writing to the Board of Education at the same address. The Board of Education will consider the appeal at its next scheduled meeting.

Requests for use of school district facilities should be made as early as possible prior to the date of use and submitted to the Director of Athletics or Designee. Requests should be submitted in the designated format located on our website.

Organizations that desire to hold a series of regularly scheduled activities in school facilities (such as PTA meetings, Scout meetings, etc.) may submit a single master request schedule for a school year program.

Indoor facilities of the district will have limited availability from the closing of school in June until the opening of school in September for evening activities.

Requests to use facilities will be scheduled on a first come, first serve basis provided school related activities are not conflicting. **Use of facilities on Sundays is normally prohibited unless approved by the Superintendent of Schools with at least one (1) month notice. The Superintendent will notify the Board of Education of Sunday usage.**

User Responsibilities

Any individual, organization or group which desires to use district school buildings and/or grounds, must meet the following conditions:

1) Supervision/Security

The permit holder is required to provide complete supervision for the activity and events covered under the permit. It is the permit holder's responsibility to ensure that:

- a) Unauthorized personnel are not allowed access to the facility,
- b) Persons on district property do not enter unauthorized areas or open the exits to allow access by unauthorized personnel, and
- c) Reasonable requests of school officials and fire safety personnel are followed.

In addition, the event may require security, travel control, and/or technical personnel (the cost of which is the responsibility of the permit holder). Specific personnel will be assigned by the Director of Athletics or Designee, building principal, and/or the theater facilities manager as needed. Adult chaperones must supervise all youth group activities. The supervisor(s) or chaperone(s) in charge of the activity shall arrive

before the activity begins and remain until everyone participating has left school property. It is expected that parents or guardians of participating youth will be responsible for assuring that their children arrive and depart in a safe and timely manner.

Permit holders must adhere to the following prohibitions:

- a) The possession, consumption or sale of alcoholic beverages, narcotics or habit-forming drugs is not permitted;
- b) The use of tobacco or tobacco products is not permitted in any school building or on school grounds; and
- c) The possession of weapons, fireworks, or other dangerous and prohibited objects is not permitted.

Failure to abide by these regulations will result in the immediate cancellation of the use permit and removal of all persons and/or the denial of future facility use permits to the group or individuals concerned.

2) Required Staff

Buildings used by any individual or group will have at least one member of the custodial staff assigned to the activity. The cost of the custodial staff member shall be the responsibility of the individual or group. If a staff person is not available, the permit is subject to revocation.

In the absence of the building principal or administrative personnel, the custodian is in charge of the physical facilities of the building and the operation of all equipment.

3) Permit Holder Liability

Persons, organizations and groups receiving a permit for use of school facilities and property agree to defend, indemnify and hold harmless the Board of Education, Chenango Valley Central School District, and its employees against any and all claims, judgments, action or other liabilities for both property damage and bodily injury arising in any way whatsoever from the use of the facilities or equipment.

The persons, organizations or groups must secure a liability insurance policy in their name with these limits: Minimum of \$1,000,000.00 each occurrence, \$2,000,000.00 aggregate for bodily injury liability and for property damage liability \$500,000.00 each occurrence, \$500,000.00 aggregate.

The Board of Education, the Chenango Valley Central School District, and its employees must be named as additional insureds. A Certificate of Insurance to that effect must be submitted at least three (3) days prior to the use of the facility; otherwise, the use shall be denied.

4) Evacuation Procedures for Fire Emergencies

- a) Pursuant to Education Law Section 807 (1)(a), the principal or other person in charge of any public or private school or educational institution (other than colleges or universities) shall require: The teacher or person in charge of any after school program, event or performance which takes place in a school and which is attended by persons who do not regularly attend classes within the school to notify such persons in attendance at the beginning of such program, event or performance of the proper procedures to evacuate the building in an orderly and timely manner in the event of a fire emergency.

The notification of the proper procedures to exit the building and where the exits are may be announced only once if the same people are in attendance or each time if different people are in attendance.

- b) Exit procedures are located in each room in the building near the entrance door or light switch. If you are unable to locate the directions or have any questions, please ask the custodian on duty.
- c) It is the responsibility of the person in charge of the event or function of the organization to see that the appropriate notification is made to the attendees. If further information is required in order to make such notification, please contact the school principal.

5) Cancellations

Cancellations of events require that the Director of Athletics or Designee (762-6904) and the Office of Buildings and Grounds (762-6860) be notified. When a custodian is hired to cover an event or meeting and the group or individual does not appear, a charge will be made to the group or individual for two (2) hours of custodial service.

In that school facilities are closed due to inclement weather or other emergency, any fees submitted shall be refunded and the district shall have no liability for any consequential damages or other damages resulting from the closure of district facilities.

6) Use and Inspection of Facilities

It is the responsibility of individuals and groups requesting use of a facility to inspect the facility or equipment prior to the event. If any potentially dangerous or defective condition is found, immediate notice should be provided to the school district orally and in writing and no use shall be made of that portion of the facility until the condition is corrected by the school district. An inspection will be conducted by district personnel in conjunction with the individuals and/or groups requesting the facility usage prior to and after special events at the discretion of the Superintendent of Schools or his designee.

7) Clean-Up

School equipment and furniture must be returned to its original place as soon as possible after use. Non-school equipment or property being used on the premises must be removed and the areas used must be left in a clean and orderly condition. The permit holder will be charged for additional clean up time by school custodians, which is necessitated by the permit holder's use of the facilities.

8) Kitchen Facilities

Kitchen facilities may be used only upon approval of the Director of Athletics or Designee and Director of Food Services. The Director shall determine the need for food services personnel being in attendance for which an additional charge will be required. Cafeterias are not to be used by individuals or organizations for putting on any type of dinner, lunch, snack, etc., without the express approval of the Director of Athletics or Designee and the Director of Food Services. School district cafeteria personnel must be employed to operate any cafeteria equipment. Sales of any beverages, food or refreshments must be arranged through the school district.

9) Computer Rooms

Computer classrooms may be used only upon approval of the Director of Athletics or Designee, who shall determine the need for computer services personnel being in attendance for which an additional charge will be required. School district computer services personnel must be employed to operate any computer equipment.

10) Auditorium

The auditorium may be used only upon approval of the Director of Athletics or Designee and High School Principal. The Director of Athletics or Designee or High School Principal shall determine the need for security personnel being in attendance as well as technical supervision for any audio-visual or theatrical equipment needs. Additional charges will be required for any custodial, security or technical supervision personnel.

11) Physical Education Equipment

Special physical education equipment may be used only upon approval of the Director of Athletics or Designee. School district physical education personnel or other district trained personnel may be required to be in attendance to operate special physical education equipment (including scoreboards) for which an additional charge will be required.

12) All use of facilities shall terminate by 10:30 p.m. unless approved in advance.

Fees for Use of Facilities

If any use shall require the payment of additional compensation to members of the custodial staff for services beyond their regularly scheduled work period, such payments shall be chargeable directly to the using organization. To simplify the determination of such surcharges, the district shall collect such payments based on the expected usage period.

The use of certain school district equipment such as cafeteria equipment, audio-visual equipment, etc. may require the retaining of the services of a district employee who shall be assigned by the district but reimbursed by the user at specified district rates.

Schedule of Charges

Facilities usage fees for the use of school facilities will be paid upon completion of the approved request and will be charged according to the following schedule.

Use of District facilities fees (per usage request):

- Auditorium \$300.00
- Pool \$100.00
- High School Gymnasium \$200.00
- Cafeteria/Cafetorium \$100.00
- Kitchen \$100.00
- Classroom \$50.00
- Fields \$100.00

Added to the above charges will be hourly costs for custodial personnel, kitchen, lights and set technicians, if applicable. Such costs cover including thirty (30) minutes before and after the event to provide for opening and closing the facility. Hourly rates are below.

Security Deposit

\$250 a day/ up to \$750 per request when required.

Custodial Costs

\$25 per hour per custodian for a weekday
\$35 per hour per custodian for a Saturday
\$45 per hour per custodian for a Sunday or holiday

Utilities

\$20 per hour

Theater/Kitchen/Pool Facilities

\$25 per hour per employee

Maintenance Time

The contract hourly rate for time actually spent in repairing facilities as a result of user activity plus cost of materials, if any.

Security Personnel

The need and number of security personnel required will be determined by the Director of Athletics. Costs will be paid by the user for the security provider at prevailing wage. Security may also be required for traffic control and/or parking at the discretion of the school district at prevailing wage rates.

Physical Education Equipment

Cost to be determined assessed depending on the specific equipment

Other Costs

To be arranged as required (i.e. tipping fee for garbage removal)

Alternative Facilities Use Fees Under Certain Circumstances

Any organization whose purpose is to serve, support, educate and/or encourage CV students to participate in educational, athletic, artistic and/or cultural pursuits and whose memberships are comprised of primarily CV students shall be eligible for an alternative, one-time fee of \$5 per student, not to exceed \$250, per facilities use request, and provided that the following criteria are satisfied:

- The organization is a registered not-for-profit or is otherwise tax-exempt (must produce documentary evidence of such status)
- At least seventy-five percent (75%) of the organization's total membership is comprised of CV students (must produce a membership list or other, equivalent evidence to the satisfaction of the Superintendent or his/her designee)
- The organization demonstrates a financial need for the alternative fee structure (must produce evidence of same to the satisfaction of the Superintendent or his/her designee)
- The proposed use complies with all relevant federal and state laws governing appropriate uses of public school facilities

******The Board/school reserves the right to charge a supplemental fee sufficient to cover any additional expenses resulting in the usage******

*Fees and deposits shall be submitted to
School Business Executive
Chenango Valley Central School District
221 Chenango Bridge Road
Binghamton, NY 13901*

Use of School Property by News Media

In accordance with Section 61.09 of the New York State Arts and Cultural Affairs Law, the Board of Education may permit, subject to terms and conditions satisfactory to the Boards, the admission of persons and equipment of any news media to school grounds, school buildings, and other locations for the dissemination of information by print, broadcast, recording or other means, of athletic events, concerts, lectures and similar activities taking place of interest to the general public provided that nothing contained in this policy shall prevent the broadcasting or televising of any such events or activities with or without commercial sponsorship.

Restrictions

District facilities may be used for holding social, civic and recreational meetings and entertainments and other uses pertaining to the welfare of the community provided the use is non-exclusive and open to the general public.

Meetings, entertainment, and occasions where admissions fees are charged, when the proceeds thereof are to be expended for **an educational or charitable purpose are permitted** unless the use is under the exclusive control and the proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval, and marine service of the United States and organizations of volunteer firefighters or volunteer ambulance workers.

Granting permission to use facilities shall not be considered an endorsement of the activity or purpose used.

No outside organization or group is allowed to conduct religious worship services or religious instruction. However, the use of facilities by outside organizations or groups after school for the discussion of secular matters from a religious perspective or distribution of such materials is permissible.

Facilities use permit holders may contract with private entertainment sources for the purpose of raising money for educational or charitable purposes, but the burden of proof as to this use and the use of the proceeds rests upon the group seeking a facilities use permit. Entertainment vendors are not authorized to make sales of tangible personal property at an entertainment event as defined by New York State Tax Law, Article 28, Part IV.1.

The use of district facilities shall not conflict with nor interfere with the work of the schools or be disruptive of normal school operations.

No district facility may be used for 'bingo' or any games of chance. Use of facilities for political meetings or rallies is not permitted.

Use permits are not transferable to other users and are limited to the use identified.

RULES GOVERNING USE OF FACILITIES BY COMMUNITY GROUPS

- a. No possession, use, distribution, transfer or sale of tobacco or tobacco products, electronic cigarettes (including but not limited to, e-cigarettes, “Juul,” Dab Pen, Vape Box Mods, Vape Liquid), alcohol, marijuana, wax drugs or other controlled substances or drug paraphernalia. (see Code of Conduct - Section IV, Policy No. 30)
- b. No nut products will be sold during the event or activity.
- c. No tables, chairs, or large objects will be placed in hallways, stairwells, or common areas.
- d. Activity shall be restricted to that area for which permission is granted.
- e. The activity shall not extend beyond the hours approved in the request.
- f. All programs shall be planned so they do not interfere with the regular school day schedule.
- g. The organization using the building shall be responsible for moving its equipment into and out of the building.
- h. The supervisor in charge of the activity shall be present before the activity is due to start and remain with the group until all have left.
- i. In the absence of the building principal or administrative personnel, the custodian is charged with the responsibility of the building.
- j. School authorities must have free access to all rooms at all times.
- k. Where custodial assistance must be hired a charge will be made and must be paid within 30 days.
- l. Room(s) or facility used by applicant will be carefully examined after use. The applicant will arrange for prompt payment of any loss or damage occurring as a result of use of school property.
- m. No school property or equipment is to be altered or removed from the premises.
- n. This license is revocable at any time by school authorities.
- o. No reservation will be made until this application is returned and approved by the Superintendent of Schools or his/her designee.
- p. Please refer to the Public Order Policy I – 2

New York State Law requires notification of emergency evacuation procedures for fire emergencies be announced at all events. Please refer to Use of Facilities Regulations.

The Use of Facilities packet will be reviewed, a determination made, and the applicant notified of the school district’s decision regarding your request for Use of Facilities.

Chenango Valley

Central School District

Request for Use of Facilities

Return to:
Director of Athletics
Chenango Valley Central School District
221 Chenango Bridge Road
Binghamton, NY 13901

(Please see Policy 11 for detailed information)

Chenango Valley Central School District

221 Chenango Bridge Road, Binghamton, NY 13901

REQUEST FOR USE OF FACILITIES

I. BUILDING USE REQUEST

Name of organization: _____

Purpose of use: _____

Space being requested: _____

Date(s) requested: _____

(SUNDAY USAGE needs advance notice)

Hours requested: _____ a.m. p.m. to _____ a.m. p.m.

School site: Port Dickinson Elem. Chenango Bridge Elem.
 CV Middle School CV High School

Room(s) requested: _____

Kitchen facilities needed: Yes No

Admission will (Amount \$ _____)
 will not be charged Proceeds will be used for: _____

******Please attach documentation that beneficiary of all proceeds is a bon fide charitable/educational organization ******

Name, address and phone number of person(s) responsible for this occasion:

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____

Phone: _____

If fee is charged, bill should be sent to the attention of: _____

Fee for Use payable to:
School Business Executive
Chenango Valley CSD
221 Chenango Bridge Road
Binghamton, NY 13901

You must provide Chenango Valley Central School District with the following information prior to the approval of your event:

- A completed request for Use of Facilities form. _____ Date Received
- A completed request for Services form. _____ Date Received
- A completed Hold Harmless Agreement. _____ Date Received
(Non-School Functions Only)
- A current Certificate of Insurance from your _____ Date Received
insurance carrier naming the

Board of Education, Chenango Valley CSD, Employees as additional insureds.
(Non-School Functions Only)

I certify that I have read and agree to be bound by the Board policy, rules and regulations provided in the Rules Governing Use of Facilities by Community Groups which is noted below in this application. I also certify that the proceeds received will not be used for the benefit of a religious sect or exclusive fraternal society and that the program will be open to the general public. I understand the organization or group I represent will assume responsibility for all damages. I also understand I will be charged a fee for the use of facilities in accordance with the schedule of changes.

Date of Application_____

Signed_____
Authorized Representative of Group or Organization

Name_____
(please print)

Address_____

City_____ State_____ Zip_____

Phone_____

This application is hereby granted / denied according to the Use of Facilities policy by the action of the Board of Education.

Signature:_____ Date_____
Director of Athletics

Return the entire Use of Facilities Packet that includes:

- A completed Request for Use of Facilities form.
- A completed Request for Services form.
- A completed **Hold Harmless Agreement**. (*non-school functions only*)
- A current **Certificate of Insurance** from your insurance carrier (*non-school functions only*)

**To: Director of Athletics
Chenango Valley CSD
221 Chenango Bridge Road
Binghamton, NY 13901**

Chenango Valley Central School District Request for Services

Name _____ Date of Event _____
 Address _____ Location of Event _____
 Phone _____

Audio Visual Services	Custodial Services	Technical Theater Svcs.
<p>Please be advised that no audio-visual equipment of any nature is automatically included in the application for use of any room. If equipment is desired, the following procedures must be followed:</p> <p>1) Fill in the area below with the equipment requested. Note audio/video format and standard to be used. Be specific as to the nature of the equipment (stereo vs. mono, reel-to-reel vs. cassette, etc.).</p> <p>2) Indicate who the person responsible for operating the equipment is and his/her address and phone number. This person will be contacted as to whether the equipment is available, where it is to be picked up, and where it must be returned.</p> <p>Equipment Requested: _____</p> <p>Person Responsible: _____</p>	<p>1) Contact Director of Facilities office (762-6860) a minimum of three working days prior to your event to verify needs and requests.</p> <p>2) Last minute requests may not be honored.</p> <p>3) Please tour our facility to make sure needs can be met by our physical plant.</p> <p>4) Please indicate your needs on the spaces provided below:</p> <p>Chairs needed (#) _____ Location _____ Tables needed (limited amt) _____ Location _____ Elevator needed (indicate hrs) _____ Doors (entrances) needed to be unlocked _____ Special equipment (hand trucks, flat-carts, etc.) _____</p> <p>Dressing Room/Requirements _____</p> <p>Special Requests _____</p>	<p>1) Depending on the event, additional personnel familiar with the District's theater facilities may be required. Assignment will be done by the Middle School Principal on completion of your Application.</p> <p>2) A Theater Information Sheet/Stage Diagram is available upon request.</p> <p>3) Please advise this office of any special sound or lighting requirements a minimum of three working days prior to your event.</p> <p>4) Incoming groups may be provided technical personnel at the discretion of the Chenango Valley Central School District Middle School Principal at a fee.</p> <p>Special Requests _____</p> <p>Equipment Requested _____</p>

I acknowledge receipt of the above specified equipment. I agree to accept full responsibility for the use of the equipment. I have received this equipment in good condition and I will return it in good condition. I agree to pay for any damage to or loss of this equipment.

Signature

**PLEASE CALL
Director of Athletics 762-6904**

Chenango Valley Central School District

Hold Harmless Agreement

The applicant, individual, and/or organization agrees to be responsible for all damages resulting from mental and physical bodily injury, including death at any time resulting there from, and/or for all damages arising out of, injury to, or destruction of property due to his/her/its activities or the activities of his/her/its agents, employees, partners, and participants arising out of or resulting from any act or omission in connection with the use or operation of any programs, events, or activity of the applicant, individual, and/or organization on Chenango Valley Central School District's premises; to provide an insurance certificate naming the School District as an additional insured representing a policy providing limits of a minimum of \$1,000,000.00 each occurrence, \$2,000,000.00 aggregate for bodily injury liability, property damage liability minimum of \$500,000.00 each occurrence, and \$500,000.00 aggregate and hereby expressly agree to indemnify and hold harmless the Chenango Valley Central School District from all claims, suits, actions, judgments, damages, attorney fees, including the costs of a legal defense, and costs of every name and description to the extent not covered by the applicant's, individual's, or organization's insurance, if any, arising out of or resulting from any act or omission in connection with such use, operations, or activities; it being understood that this is an undertaking of indemnity only and is not to be construed as an undertaking or obligation to pay claims for which there would not otherwise be a remedy in law.

This agreement shall continue in effect from _____ to _____ 20_____.

IN WITNESS WHEREOF, _____

(name of organization)

has caused this instrument to be signed by a duly authorized officer and its corporate seal to be hereto affixed on the _____ of 20_____.

IN WITNESS WHEREOF, _____
(name of person signing Hold Harmless document)

has caused this instrument to be signed on the _____ of 20_____.

Signature

STATE OF NEW YORK
COUNTY OF BROOME: SS

On this _____ day of _____ 20_____, before me personally appeared _____, to me personally known, who being by me duly sworn, did depose and say that _____ is the _____, of the corporation described in and which executed the within instrument; that _____ knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that _____ signed name thereto by like order.

Notary Public

Naming School Facilities

It is the policy of the Board of Education that when naming or renaming school buildings or facilities, the following guidelines be followed:

In choosing a name for a building the Board may consider historical figures of local or national prominence, district geography, former school staff members, former members of the Board of Education or a particular individual instrumental in the planning or construction of the facility.

In selecting a name the Board may solicit input from the staff, parents, students and the community as it reaches its decision. The Board will be guided by consideration of good taste, concerns for public relations and a sense of historical appropriateness.

The Board of Education may also provide and authorize the erection or installation of a plaque or memorial at the facility.

Clean Air Act (Smoking)

It is the policy of the Board of Education to provide a smoke-free environment. In compliance with the Pro-Children Act of 1994 and Sections 1399-0 and 409 of the New York State Public Health Law and Section 3020-a of the Education Law, the Board of Education recognizes that smoking represents a health and safety hazard which can have serious consequences for both the smoker and the nonsmoker. In order to protect the students, staff and visitors to the district from an environment that may be harmful to them, the Board of Education hereby prohibits smoking on all school district grounds and in all school district buildings, buses and other vehicles owned or leased by the district.

For purposes of this policy "smoking" will mean all uses (including but not limited to: smoking, vaping and ingesting) of tobacco or tobacco products, cannabis and marijuana products, and electronic cigarettes (including but not limited to: e-cigarettes, "Juul," Dab Pen, Vape Box Mods, Vape Liquid, and Vapes).

Philosophy

Our Mission

We inspire, engage and empower all students to achieve their full potential.

Our Vision

We aspire to be a model of innovation and educational excellence that prepares our students for the challenges of life in the 21st century.

Our Core Beliefs

- Students are our first priority.
- Partnerships among students, staff, parents and the community are integral to student success.
- We value respect for self and others.
- All students and staff deserve a safe, positive and supportive environment.
- We hold high expectations for our students, parents and ourselves.
- We embrace change and strive to be lifelong learners.
- We believe all students can learn and will never give up on any student.

New Board Member Orientation

The Board of Education believes that it is important for a new Board member to be knowledgeable about school governance and operations in order to fully contribute when he or she is sworn into office. To this end, a new Board member will be afforded the Board and staff's fullest measure of courtesy and cooperation. Effort will be made to assist new members to become fully informed about the Board's functions, policies, procedures, and problems. Orientation is required if the new member is to serve effectively on behalf of the residents of Chenango Valley.

The primary responsibility for orientation of new Board members resides with experienced Board of Education members and the Superintendent of Schools. The president of the Board of Education will designate a member of the Board of Education to serve as a mentor for each newly elected Board member.

In order to provide the basic framework of school governance and protocol, each new member will be strongly encouraged to attend the New York State School Boards Association orientation program for new Board members. New members are encouraged to meet with their mentors and the Superintendent of Schools with respect to a better understanding of Chenango Valley School District. The purpose of these meetings will be to provide orientation and materials which may include but are not limited to the following:

- Copy of NYS School Law Book
- Board of Education by-laws and policies
- Review of student enrollment data
- Description of course offerings and programs
- Staff organization
- Review of staff contracts
- Financial reports included in monthly agendas as prepared by School Business Executive plus additional information regarding budget, taxation, and state aid
- Tour of facilities and support staff programs
- Description of special projects

New Board members are strongly encouraged to attend meetings of the Broome-Tioga School Boards Association, the New York State School Boards Association and other appropriate organizations. An experienced member of the Board of Education represents the district as a member of the New York State Legislature network. It is recommended that new members attend these meetings and participate in their activities thereby becoming familiar with pending legislation affecting education.

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT
SECTION I – Policy No. 16 - New Board Member Orientation

Adopted: 02/16/94

Reviewed: 11/15/00, 11/15/06, 12/18/13, 01/21/15, 10/18/17

Revised: 03/17/99, 12/18/02, 12/15/04, 10/15/08, 10/23/19, 10/27/21

Prior to being sworn in it is expected that Board members-elect will observe all public deliberations of the Board. To assist with this goal, Board members-elect will receive appropriate background information prepared for each Board meeting and be invited to attend Board meetings prior to actually assuming his or her seat. The Board of Education president will be responsible for the orientation of new Board members. Orientation will begin once new Board member is sworn in. This period of time will be used to orient the new member so that, insofar as possible, he or she will be prepared to discuss and cast informed votes on matters before the Board. Orientation shall continue as long as deemed necessary by the president, the mentor, and the new Board member.

Review of Official Acts or Decisions

Unless otherwise provided by law or agreement and before commencing an appeal to the Commissioner of Education, a parent/guardian/person in parental relation may appeal any official act or decision, by a Superintendent, Assistant Superintendent, administrator or other school authority or officer in accordance with the following administrative review process.

1. Appeal of any administrator or other school authority shall first be made in writing to the Superintendent of Schools within thirty (30) days of notice of the act or decision.
2. Appeal of a Superintendent's official act or decision shall first be made in writing to the Board of Education within thirty (30) days of the act or decision.
3. Appeal of the Board of Education decision shall be made to the Commissioner of Education pursuant to Education Law §310 and corresponding regulations.

Flag Display

In accordance with State Education Law and Executive Law, the Board of Education accepts its duty to 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 of the United States or the Governor of the State to commemorate a tragic event or the death of an outstanding individual, the flag shall be flown at half-staff.

The flag shall be displayed in every assembly room (i.e., the auditorium) including the room where the Board of Education meetings are conducted, as well as displayed in all rooms used for instruction.

Public Access to Records

Access to records of the district shall be consistent with the rules and regulations established by the State Committee on Open Government and shall comply with all the requirements of the New York State Public Officers Law Sections 87 and 89.

A records access officer shall be designated by the Superintendent subject to the approval of the Board of Education, who shall have the duty of coordinating the school district's response to public request for access to records.

The district shall provide copies of records in the format and on the medium requested by the person filing the Freedom of Information Law (FOIL) request if the district can reasonably do so regardless of burden, volume or cost of the request.

Request for Records via Email

If the district has the capability to retrieve electronic records, it must provide such records electronically upon request. The district shall accept requests for records submitted in the form of electronic mail and respond to such requests by electronic mail using the forms supplied by the district. This information shall be posted on the district website clearly designating the e-mail address for purposes of receiving requests for records via this format.

When the district maintains requested records electronically, the response shall inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium.

School District Standards and Guidelines for Web Page Publishing

General Criteria

The availability of Internet access in the District provides an opportunity for staff and students to access information and contribute to the District's online presence. The District/school/classroom websites must relate to curriculum or instructional matters, school authorized activities, or general information of interest to the public pertaining to the District or its schools. Staff and students are prohibited from publishing personal home pages or links to personal home pages as part of the District/school/classroom Web Page(s). Similarly, no individual or outside organization will be permitted to publish personal Web pages as part of the District/school/classroom Web Page(s).

Internet access for the creation of Web pages is provided by the District and all information must be monitored by the Website Manager. Personnel designing information for the Web pages must familiarize themselves with and adhere to District standards and procedures. Failure to follow District standards or responsibilities may result in disciplinary sanctions in accordance with law and/or the applicable collective bargaining agreement.

The District will ensure that any and all notifications and documents required by law, regulation, or District policy to be posted on its website will be published.

Content Standards

- a) Approval for posting a Web page must be obtained from the Website Manager or his or her designee(s). If at any time, the Website Manager or designee(s) believes the proposed material does not meet the standards approved by the District, it will not be published on the Web. Decisions regarding access to active Web pages for editing content or organization will be the responsibility of the Website Manager or designee(s).
- b) A Web page must be sponsored by a member of the District faculty, staff or administration who will be responsible for its content, design, currency and maintenance. The sponsor is responsible for ensuring that those constructing and maintaining the Web page have the necessary technical training and that they fully understand and adhere to District policies and regulations. The Web page must include the name of the sponsor.
- c) Staff or student work should be published only as it relates to a school/classroom authorized project or other school-related activity, and in compliance with any and all relevant laws, rules, and regulations.
- d) The review of a Student Web page (if considered a school sponsored student publication) will be subject to prior District review as would any other school sponsored student publication.
- e) An authorized teacher who is publishing the final Web page(s) for himself or herself or for a student will edit and test the Page(s) for accuracy of links and check for conformance with District standards and practices.

- f) Commercial advertising or marketing on the District/school/classroom Web page(s) (or the use of school-affiliated Web pages for the pursuit of personal or financial gain) will be prohibited unless otherwise authorized in accordance with law and/or regulation. Decisions regarding website advertising must be consistent with existing District policies and practices on this matter. School-affiliated Web pages may mention outside organizations only in the context of school programs that have a direct relationship to those organizations (e.g., sponsorship of an activity, student community service project).
- g) Web pages may include faculty or staff names; however, other personal information about employees including, but not limited to, home telephone numbers, addresses, email addresses, or other identifying information such as names of family members may be published only with the employee's written permission.
- h) All Web pages must conform to the standards for appropriate use found in the District's Acceptable Use Policy(ies) and accompanying regulations regarding standards of acceptable use; examples of inappropriate behavior; and compliance with applicable laws, privacy, and safety concerns.
- i) All staff and/or students authorized to publish material on the District/school/classroom Web page(s) must acknowledge receipt of the District's Web Page Standards and agree to comply with these standards prior to posting any material on the Web.

Release of Student Education Records/Directory Information

The District will not permit students' personally identifiable information to be posted on any District Web pages unless the posting is consistent with the Family Educational Rights and Privacy Act (FERPA) and District policy.

Use of Copyrighted Materials and Fair Use Exceptions

Copyrighted Materials

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, Fair Use guidelines, licenses, or contractual agreements, or the permission of the copyright proprietor. Web page publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials or notice that the publication is in accordance with the Fair Use provisions of the Copyright Law.

Consequences for Non-Compliance

Web pages that do not comply with the above criteria are subject to revocation of approval and removal from the District/school/classroom websites.

Staff

Faculty or staff posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with law and applicable collective bargaining agreements. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Students

Students posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with applicable due process procedures and the District *Code of Conduct*. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Oversight

The Superintendent or designee will have the authority to approve or deny the posting of any proposed Web pages on school-affiliated websites based upon compliance with the terms and conditions set forth in this policy as well as applicable District practices and procedures.

Digital Millennium Copyright Act (DMCA), 17 USC §§ 101 et. Seq., 512 and 1201 et seq.
Family Educational Rights and Privacy Act of 1974, 20 USC § 1232(g)
34 CFR Parts 99 and 201

Information Security Breach and Notification

The school district values the protection of private information of individuals in accordance with applicable law and regulations. Further, the district is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's *private information* in compliance with the Information Security Breach and Notification Act and Board policy.

- a) '*Private information*' shall mean ***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 number;
 - 2) Driver's license number or non-driver identification card number; or
 - 3) Account number, credit or debit card number in combination with any required security code, access code or password which would permit to an individual's financial account.

'Private information' does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

****'Personal information' shall mean any information concerning a person which because of name, number, symbol, mark or other identifier can be used to identify that person.

- b) '*Breach of the security of the system*' shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality or integrity of personal information maintained by the district. 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 private information is not used or subject to unauthorized disclosure.

Examples of Determining Factors

In determining whether information has been acquired or is reasonably believed to have been acquired by an unauthorized person or person without valid authorization, the district may consider the following factors among others:

- a) Indications that the information is in the physical possession and control of an unauthorized person such as a lost or stolen computer or other device containing information; or
- b) Indications that the information has been downloaded or copied; or
- c) Indications that the information was used by an unauthorized person such as fraudulent accounts opened or instances of identity theft reported.

Notification Requirements

- a) For any computerized data owned or licensed by the school district that includes private information, the district shall disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was or is reasonably believed to have been acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The district shall consult with the State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.
- b) For any computerized data maintained by the district that includes private information which the district does not own, the district shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery if the private information was or is reasonably believed to have been acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

Methods of Notification

The required notice shall be directly provided to the affected persons by one of the following methods:

- a) Written notice;
- b) Electronic notice provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form and a log of each such notification is kept by the district when notifying affected persons in electronic form. However, in no case shall the district require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;
- c) Telephone notification provided that a log of each such notification is kept by the district when notifying affected persons by phone; or
- d) Substitute notice if the district demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of subject persons to be notified exceeds \$500,000, or that the district does not have sufficient contact information.
 - 1) Email notice when the district has an email address for the subject persons;
 - 2) Conspicuous posting of the notice on the district's website page if the district maintains one; and
 - 3) Notification to major statewide media.

Regardless of the method by which notice is provided the notice shall include contact information for the notifying district and a description of the categories of information that were or are reasonably believed to have been acquired by a person without valid authorization including specification of which of the elements of personal information and private information we are reasonably believed to have been so acquired.

In the event that any New York State residents are to be notified, the district shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents.

In the event that more than five thousand (5,000) New York State residents are to be notified at one time, the district shall also notify consumer reporting agencies as defined pursuant to State Technology Law Section 208 as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with State Technology Law Section 208(2), regarding notification of breach of security of the system for any computerized data owned or licensed by the district that includes private information.

State Technology Law Sections 202 and 208

Code of Ethics for Board Members and All District Personnel

General Provisions

Pursuant to the provisions of General Municipal Law Section 806, the Board of Education of the Chenango Valley Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the district that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this policy to promulgate these rules of ethical conduct for the Board members and employees of the district. These rules shall serve as a guide for official conduct of the Board members and employees of the district. The rules of ethical conduct of this policy, as adopted, shall not conflict with, but shall be in addition to any prohibition of General Municipal Law Sections 800-809 or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Standards of Conduct

Every Board member or employee of the Chenango Valley Central School District shall be subject to and abide by the following standards of conduct:

Gifts

Pursuant to General Municipal Law Section 805-a, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars (\$75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.

Confidential Information

He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

Disclosure of Interest in Contracts

Any district officer or employee, as well as his/her spouse, who has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the district shall publicly disclose the nature and extent of such interest in writing to his/her immediate supervisor and to the Board of Education as soon as he/she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the Board minutes.

Representation before one's own agency

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

Representation before any agency for a contingent fee

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

Disclosure of interest in resolution

To the extent that he/she knows thereof, a member of the Board of Education or employee of the Chenango Valley Central School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.

Investments in conflict with official duties

He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.

Private employment

He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Future employment

He/she shall not, after the termination of service or employment with the school district, appear before any Board or agency of the Chenango Valley Central School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

District Officers

In accordance with the Penal Law Section 60.27(5), if a district officer is convicted of a violation against the district under Penal Law Article 155 relating to larceny, the courts may require an amount of restitution up to the full amount of the offense or reparation up to the full amount of the actual out-of-pocket loss suffered by the district.

Board Members and Employees

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the Chenango Valley Central School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution/Posting of Code of Ethics

The Superintendent of the Chenango Valley Central School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the school district within thirty (30) days of the beginning of the school year. Each Board member and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of General Municipal Law Sections 800-809 to be kept posted in each building in the district in a place conspicuous to its Board members and employees. Failure to distribute any such copy of this code of ethics or failure of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law Sections 800-809, shall have no effect on the duty of compliance with such code of ethics or General Municipal Law Sections 800-809, nor with the enforcement of provisions thereof.

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT
SECTION I – Policy No. 23 - Code of Ethics for Board Members and All District Personnel

Legal review: 06/2016

Adopted: 04/22/13

Reviewed: 10/16/13, 10/15/14, 07/07/15, 04/26/17, 07/11/18, 07/02/19, 07/07/20, 07/06/21, 07/05/22, 07/05/23

Revised: 07/05/16

Penalties

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

This resolution shall take effect immediately.

Education Law Section 410

General Municipal Law Article 18 and Sections 800-809

Labor Law Section 201-d

Penal Law Article 155 and Section 60.27(5)

Declassification of Students with Disabilities

The school district shall establish and implement a plan for the appropriate declassification of students with disabilities which must include:

- a) The regular consideration for declassifying students when appropriate;
- b) A reevaluation of the student prior to declassification; and
- c) The provision of educational and support services to the student upon declassification.

Eligibility Determinations

The school district must evaluate a student with a disability prior to determining that a student is no longer a student with a disability as defined in accordance with Commissioner's Regulations, and the district shall provide a copy of the evaluation report and the documentation of eligibility to the student's parent at no cost to the parent. The results of any reevaluations must be addressed by the Committee on Special Education (CSE) in a meeting to review and, as appropriate, revise the student's individualized education program (IEP).

Prior to the reevaluation, the school district shall obtain informed written parental consent unless otherwise authorized pursuant to law and/or regulation. Parental consent need not be obtained if the district can demonstrate that it has taken reasonable measures to obtain that consent, and the student's parents fail to respond. The district must have a record of its attempts to obtain parental consent. Should the student's parents refuse consent for the reevaluation, the district may continue to pursue the reevaluation by using mediation and/or due process procedures.

The district shall take whatever action is necessary to ensure that the parent understands the proceedings at the meeting of the CSE, including arranging for an interpreter for parents with deafness or whose native language is other than English.

Graduation/Aging Out

The district is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for a free appropriate public education. However, the district must provide the student with a summary (Student Exit Summary) of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting his/her post-secondary goals.

Although not required to do so, the district will also provide this Student Exit Summary (see website: <http://www.p12.nysed.gov/specialed/idea/studentexit.htm>) to students exiting with a High School Equivalency Diploma.

In addition, the parent must receive prior written notice, in accordance with Commissioner's Regulations, before the student's graduation from high school with a Local, Regents or Regents with Advanced Designation diploma or before he/she receives an New York State Career Development and Occupational Studies Commencement Credential (CDOS Credential) or a Skills and Achievement Commencement Credential. If the student will be graduating with a CDOS or Skills and Achievement Commencement Credential this prior written notice must indicate that the student continues to be eligible for a free appropriate public education until the end of the school year in which the student turns twenty-one (21) or until receipt of a regular high school diploma. However, New York State Law does not grant a child who has reached the age of majority all rights previously granted to parents under IDEA.

Recommendation for Declassification

If the student has been receiving special education services, but it is determined by CSE that the student no longer needs special education services and can be placed in a regular educational program on a full-time basis, the recommendation shall:

- a) Identify the declassification support services, if any, to be provided to the student; and/or the student's teachers; and
- b) Indicate the projected date of initiation of such services, the frequency of provision of such services, and the duration of these services, provided that such services shall not continue for more than one (1) year after the student enters the full-time regular education program.

Declassification Support Services

Declassification support services means those services provided to the student or the student's teacher(s) to aid in the student's transition from special education to full-time regular education. These services are provided by persons certified or licensed in the appropriate area of service pursuant to Commissioner's Regulations Part 80. Such services include:

- a) For the student: psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services; and
- b) For the student's teacher(s): the assistance of supplementary school personnel and consultations with appropriate personnel.

When appropriate, the district shall provide declassification support services to students who have moved from special education to a full-time regular educational program in accordance with the recommendation of the CSE.

Procedural Safeguards Notice

The district shall use the Procedural Safeguards Notice prescribed by the Commissioner of Education. The district will further ensure that the procedural safeguards notice is provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district shall take steps to ensure that the notice is translated orally or by other means to the parent in his/her native language or other mode of communication; that the parent understands the content of the notice; and that there is written evidence that all due process procedures, pursuant to law and/or regulation, have been met.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446]
Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Section 1400 et seq.
34 Code of Federal Regulations (CFR) Part 300
Education Law Sections 4401-4410-a
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(u), 200.1(ooo), 200.2(b)(8), 200.4(b)(4), 200.4(b)(5), 200.4(c)(3), 200.4(c)(4), 200.4(d)(1) and 200.5(a)

Policy and Administrative Regulations

The Board of Education shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. The Superintendent shall act as an advisor to the Board in the adoption and approval of written Board policies. The Board shall seek input from the staff and community where appropriate. These guides for discretionary action shall constitute the policies governing the operation of the school system.

The adoption of a written policy shall occur only after the proposal has been discussed and agreed to by the Board of Education Policy Committee. Once approved by the Board of Education Policy Committee, it will be placed on the following month's regular board of education agenda. By a majority vote, the Board may complete the adoption of the proposed policy.

The formal adoption of written Board policy shall be recorded in the official minutes of the Board. Such written Board policy shall govern the conduct and affairs of the district and shall be binding upon the members of the educational community in the district.

It shall be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision.

The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out-of-date or for other reasons appear to need revision.

Execution of Policy: Administrative Regulations

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. These rules and these detailed arrangements shall constitute the administrative regulations governing the schools. They must in every respect be consistent with the policies adopted by the Board. The Board shall be kept informed periodically of changes in administrative regulations.

Education Law Sections 1709(1) and 1709(2)

Idling School Buses on School Grounds

The Board of Education recognizes the need to promote the health and safety of district students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations the district will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the district while such bus or vehicle is parked or standing on school grounds or in the front of any school. This policy also applies to contractor owned and operated school buses under contract with the district.

The district shall ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the district turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school. The district shall periodically monitor compliance of school bus drivers with the requirements of the Commissioner's Regulations.

Exceptions

Unless otherwise required by State or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

- a) For mechanical work; or
- b) To maintain an appropriate temperature for passenger comfort; or
- c) In emergency evacuations where necessary to operate wheelchair lifts.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the school district and a private vendor that are entered into on or after August 21, 2008 shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

Education Law Section 3637
Vehicle and Traffic Law Section 142
8 NYCRR Section 156.3(h)

Disclosure of Wrongful Conduct (Whistleblower Policy)

This policy is intended to instruct Board members and employees of their responsibility to disclose wrongful conduct (theft of money/resources, fraud, harmful/protected actions, etc.), their responsibility to investigate alleged wrongful conduct, and the protection of any employee who engages in good faith disclosure of alleged wrongful conduct to a public body or to a designated Board of Education member or designated officer. More specifically it:

- a) Encourages employees to disclose serious breaches of contract covered by District policies, administrative regulations, or violations of law) theft, fraud, etc.;
- b) Informs employees how allegations of wrongful conduct can be disclosed;
- c) Protects employees from reprisal by adverse employment action as a result of having disclosed wrongful conduct; and
- d) Provides individuals who believe they have been subject to reprisal a fair process to seek relief from retaliatory acts.

District Board members and employees are expected to abide by applicable state and federal laws. A Board member and employee cannot be compelled by a supervisor or District official to violate a District Policy, Regulation, an applicable law, or public policy. In the interest of the District, a Board member or employee who has particular knowledge of specific acts that he or she reasonably believes constitute wrongful conduct should disclose the conduct to the appropriate District official or designated officer defined under this Policy. If an adverse employment action is taken against a District employee in knowing retaliation for his or her good faith disclosure of information to a designated Board appointee concerning alleged wrongful conduct, as defined under this policy, and if the employee's work performance or behavior did not warrant the adverse action, then the District shall take remedial action for the employee and corrective action against the supervisor.

The term “designated officer” shall be defined to include:

- Superintendent of Schools
- Assistant Superintendent
- Board of Education member
- school district attorney
- school district external auditor
- school district internal auditor

Disclosure and Investigation

Individuals who know or have reasonable cause to believe that wrongful conduct has occurred shall report such mismanagement, fraud or abuse to a designated officer. Upon receiving a report of alleged wrongful conduct, the designated officer shall take immediate steps to inform the Board of Education.

Staff members who suspect a violation of state testing procedures has occurred shall report their concerns to the building principal, the Superintendent or the State Education Department (SED). Any building principal receiving such a report shall relay this information immediately to the Superintendent.

The designated officer or his/her designee shall maintain a written record of the allegation, conduct an investigation to ensure that the appropriate unit (auditors, policy, SED, etc.) investigates the disclosure and notify the Board when appropriate to do so.

Except as otherwise provided in either state and/or federal law, the designated officer shall make all reasonable attempts to protect the identity of the individual making the disclosure in a confidential manner as long as doing so does not interfere with conducting an investigation of the specific allegations or taking corrective action.

Complaints of Reprisal

An employee who has been subject to an adverse employment action based on his or her prior disclosure of alleged or actual wrongful conduct or participation/cooperation in the investigation may contest the action by filing a written complaint of reprisal with the Board president. The Board president or his/her designee will review the complaint expeditiously and consult with the school attorney to determine:

- whether the complainant made a disclosure of alleged wrongful conduct or participated/cooperated in an investigation before an adverse employment action was taken;
- whether the responding party could reasonably have been construed to have had knowledge of the disclosure or participation/cooperation in an investigation and the identity of the disclosing/participating/cooperating employee;
- whether the complainant has in fact suffered an adverse employment action after having made the disclosure or participation/cooperation in an investigation;
- whether the complainant alleges that adverse employment action occurred as a result of the disclosure or participation/cooperation in an investigation.

If it is determined that all of the above elements are present, he or she shall appoint a review officer or panel to investigate the claim and to make a recommendation to the Board. At the time of appointment the complainant and the respondent shall be informed in writing of:

- the intent to proceed with an investigation;
- the specific allegations to be investigated;
- the appointment of the review officer or panel;
- the opportunity of each party to support or respond in writing to the allegation.

Once the review officer or panel has conducted a review and considers the investigation to be complete, the officer or panel will notify the designee of its completion. From the date of that notice the review officer has 30 days to report his or her findings and make any recommendations he or she deems appropriate to the designee. The designee, in conferral with the appropriate administrator or Board of Education, shall issue a letter of findings to both the complainant and the respondent.

The decision of the review officer or panel is binding. Nothing in this policy is intended to interfere with legitimate employment decisions. The Superintendent of Schools shall establish regulations necessary to implement this policy.

Policy Implementation

This Policy shall be provided to all employees at the time of their hiring, and posted in staff rooms and a copy given to all employees on an annual basis.

Ref: Civil Service Law §75-b, Labor Law §740, *Garrity v. University of Albany*, 301 A.D. 2d 1015 (3rd Dept. 2003), *Matter of Brey v. Board of Education*, 245 A.D. 2d (3rd Dept. 1997)

Acceptance of Gifts, Grants and Bequests to the School District

The Board may accept gifts, donations, grants and/or bequests of money, real or personal property, as well as other merchandise which, in view of the board, add to the overall welfare of the school district, provided that such acceptance is in accordance with existing laws and regulations. Donations to the school are fully tax deductible as long as the gift is used exclusively for public purposes in accordance with USC Section 170c. However, the Board is not required to accept any gift, grant or bequest and does so at its discretion basing its judgment on the best interests of the district. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety. At the same time, the Board will safeguard the district, the staff and students from commercial exploitation from special interest groups and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards or result in unreasonable additional or hidden costs to the district. The Board may, if it deems it necessary, request that gifts of equipment, facilities or any item that requires upkeep and maintenance include funds to carry out such maintenance for the foreseeable life of the donation.

The Board of Education will not formally consider the acceptance of gifts or grants until and unless it receives the offer in writing from the donor/grantor or their attorney/financial advisor. Any such gifts or grants donated by the Board and accepted on behalf of the school district must be by official action and resolution passed by the Board majority. The Board would prefer the gift or grant to be a general offer rather than a specific one. Consequently, the Board would suggest that the donor/grantor work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance by the Board. However, the Board in its discretion may direct the Superintendent of Schools to apply such gift or grant for the benefit of a specific school or school program.

The Board is prohibited in accordance with the New York State Constitution from making gifts/charitable contributions with school district funds.

Gifts and/or grants of money to the district that are not planned on being expended in the school year that they were received shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

All gifts, grants and/or bequests shall become school district property. A letter of appreciation signed by the Superintendent will be sent to a donor/grantor in recognition of his/her contribution to the school district. Letters will be sent in a timely manner and will acknowledge the possible tax deduction available to donors whose gifts qualify under IRS regulations.

Title I Parent and Family Engagement

The District will collaborate with parents/guardians and other family members to help students participating in Title I programs reach their full academic potential and to improve the District's overall academic quality. As part of its collaboration, the District will conduct outreach, plan and implement programs, activities, and procedures for parent/guardian and family member engagement, and consult meaningfully with parents/guardians and family members.

District-Wide Parent and Family Engagement

To facilitate parent/guardian and family participation, the District will:

- a) Involve parents/guardians and family members in jointly developing and reviewing its Title I Plan, and its support and improvement plans. If the parents/guardians or family members indicate that the Title I plan is not satisfactory, the District will submit their comments to the State Education Department along with the plan;
- b) Improve student academic achievement and school performance through coordination, providing technical assistance, and giving support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent/guardian and family engagement activities, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education;
- c) Coordinate and integrate parent/guardian and family engagement strategies and activities with other relevant federal, state, and local programs; (UPK and Head Start)
- d) Conduct with the meaningful involvement of parents/guardians and family members an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of its Title I schools. The evaluation will include identifying:
 1. Barriers to greater participation by parents/guardians and family members in Title I activities with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
 2. The needs of parents/guardians and family members to assist with their child's learning, including engaging with school personnel and teachers;
 3. Strategies to support interactions; (Parent conferences, Open Houses, AIS Progress Notes, Report Cards, AIS Resources, Leveled Literacy Intervention, Humanities Night, STEAM Night, Community Night, Promise Zone, Social Workers and Guidance, Parent Workshops and distribution of parent and training materials);
- e) Use the evaluation's findings to design evidence-based strategies for more effective parent/guardian and family member engagement and to revise the policy if needed;

- f) Involve parents/guardians in Title I activities, which may include establishing a parent/guardian advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the District to adequately represent the students' needs, to develop, revise, and review the parent/guardian and family engagement policy; (PTA Presentation, Title 1 Committee). Parents/guardians may also be involved in the process to develop a comprehensive “support and improvement” plan if the school their child attends is identified by the state as needing this plan.
- g) Involve parents/guardians and family members in decisions regarding how it spends funds reserved for parent/guardian and family engagement activities.

School-Level Parent and Family Member Engagement

The Board directs each school receiving Title I funds to develop a building-level parent/guardian and family member engagement plan with that school's parents/guardians and family members. In addition to the content included above, each school building-level plan will:

- a) Describe how to convene an annual meeting at a convenient time to inform parents/guardians and family members of their school's participation in Title I programs, to explain Title I requirements, and to identify the right of the parents/guardians and family members to be involved. All parents/guardians and family members of these children will be invited and encouraged to attend the meeting;
- b) Offer flexibility in scheduling meetings and may provide transportation, child care, or home visits related to parent/guardian and family member engagement using Title I funds;
- c) Involve parents/guardians and family members in an organized, ongoing, and timely way in planning, reviewing, and improving Title I programs, including this policy or a school improvement plan;
- d) Provide parents/guardians and family members with timely information about programs, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, the achievement levels of the challenging state academic standards, and if requested by parents/guardians or family members, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to their child's education. The District will respond to any suggestions as soon as practicably possible;
- e) Develop a compact jointly with parents/guardians and family members that outlines how they, school staff, and students will share responsibility for improved student academic achievement. The compact will also detail the means by which the school and parents/guardians and family members will build and develop a partnership to help all children achieve the state's standards;
- f) Have a compact which:
 - 1. Describes the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment to enables these students to meet the challenging state academic standards;

2. Describes the ways in which each parent/guardian or family member will be responsible for supporting the child's learning, volunteering in the child's classroom, and participating as appropriate in decisions relating to the child's education and positive use of extracurricular time;
3. Addresses the importance of communication between teachers and parents/guardians or family members on an ongoing basis through, at a minimum:
 - (a) Parent/guardian or family member-teacher conferences in elementary schools at least annually during which the compact will be discussed as it relates to the individual child's achievement;
 - (b) Frequent reports to parents/guardians or family members on the child's progress;
 - (c) Reasonable access to staff, opportunities to volunteer and participate in their child's school activities such as Open Houses, parent conferences, Humanities Night, STEAM Night, Community Night;
 - (d) Ensuring regular two-way, meaningful communication between family members and school staff, and to the extent practicable, in a language that family members can understand.

If the parents/guardians or family members believe that the building-level parent/guardian and family engagement plan is not satisfactory, the school will submit their comments when it makes the plan available to the District.

To ensure effective involvement of parents/guardians or family members and to support a partnership among the school involved, parents/guardians or family members and the community, and to improve student academic achievement, the District and each school will:

- a) Provide assistance to parents/guardians or family members of children served by the District or school understand topics such as the challenging state academic standards, state and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of the children;
- b) Provide materials and training to help parents/guardians or family members to work with the children to improve their achievement, such as literacy training and using technology (including education about the harms of copyright piracy), to foster parent/guardian and family member engagement; (Promise Zone, Literacy information, free books)
- c) Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents/guardians or family members, in the value and utility of parent/guardian or family member contribution, and in how to reach out to, communicate with, and work with parents/guardians or family members as equal partners; implement and coordinate parent/guardian or family member programs; and build ties between parents/guardians or family members and the school; (Humanities Night, STEAM Night, Community Night, Promise Zone)
- d) Coordinate and integrate, to the extent feasible and appropriate, parent/guardian and family member engagement programs and activities with federal, state, and local programs, including public preschool programs that encourage and support parents/guardians and family members in more fully participating in the education of the children; (Head Start, UPK, Leveled Literacy Intervention, Promise Zone);

- e) Ensure that information related to school and parent/guardian and family member programs, meetings, and other activities is sent to the parents/guardians or family members of participating children in a format and, to the extent practicable, in a language the parents/guardians or family members can understand;
- f) Provide other reasonable support for parent/guardian and family member engagement activities as parents/guardians or family members may request.

In addition, the District and each school may:

- a) Involve parents/guardians or family members in developing training for teachers, principals, and other educators to improve the effectiveness of this training;
- b) Provide necessary literacy training from funds received under this part if the District has exhausted all other reasonably available sources of funding for the training;
- c) Provide resources to enable parents/guardians and family members to participate in school-related meetings and training sessions;
- d) Train parents/guardians or family members to enhance the involvement of other parents/guardians or family members;
- e) Arrange school meetings at a variety of times or conduct in-home conferences between teachers or other educators who work directly with participating children and/or with parents/guardians or family members who are unable to attend these conferences at school to maximize parent/guardian and family engagement and participation;
- f) Adopt and implement model approaches to improving parent/guardian and family engagement;
- g) Establish a district-wide parent/guardian and family member advisory council to provide advice on all matters related to parent/guardian and family member engagement in supported programs; and
- h) Develop appropriate roles for community-based organizations and businesses in parent and family member engagement activities.

In carrying out the parent/guardian and family member engagement requirements, the District and its schools to the extent practicable will provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members who have limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migratory children), including providing information and school reports in a format and to the extent practicable in a language they understand.

Procedures for Filing Complaints/Appeals

The District will disseminate to parents/guardians and family members of children in Title I programs and to appropriate private school officials or representatives, adequate information regarding the District's written complaint procedures for resolving Title I issues. Procedures include:

- Notifying the Title I Coordinator in writing of the violation which must contain supporting evidence, the corrective action desired and a signature.
- Investigative action must be taken within 10 business days.
- All parties will be notified at the end of the investigation.

More information about complaints procedures can be found at: <http://www.nysed.gov/essa/new-york-state-essa-funded-programs-complaint-procedures>.

Comparability of Services

The District will ensure equivalence among its schools of the same grade span and levels of instruction with regard to teachers, administrators, and auxiliary personnel as well as an equivalence in providing curriculum materials and instructional supplies in Title I programs. Funds will be distributed based on the poverty rates and number of qualifying students in each building.

Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the Every Student Succeeds Act of 2015

20 USC §§ 6318 and 6321

34 CFR Parts 74-86, 97-99, and 200

PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA

The District adopts this policy to implement the requirements of Education Law Section 2-d and its implementing regulations, and to align the District's practices with the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1).

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Definitions

As provided in Education Law Section 2-d and/or its implementing regulations, the following terms, as used in this policy, will mean:

- a) "Breach" means the unauthorized acquisition, access, use, or disclosure of student data and/or teacher or principal data by or to a person not authorized to acquire, access, use, or receive the student data and/or teacher or principal data.
- b) "Building principal" means a building principal subject to annual performance evaluation review under the provisions of Education Law Section 3012-d.
- c) "Classroom teacher" means a teacher subject to annual performance evaluation review under the provisions of Education Law Section 3012-d.
- d) "Commercial or marketing purpose" means the sale of student data; or its use or disclosure for purposes of receiving remuneration, whether directly or indirectly; the use of student data for advertising purposes, or to develop, improve, or market products or services to students.
- e) "Contract or other written agreement" means a binding agreement between an educational agency and a third-party, which includes, but is not limited to, an agreement created in electronic form and signed with an electronic or digital signature or a click-wrap agreement that is used with software licenses, downloaded, and/or online applications and transactions for educational technologies and other technologies in which a user must agree to terms and conditions prior to using the product or service.
- f) "Disclose" or "disclosure" means to permit access to, or the release, transfer, or other communication of personally identifiable information by any means, including oral, written, or electronic, whether intended or unintended.
- g) "Education records" means an education record as defined in the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.
- h) "Educational agency" means a school district, board of cooperative educational services (BOCES), school, or the New York State Education Department (NYSED).
- i) "Eligible student" means a student who is eighteen years or older.
- j) "Encryption" means methods of rendering personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons through the use of a technology or methodology specified or permitted by the Secretary of the United States Department of Health and Human Services in guidance issued under 42 USC Section 17932(h)(2).
- k) "FERPA" means the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.

- l) "NIST Cybersecurity Framework" means the U.S. Department of Commerce National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1). A copy of the NIST Cybersecurity Framework is available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234.
- m) "Parent" means a parent, legal guardian, or person in parental relation to a student.
- n) "Personally identifiable information (PII)," as applied to student data, means personally identifiable information as defined in 34 CFR Section 99.3 implementing the Family Educational Rights and Privacy Act, 20 USC Section 1232g, and, as applied to teacher or principal data, means personally identifying information as this term is defined in Education Law Section 3012-c(10).
- o) "Release" has the same meaning as disclosure or disclose.
- p) "Student" means any person attending or seeking to enroll in an educational agency.
- q) "Student data" means personally identifiable information from the student records of an educational agency.
- r) "Teacher or principal data" means personally identifiable information from the records of an educational agency relating to the annual professional performance reviews of classroom teachers or principals that is confidential and not subject to release under the provisions of Education Law Sections 3012-c and 3012-d.
- s) "Third-party contractor" means any person or entity, other than an educational agency, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to the educational agency, including but not limited to data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs. This term will include an educational partnership organization that receives student and/or teacher or principal data from a school district to carry out its responsibilities pursuant to Education Law Section 211-e and is not an educational agency, and a not-for-profit corporation or other nonprofit organization, other than an educational agency.
- t) "Unauthorized disclosure" or "unauthorized release" means any disclosure or release not permitted by federal or state statute or regulation, any lawful contract or written agreement, or that does not respond to a lawful order of a court or tribunal or other lawful order.

Data Collection Transparency and Restrictions

The District will take steps to minimize its collection, processing, and transmission of PII. Additionally, the District will:

- a) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or

disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

- b) Ensure that it has provisions in its contracts with third-party contractors or in separate data sharing and confidentiality agreements that require the confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

Except as required by law or in the case of educational enrollment data, the District will not report to NYSED the following student data elements:

- a) Juvenile delinquency records;
- b) Criminal records;
- c) Medical and health records; and
- d) Student biometric information.

Nothing in Education Law Section 2-d or this policy should be construed as limiting the administrative use of student data or teacher or principal data by a person acting exclusively in the person's capacity as an employee of the District.

Chief Privacy Officer

The Commissioner of Education has appointed a Chief Privacy Officer who will report to the Commissioner on matters affecting privacy and the security of student data and teacher and principal data. Among other functions, the Chief Privacy Officer is authorized to provide assistance to educational agencies within the state on minimum standards and best practices associated with privacy and the security of student data and teacher and principal data.

The District will comply with its obligation to report breaches or unauthorized releases of student data or teacher or principal data to the Chief Privacy Officer in accordance with Education Law Section 2-d, its implementing regulations, and this policy.

The Chief Privacy Officer has the power, among others, to:

- a) Access all records, reports, audits, reviews, documents, papers, recommendations, and other materials maintained by the District that relate to student data or teacher or principal data, which includes, but is not limited to, records related to any technology product or service that will be utilized to store and/or process PII; and
- b) Based upon a review of these records, require the District to act to ensure that PII is protected in accordance with laws and regulations, including but not limited to requiring the District to perform a privacy impact and security risk assessment.

Data Protection Officer

The District has designated a District employee to serve as the District's Data Protection Officer.

*The Data Protection Officer for the District is:

Sarah Latimer slatimer@cvcasd.stier.org (607) 762-6820

The Data Protection Officer is responsible for the implementation and oversight of this policy and any related procedures including those required by Education Law Section 2-d and its implementing regulations, as well as serving as the main point of contact for data privacy and security for the District.

The District will ensure that the Data Protection Officer has the appropriate knowledge, training, and experience to administer these functions. The Data Protection Officer may perform these functions in addition to other job responsibilities. Additionally, some aspects of this role may be outsourced to a provider such as a BOCES, to the extent available.

District Data Privacy and Security Standards

The District will use the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1) (Framework) as the standard for its data privacy and security program.

The District will protect the privacy of PII by:

- a) Ensuring that every use and disclosure of PII by the District benefits students and the District by considering, among other criteria, whether the use and/or disclosure will:
 1. Improve academic achievement;
 2. Empower parents and students with information; and/or
 3. Advance efficient and effective school operations.
- b) Not including PII in public reports or other public documents.

The District affords all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents or eligible students, where applicable.

Third-Party Contractors

District Responsibilities

The District will ensure that whenever it enters into a contract or other written agreement with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from

the District, the contract or written agreement will include provisions requiring that confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

In addition, the District will ensure that the contract or written agreement includes the third-party contractor's data privacy and security plan that has been accepted by the District.

The third-party contractor's data privacy and security plan must, at a minimum:

- a) Outline how the third-party contractor will implement all state, federal, and local data privacy and security contract requirements over the life of the contract, consistent with District policy;
- b) Specify the administrative, operational, and technical safeguards and practices the third-party contractor has in place to protect PII that it will receive under the contract;
- c) Demonstrate that the third-party contractor complies with the requirements of 8 NYCRR Section 121.3(c);
- d) Specify how officers or employees of the third-party contractor and its assignees who have access to student data or teacher or principal data receive or will receive training on the laws governing confidentiality of this data prior to receiving access;
- e) Specify if the third-party contractor will utilize subcontractors and how it will manage those relationships and contracts to ensure PII is protected;
- f) Specify how the third-party contractor will manage data privacy and security incidents that implicate PII including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District;
- g) Describe whether, how, and when data will be returned to the District, transitioned to a successor contractor, at the District's option and direction, deleted or destroyed by the third-party contractor when the contract is terminated or expires; and
- h) Include a signed copy of the Parents' Bill of Rights for Data Privacy and Security.

Third-Party Contractor Responsibilities

Each third-party contractor, that enters into a contract or other written agreement with the District under which the third-party contractor will receive student data or teacher or principal data from the District, is required to:

- a) Adopt technologies, safeguards, and practices that align with the NIST Cybersecurity Framework;
- b) Comply with District policy and Education Law Section 2-d and its implementing regulations;

- c) Limit internal access to PII to only those employees or subcontractors that have legitimate educational interests (i.e., they need access to provide the contracted services);
- d) Not use the PII for any purpose not explicitly authorized in its contract;
- e) Not disclose any PII to any other party without the prior written consent of the parent or eligible student:
 - 1. Except for authorized representatives of the third-party contractor such as a subcontractor or assignee to the extent they are carrying out the contract and in compliance with law, regulation, and its contract with the District; or
 - 2. Unless required by law or court order and the third-party contractor provides a notice of the disclosure to NYSED, the Board, or the institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by law or court order;
- f) Maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of PII in its custody;
- g) Use encryption to protect PII in its custody while in motion or at rest; and
- h) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

Where a third-party contractor engages a subcontractor to perform its contractual obligations, the data protection obligations imposed on the third-party contractor by law and contract apply to the subcontractor.

Cooperative Educational Services through a BOCES

The District may not be required to enter into a separate contract or data sharing and confidentiality agreement with a third-party contractor that will receive student data or teacher or principal data from the District under all circumstances.

For example, the District may not need its own contract or agreement where:

- a) It has entered into a cooperative educational service agreement (CoSer) with a BOCES that includes use of a third-party contractor's product or service; and
- b) That BOCES has entered into a contract or data sharing and confidentiality agreement with the third-party contractor, pursuant to Education Law Section 2-d and its implementing regulations, that is applicable to the District's use of the product or service under that CoSer.

To meet its obligations whenever student data or teacher or principal data from the District is received by a third-party contractor pursuant to a CoSer, the District will consult with the BOCES to, among other things:

- a) Ensure there is a contract or data sharing and confidentiality agreement pursuant to Education Law Section 2-d and its implementing regulations in place that would specifically govern the District's use of a third-party contractor's product or service under a particular CoSer;
- b) Determine procedures for including supplemental information about any applicable contracts or data sharing and confidentiality agreements that a BOCES has entered into with a third-party contractor in its Parents' Bill of Rights for Data Privacy and Security;
- c) Ensure appropriate notification is provided to affected parents, eligible students, teachers, and/or principals about any breach or unauthorized release of PII that a third-party contractor has received from the District pursuant to a BOCES contract; and
- d) Coordinate reporting to the Chief Privacy Officer to avoid duplication in the event the District receives information directly from a third-party contractor about a breach or unauthorized release of PII that the third-party contractor received from the District pursuant to a BOCES contract.

Click-Wrap Agreements

Periodically, District staff may wish to use software, applications, or other technologies in which the user must "click" a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as "click-wrap agreements" and are considered legally binding "contracts or other written agreements" under Education Law Section 2-d and its implementing regulations.

District staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data from the District unless they have received prior approval from the District's Data Privacy Officer or designee.

The District will develop and implement procedures requiring prior review and approval for staff use of any software, applications, or other technologies pursuant to click-wrap agreements.

Parents' Bill of Rights for Data Privacy and Security

The District will publish its Parents' Bill of Rights for Data Privacy and Security (Bill of Rights) on its website. Additionally, the District will include the Bill of Rights with every contract or other written agreement it enters into with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District.

The District's Bill of Rights will state in clear and plain English terms that:

- a) A student's PII cannot be sold or released for any commercial purposes;

- b) Parents have the right to inspect and review the complete contents of their child's education record;
- c) State and federal laws protect the confidentiality of PII, and safeguards associated with industry standards and best practices, including but not limited to encryption, firewalls, and password protection, must be in place when data is stored or transferred;
- d) A complete list of all student data elements collected by the state is available for public review at the following website <http://www.nysed.gov/student-data-privacy/student-data-inventory> or by writing to the Office of Information and Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, New York 12234; and
- e) Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed in writing to Privacy Complaint, Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234. Complaints may also be submitted using the form available at the following website <http://www.nysed.gov/student-data-privacy/form/report-improper-disclosure>.

The Bill of Rights will also include supplemental information for each contract the District enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data from the District. The supplemental information must be developed by the District and include the following information:

- a) The exclusive purposes for which the student data or teacher or principal data will be used by the third-party contractor, as defined in the contract;
- b) How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the student data or teacher or principal data, if any, will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable laws and regulations (e.g., FERPA; Education Law Section 2-d);
- c) The duration of the contract, including the contract's expiration date, and a description of what will happen to the student data or teacher or principal data upon expiration of the contract or other written agreement (e.g., whether, when, and in what format it will be returned to the District, and/or whether, when, and how the data will be destroyed);
- d) If and how a parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected;
- e) Where the student data or teacher or principal data will be stored, described in a manner as to protect data security, and the security protections taken to ensure the data will be protected and data privacy and security risks mitigated; and
- f) Address how the data will be protected using encryption while in motion and at rest.

The District will publish on its website the supplement to the Bill of Rights (i.e., the supplemental information described above) for any contract or other written agreement it has entered into with a third-party contractor that will receive PII from the District. The Bill of Rights and supplemental information may be redacted to the extent necessary to safeguard the privacy and/or security of the District's data and/or technology infrastructure.

Right of Parents and Eligible Students to Inspect and Review Students' Education Record

Consistent with the obligations of the District under FERPA, parents and eligible students have the right to inspect and review a student's education record by making a request directly to the District in a manner prescribed by the District.

The District will ensure that only authorized individuals are able to inspect and review student data. To that end, the District will take steps to verify the identity of parents or eligible students who submit requests to inspect and review an education record and verify the individual's authority to do so.

Requests by a parent or eligible student for access to a student's education records must be directed to the District and not to a third-party contractor. The District may require that requests to inspect and review education records be made in writing.

The District will notify parents annually of their right to request to inspect and review their child's education record including any student data stored or maintained by the District through its annual FERPA notice. A notice separate from the District's annual FERPA notice is not required.

The District will comply with a request for access to records within a reasonable period, but not more than 45 calendar days after receipt of a request.

The District may provide the records to a parent or eligible student electronically, if the parent consents. The District must transmit the PII in a way that complies with laws and regulations. Safeguards associated with industry standards and best practices, including but not limited to encryption and password protection, must be in place when education records requested by a parent or eligible student are electronically transmitted.

Complaints of Breach or Unauthorized Release of Student Data and/or Teacher or Principal Data

The District will inform parents, through its Parents' Bill of Rights for Data Privacy and Security, that they have the right to submit complaints about possible breaches of student data to the Chief Privacy Officer at NYSED. In addition, the District has established the following procedures for parents, eligible students, teachers, principals, and other District staff to file complaints with the District about breaches or unauthorized releases of student data and/or teacher or principal data:

- a) All complaints must be submitted to the District's Data Protection Officer in writing.
- b) Upon receipt of a complaint, the District will promptly acknowledge receipt of the complaint, commence an investigation, and take the necessary precautions to protect PII.

- c) Following the investigation of a submitted complaint, the District will provide the individual who filed the complaint with its findings. This will be completed within a reasonable period of time, but no more than 60 calendar days from the receipt of the complaint by the District.
- d) If the District requires additional time, or where the response may compromise security or impede a law enforcement investigation, the District will provide the individual who filed the complaint with a written explanation that includes the approximate date when the District anticipates that it will respond to the complaint.

These procedures will be disseminated to parents, eligible students, teachers, principals, and other District staff.

The District will maintain a record of all complaints of breaches or unauthorized releases of student data and their disposition in accordance with applicable data retention policies, including the Records Retention and Disposition Schedule ED-1 (1988; rev. 2004).

Reporting a Breach or Unauthorized Release

The District will report every discovery or report of a breach or unauthorized release of student data or teacher or principal data within the District to the Chief Privacy Officer without unreasonable delay, but no more than ten calendar days after the discovery.

Each third-party contractor that receives student data or teacher or principal data pursuant to a contract or other written agreement entered into with the District will be required to promptly notify the District of any breach of security resulting in an unauthorized release of the data by the third-party contractor or its assignees in violation of applicable laws and regulations, the Parents' Bill of Rights for Student Data Privacy and Security, District policy, and/or binding contractual obligations relating to data privacy and security, in the most expedient way possible and without unreasonable delay, but no more than seven calendar days after the discovery of the breach.

In the event of notification from a third-party contractor, the District will in turn notify the Chief Privacy Officer of the breach or unauthorized release of student data or teacher or principal data no more than ten calendar days after it receives the third-party contractor's notification using a form or format prescribed by NYSED.

Investigation of Reports of Breach or Unauthorized Release by the Chief Privacy Officer

The Chief Privacy Officer is required to investigate reports of breaches or unauthorized releases of student data or teacher or principal data by third-party contractors. As part of an investigation, the Chief Privacy Officer may require that the parties submit documentation, provide testimony, and may visit, examine, and/or inspect the third-party contractor's facilities and records.

Upon the belief that a breach or unauthorized release constitutes criminal conduct, the Chief Privacy Officer is required to report the breach and unauthorized release to law enforcement in the most expedient way possible and without unreasonable delay.

Third-party contractors are required to cooperate with the District and law enforcement to protect the integrity of investigations into the breach or unauthorized release of PII.

Upon conclusion of an investigation, if the Chief Privacy Officer determines that a third-party contractor has through its actions or omissions caused student data or teacher or principal data to be breached or released to any person or entity not authorized by law to receive this data in violation of applicable laws and regulations, District policy, and/or any binding contractual obligations, the Chief Privacy Officer is required to notify the third-party contractor of the finding and give the third-party contractor no more than 30 days to submit a written response.

If after reviewing the third-party contractor's written response, the Chief Privacy Officer determines the incident to be a violation of Education Law Section 2-d, the Chief Privacy Officer will be authorized to:

- a) Order the third-party contractor be precluded from accessing PII from the affected educational agency for a fixed period of up to five years;
- b) Order that a third-party contractor or assignee who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data be precluded from accessing student data or teacher or principal data from any educational agency in the state for a fixed period of up to five years;
- c) Order that a third-party contractor who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data will not be deemed a responsible bidder or offeror on any contract with an educational agency that involves the sharing of student data or teacher or principal data, as applicable for purposes of General Municipal Law Section 103 or State Finance Law Section 163(10)(c), as applicable, for a fixed period of up to five years; and/or
- d) Require the third-party contractor to provide additional training governing confidentiality of student data and/or teacher or principal data to all its officers and employees with reasonable access to this data and certify that the training has been performed at the contractor's expense. This additional training is required to be performed immediately and include a review of laws, rules, and regulations, including Education Law Section 2-d and its implementing regulations.

If the Chief Privacy Officer determines that the breach or unauthorized release of student data or teacher or principal data on the part of the third-party contractor or assignee was inadvertent and done without intent, knowledge, recklessness, or gross negligence, the Chief Privacy Officer may make a recommendation to the Commissioner that no penalty be issued to the third-party contractor.

The Commissioner would then make a final determination as to whether the breach or unauthorized release was inadvertent and done without intent, knowledge, recklessness or gross negligence and whether or not a penalty should be issued.

Notification of a Breach or Unauthorized Release

The District will notify affected parents, eligible students, teachers, and/or principals in the most expedient way possible and without unreasonable delay, but no more than 60 calendar days after the discovery of a breach or unauthorized release of PII by the District or the receipt of a notification of a breach or unauthorized release of PII from a third-party contractor unless that notification would interfere with an ongoing investigation by law enforcement or cause further disclosure of PII by disclosing an unfixed security vulnerability. Where notification is delayed under these circumstances, the District will notify parents, eligible students, teachers, and/or principals within seven calendar days after the security vulnerability has been remedied or the risk of interference with the law enforcement investigation ends.

Notifications will be clear, concise, use language that is plain and easy to understand, and to the extent available, include:

- a) A brief description of the breach or unauthorized release, the dates of the incident and the date of discovery, if known;
- b) A description of the types of PII affected;
- c) An estimate of the number of records affected;
- d) A brief description of the District's investigation or plan to investigate; and
- e) Contact information for representatives who can assist parents or eligible students that have additional questions.

Notification will be directly provided to the affected parent, eligible student, teacher, or principal by first-class mail to their last known address, by email, or by telephone.

Where a breach or unauthorized release is attributed to a third-party contractor, the third-party contractor is required to pay for or promptly reimburse the District for the full cost of this notification.

Annual Data Privacy and Security Training

The District will annually provide data privacy and security awareness training to its officers and staff with access to PII. This training will include, but not be limited to, training on the applicable laws and regulations that protect PII and how staff can comply with these laws and regulations. The District may deliver this training using online training tools. Additionally, this training may be included as part of the training that the District already offers to its workforce.

Notification of Policy

The District will publish this policy on its website and provide notice of the policy to all its officers and staff.

Budget

In cooperation with and approval of the Board of Education, the Superintendent of Schools will be responsible for developing and administering the annual budget for the Chenango Valley Central School District. The major budget activities will include, but not be limited to, the following:

- Prior to the development of the budget, the Superintendent will seek the advice of the Board of Education with respect to goals, guidelines and limitations on the educational program.
- The Superintendent of Schools will prepare the annual school district budget and propositions in a manner to provide sufficient time for its review, discussion, and modification prior to adoption by the Board of Education.
- The annual school district budget will be adopted by the Board of Education in a timely manner to provide for notice and distribution of the budget prior to the Annual Meeting as provided by Education Law.
- The tax levy, the annual budget and propositions will be presented by the Board of Education to the voters of the Chenango Valley Central School District as provided for by Education Law.
- In the event of the failure of voters to adopt the proposed budget, the Board of Education will consider such alternatives that may be available under the Education Law in such circumstances.
- Once adopted, the administration of the budget will be the responsibility of the Superintendent of Schools. A report on the status of the budget and other funds of the District will be regularly reported to the Board of Education for their review and approval. Annually, an independent audit will be conducted for submittal to the Board of Education for their review and approval.

Procurement

Procurement Policies and Procedures

Whenever the law does not require a school district to provide goods and services by competitive bidding, the goods and services must be procured in a manner so as to assure the prudent and economical use of public monies in the best interests of the residents. Goods and services must be bought so as to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Board of Education, by resolution, shall adopt internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of Section 103 of General Municipal Law (GML) or of any other general, special or local law (Section 104b-GML). The Board of Education will meet annually with the purchasing agent to review and amend the purchasing policy as needed.

- 1) At the Annual Organizational Meeting, the Board of Education formally appoints a purchasing agent in accordance with Section 170.2(b) of the Regulations of the Commissioner of Education. Only the person designated by the Board as purchasing agent may commit the District for a purchase. The purchasing agent shall be responsible for developing and administering the purchasing program of the school district.
- 2) The purchasing agent must provide that, except for procurement made pursuant to Section 103 or Section 104 of the General Municipal Law, Section 175 of the State Finance Law, Section 184 of the Correction Law, and the policies and procedures adopted pursuant to Section 104-b of the General Municipal Law, alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of Section 104-b and of Section 103 of the General Municipal Law in accordance with the dollar limits for the use of written and verbal quotation set forth on Chart B attached.
- 3) Purchases shall be made through available State contracts of the Division of Standards and Purchase, Office of General Services (OGS), whenever such purchases are in the best interest of the school district.
- 4) School districts are permitted by General Municipal Law Section 103 (3) to take advantage of county purchasing contracts provided that the program has been authorized by the board of supervisors of the county legislature. Where permitted, purchases shall be made from county contracts whenever such purchases are in the best interest of the school district.
- 5) The purchasing agent is authorized to issue purchase orders without prior approval of the Board of Education where normal bidding procedures are not required by law, and when budget appropriations are adequate to cover such obligations.

- 6) A statement of "General Conditions," as approved by the Board of Education shall be included with all specifications submitted to suppliers for their bids. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, equipment, and supplies.

Competitive Bidding

The General Municipal Law requires competitive bidding on all purchase contracts involving an expenditure of more than \$20,000 annually for items of materials, supplies, and equipment. This is generally interpreted as covering groups of items as well as individual items. There must be legal advertisement if a single item to be purchased exceeds \$20,000 or the formal bidding aggregate cost of an item or reasonable commodity grouping estimated to be purchased in a fiscal year would exceed that figure. (Opinion of the State Comptroller 59-647) The limitation on public works contracts is \$35,000 before formal advertisement is required. Public works contracts apply to those items or projects involving labor or both materials and labor. The law does not cover professional service contracts such as for insurance, electricity, water, or services performed by engineers, architects, and attorneys.

- A. Bid Award: The bid must be awarded to the lowest bidder unless one or more of the following applies:
- The bidder is not *responsible*. This includes, but is not limited to, the following: Delivery experience, poor quality, packaging restriction, etc.
 - The bid is not *responsive*. This includes when a bidder takes exceptions to the Districts terms, conditions and specifications; and, thus, would not be in the best interest of the District.
 - The contract is awarded based on "best value." Whenever any contract is awarded based on the "best value" standard, the Board of Education shall comply with the March 19, 2014 Resolution entitled "Contracts – Bidders Based on Best Value."

Awards to Other Than Lowest Bidder

- A. Whenever any contract is awarded to other than the lowest bidder, as set forth above, the reasons such an award furthers the purpose of General Municipal Law § 104-b as set forth herein above shall be documented as follows:

Notations and/or copies of all documents, and notations of verbal or other data justifying why any purchase is made from other than the lowest responsible vendor or contractor submitting a complying quotation or proposal, as being in the best interest of the government unit, shall be included with the purchase records. If full compliance with this provision is not practical, a written note of explanation shall be made and placed with the purchase records.

"Piggybacking"; Cooperative Purchasing

The Board of Education will consider participation in cooperative bidding/purchases with other school districts, BOCES or other governmental agencies whenever feasible and legal for the various needs of the District.

The District may “piggyback” onto another governmental contract in accordance with General Municipal Law and upon consultation with the District’s legal counsel.

- A. Contract subject to Piggybacking: Pursuant to Section 103(16) of the General Municipal Law, purchases of goods and services may be made through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein. The contract must be let in a manner that is consistent with New York State competitive bidding law (public solicitation of sealed bids, bid specifications, award to lowest responsible bidder or best value bidder, etc.) and the contract must be made available for use by other governmental entities. Piggybacked contracts are not subject to the competitive bidding requirements of Section 103 of the General Municipal Law.
- B. Authorization to Piggyback: Pursuant to and in accordance with GML section 103(16), the District is hereby permitted to “piggyback” off of other municipal contracts, as described above, as well as, in the District’s discretion, open up its own purchase and public works contracts to other appropriate municipalities.

Local Purchasing

It is the intention of the Board of Education to purchase materials and supplies of quality at the lowest possible cost through widespread competition. If all other conditions are equal, purchases will be made from local merchants.

Procedures

Procedures consistent with law and with this policy shall be established.

Alternative Formats

When purchasing instructional materials, the District shall give preference to those vendors who demonstrate or affirm that the instructional materials can be provided to the District in alternative formats as required by General Municipal Law, Sections 103 (1) (5) and 104.

Seasonal Items

The law requires advertising for seasonal items. A season's supply of fuel oil for delivery on demand or the purchase of school lunch supplies, milk and ice cream, bread and meats as required are bid where consumption of such items is above the legally required dollar limit.

Advertising

Formal advertising is required when the annual purchases exceed the dollar limit established by the bid law. At least five days must elapse between the first publication of an advertisement and the date specified for the opening of bids.

Standardization of Equipment

Section 103, Subdivision 5 of the General Municipal Law makes it possible for a Board of Education to standardize on a particular type of equipment, material, or supplies by adopting a resolution affirming that there is need for standardization. The resolution shall contain a full explanation of the reasons for its adoption. However, this action does not eliminate the necessity of advertising for bids and awarding the contract to the lowest responsible bidder furnishing the required security. The words "or equal" -- "or equivalent" are not required in the specifications. The make or model may be specified and anyone who can furnish the item may bid.

Textbooks, Library Books, Magazines

The Office of Counsel of the State Education Department has indicated that competitive bids are not required on new textbooks when the publisher is the sole source of supply. Library books and magazine subscriptions should be advertised if the total is over the current limit of \$10,000, as various vendors might be in position to bid.

Emergencies

Emergency purchases without bidding are permitted under the General Municipal Law. A public emergency may arise out of an accident or other unforeseen occurrence which could affect the public property, life, health, or safety and where immediate action cannot await competitive bidding.

Opening of Bids

Advertised bids must be opened publicly and read aloud. Bidders and/or other interested persons may attend such openings. The purchasing agent or any other designated person should open bids. If there are no spectators present, it is advisable to have another person from the Business Office or administrative staff present as witness.

- A. Award of Contract: If the Board of Education is in session when bids are opened, a contract may be awarded at once. If the Board believes there may be collusion between bidders, all bids may be rejected and advertised.

Lease-Purchase Agreements for Instructional Equipment

Section 1725-a of the Education Law authorizes school districts to enter into lease-purchase agreements for instructional equipment subject to the bidding requirements of the General Municipal Law. This section also provides that the Commissioner of Education shall promulgate regulations defining "instructional equipment" and that any such lease-purchase agreement before execution.

In accordance with the requirements regarding definition, districts must have the prior written approval of the Commissioner for instructional equipment and prior approval of lease-purchase agreements.

The Commissioner's Regulations state:

- a) The Board of Education of any school district may enter in agreements for the lease-purchase of

instructional equipment in accordance with Section 725-a of the Education Law and this section, with the payments to be applied against the purchase price of the equipment.

- b) All such lease-purchase agreements shall be subject to written approval of the Commissioner before execution. Applications for approval of lease purchase agreements shall be in a form prescribed by the Commissioner and shall be submitted no more than 90 days and no less than 30 days prior to the date of execution of the agreement. A variance may be granted from the time limitations for submission of such applications upon a showing of good cause satisfactory to the Commissioner.
- c) As used in Education Law, Section 1725-a and this section, instructional equipment means instruments, machines, apparatus or other types equipment which are used directly in the instruction of students and which:
 - 1. Are not consumed in use and retain their original shape and appearance with use;
 - 2. Are not expendable items such as textbooks or supplies;
 - 3. Are not capital improvements, as such term is defined in Subdivision 9 of Section 2 of the Local Finance Law; and
 - 4. Do not lose their identity through incorporation into a different or more complex unit.

Installment Purchase Contracts

General Municipal Law, Section 109-b authorizes the use of installment contracts for the purchase of equipment, machinery and apparatus. Chapter 137 of the Laws of 2003, amended Section 109-b, school districts are authorized to enter into lease-purchase contracts and to obtain financing from a source other than the vendor, including the issuance of Certificates of Participation (COPS).

- a) Competitive bidding required - Subdivision 6 of Section 109-b mandates that all installment purchase contracts contain the "executory clause" set forth in the statute as follows: "This contract shall be deemed executory only to the extent of the monies appropriated and available for the purpose of the contract, and no liability on account thereof shall be incurred by the purchaser beyond the amount of such monies. It is understood that neither this contract nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purpose of the contract."
- b) Multi-Year Service Contracts should not be entered into in the absence of specific legislative authority. The legislative authority currently available to school districts, Subdivision 14 of Section 305 of the Education Law, provides for multi-year transportation and cafeteria service contracts only. Contracts for such items as cleaning/maintenance, trash removal, maintenance of clock systems, care of grounds and snow plowing, should:
 - 1) Be for a single year only;
 - 2) Be bid as a public works contract;
 - 3) Require the payment of minimum wage rates and supplements; and

- 4) Specify which party provides equipment and supplies. A contract for the purchase of management services for cleaning and maintenance of school buildings would also need to meet the above conditions unless exempt as a professional service under General Municipal Law. In any case, where contracts include the purchase of supplies, materials and equipment, the one year contract limitation and the bidding requirements of Section 103 of the General Municipal Law apply. The unintentional failure to fully comply with the provisions of this General Municipal Law Section 104-b, shall not be grounds to void action taken or give rise to a cause of action against Chenango Valley Central District or any officer or employee thereof.

(See following chart)

Chart A – Bidding Guide

Contract Type	Bidding	104-b Non-Bid
Purchase Contract – above 20,000	X	
Purchase Contract – below 20,000		X
Contract for Public Work – above 35,000	X	
Contract for Public Work – below 35,000		X
Agencies for Blind or Severely Handicapped		X
State Contracts		X
County Contracts		X
Emergencies		X
Sole Source (patented or monopoly)		X
Professional Services		X
True Leases	X	
Insurance		X
Second-hand Equipment from Another Govt.		X
Certain Food & Milk Purchases		X

Contract Type	Minimum # of written quotes	RFP	Other
Purchase Contract – below 20,000			
0-2,999	1 (may be verbal)		
3,000-9,999	2		
10,000-19,999	3		
Contracts for Public Work (below \$35,000)			
0-1,999	1 (may be verbal)		
2,000-9,999	2		
10,000-34,999	3		
Emergencies			X
Insurance		X	
Professional Services		X	
Second-hand Equipment			X
Certain Food & Milk Purchases			X
Sole Source			X

PURCHASES DIRECTLY CHARGED TO A FEDERAL AWARD

To the extent that its requirements are not already included in this Policy, the District will comply with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, ("Uniform Guidance") when making purchases directly charged to a federal award. The District's contracts with respect to these purchases will contain the applicable provisions set forth in Appendix II to Part 200, Contract Provisions for Non- Federal Entity Contracts under Federal Awards.

As required by the Uniform Guidance, the below provisions apply only to procurements for goods and services that are directly charged to a federal award and are to be applied in addition to all other provisions set forth above in this Policy. The below provisions do not apply to indirect costs.

A. GENERAL PROCUREMENT STANDARDS

- (a) The District will maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

- (b) (1) The District will maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. 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. 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 that 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 District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, the District may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct will provide for the possibility of disciplinary action for violations of such standards by officers, employees, or agents of the District.

- (c) The District's procedures will avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

- (d) The District will maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited, to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

- (e) (1) The District may use a "time and materials type contract" only after it determines that no other contract is suitable and provided that the contract includes a ceiling price that the contractor exceeds at its own risk. "Time and materials type contract" means a contract for which the cost to the District is the sum of:
 - (i) The actual cost of materials; and
 - (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract will set a ceiling price that the contractor exceeds at its own risk. Further, the District will assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

- (f) The District alone will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes and claims. These standards do not relieve the District of any contractual responsibilities pursuant to its contracts. The Federal awarding agency will not substitute its judgment for that of the District unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority with proper jurisdiction.

B. COMPETITION

- (a) All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards of this policy and applicable law. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals will be excluded from competing for those procurements. Some of the situations considered to be restrictive of competition include, but are not limited to:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
 - (2) Requiring unnecessary experience and excessive bonding;
 - (3) Noncompetitive pricing practices between firms or between affiliated companies;
 - (4) Noncompetitive contracts to consultants that are on retainer contracts;
 - (5) Organizational conflicts of interest;
 - (6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
 - (7) Any arbitrary action in the procurement process.
- (b) The District will conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
- (c) The District will have written procedures for procurement transactions. These procedures will ensure that all solicitations:
- (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description will not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, will set forth those minimum essential characteristics and standards to which it will conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which will be met by offers will be clearly stated; and

(2) Identify all requirements which the offerors will fulfill and all other factors to be used in evaluating bids or proposals.

(d) The District will ensure that all prequalified lists of persons, firms, or products that are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the District will not preclude potential bidders from qualifying during the solicitation period.

C. CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES (SMWBE) AND LABOR SURPLUS AREA FIRMS

(a) The District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises and labor surplus area firms are used when possible.

(b) Affirmative steps will include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises;
- (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

D. FEDERAL AWARDING AGENCY OR PASS-THROUGH ENTITY REVIEW

- (a) The District will make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes that review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the District desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with the review usually limited to the technical aspects of the proposed purchase.

- (b) The District will make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents (for example, requests for proposals or invitations for bids, or independent cost estimates).

- (c) The District is exempt from the pre-procurement review in paragraph (b) above if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of the Uniform Guidance.
 - (1) The District may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews will occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;
 - (2) The District may self-certify its procurement system. Such self-certification will not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the District that it is complying with these standards. The District will cite specific policies, procedures, regulations or standards as being in compliance with these requirements and have its system available for review.

Investment

I. Scope

This investment policy applies to all monies and other financial resources available for investment on behalf of Chenango Valley Central School District.

II. Objectives

The primary objectives of Chenango Valley Central School District's investment activities are, in priority order:

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

III. Delegation of Authority

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

IV. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Chenango Valley Central School to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable outcome to be derived.

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

V. Diversification

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

VI. Internal Controls

It is the policy of the Chenango Valley Central School District for all monies collected by any officer or employee of the school district to transfer those funds to the District Business Office as soon as possible for expedient transport to CBO for deposit. District Business Office and CBO are both responsible for

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

VII. Designation of Depositories

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are to be designated at the Reorganization Meeting annually. General Municipal Law Section 10 defines “bank” as a bank as defined by the New York Banking Law or a national banking association located and authorized to do business in New York. General Municipal Law Section 10 defines “trust company” as a trust company as defined by the New York Banking Law and located and authorized to do business in New York.

VIII. Collateral of Deposits

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

1. By a pledge of “eligible securities” with an aggregate “market value” as provided by General Municipal Law §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the Chenango Valley Central School District for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the Chenango Valley Central School District for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure Chenango Valley Central School District deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, including the events of default, which will enable the Chenango Valley Central School District to exercise its rights against the pledged securities. In the event that such securities are not registered or inscribed in the name of the Chenango Valley Central School District, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Chenango Valley Central School District or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Chenango

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

X. Permitted Investments

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

- Special time deposit accounts in a bank or trust company as defined by General Municipal Law §10;
- Certificates of deposit in a bank or trust company as defined by General Municipal Law §10;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principle and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Chenango Valley Central School District.
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Certificates of Participation (COPs) issued pursuant to General Municipal Law §109-b.
- Obligations of Chenango Valley Central School District, but only with any monies in a reserve fund established pursuant to General Municipal Law §§6-c, 6-d, 6-e, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n. All investment obligations shall be payable or redeemable at the option of the Chenango Valley Central School District within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Chenango Valley Central School District within two years of the date of purchase.

XI. Authorized Financial Institutions and Dealers

The Chenango Valley Central School District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the Chenango Valley Central School District conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Chenango Valley Central School District. Security deals not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The School District Business Executive and Treasurer, jointly, are responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians.

XII. Purchase of Investments

The School Business Executive and Treasurer are authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Education.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Board of Education. All purchased obligations, unless registered or inscribed in the name of Chenango Valley Central School District, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Chenango Valley Central School District by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Chenango Valley Central School District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall provide for the manner in which the custodian shall confirm the receipt, substitution or release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility.

Meals and Refreshments

The Board of Education recognizes that it may occasionally be appropriate to provide refreshments and/or meals for Board members and other district personnel at educational conferences, workshops or meetings. Meals will be provided when the conference, workshop, or meeting occurs during a normal meal period.

All meal expenses must be appropriately documented including the date and purpose of the meeting prior to submittal to the district's business office for the purposes of audit.

The district will pay no more than the current Internal Revenue Service meal per diem allowance for educational conferences and/or workshop attendance. These rates will be made available from the Business Office upon request.

Authorized Use of School Owned Materials and Equipment

The Board of Education permits the use of district owned materials and equipment by Board members, officers and employees and students of the district when such material and equipment is needed for district-related purposes.

The Superintendent of Schools or designee, in consultation with the School Business Executive, shall establish regulations governing the loan and use of such equipment. Such regulations must address:

- The borrower's inability to use such material or equipment for private, non-school business purposes;
- The responsibilities of the borrower for proper use, care and maintenance;
- That, regardless of condition or other factors, all loaned equipment must be returned to the district. No item may be sold to or purchased by the borrower unless such equipment has been returned to the district for evaluation and, if necessary, disposal in accordance with district policy and procedures.

All equipment shall be inventoried and a list shall be maintained of the date such equipment was loaned, to whom it was loaned and the date of expected/actual return.

Individuals borrowing district-owned equipment may be fully liable for any damage or loss occurring to the equipment during the period of its use.

Credit Cards

The following credit cards are authorized for school business related expenses:

Barnes and Noble, Best Buy, Home Depot, JP Morgan Chase (MasterCard)
Lowe's, Mirabito, Sam's Club, Wegmans, and Weis Market

Authorized personnel must submit purchase orders for business related expenses/purchases prior to the use of the credit card.

This credit card will only be for those purchases of goods and services that require a credit card and do not accept other payment methods. Any other reason for credit card use must be approved by the School Business Executive prior to use.

Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. The credit cards shall be locked in a secure place in the School Business Executive's office. The school district is not allowed to pay sales tax on purchases made in New York State. Authorized personnel using school district credit cards must avoid sales tax on purchases by using tax exempt accounts or a tax exempt certificate with each purchase. Sales tax charged to an account must be paid by the employee that made the purchase.

Receipts for expenditures for items purchased shall include the goods and/or services purchased, the amount of the purchase, date of the purchase and the district business to which each purchase relates. After use, the credit card shall be immediately returned to the secure location from which it was obtained. All receipts shall be submitted to the School Business Executive.

The designated employee to whom a credit card is issued shall be responsible for its use and shall not allow the card to be used by anyone else or for any unauthorized purchases. Any individual who makes an unauthorized purchase with a school district credit card shall be required to reimburse the school district for the purchase. Reimbursement for any personal or unauthorized purchases made with the district credit card must occur within 30 days of receipt of the credit card statement. Any unauthorized use shall subject the card holder to disciplinary action in accordance with the law, district policy and/or terms of a negotiated agreement.

Extraclassroom Activity Funds

This policy pertains to extraclassroom clubs that maintain activity accounts. Extraclassroom activity funds are defined in the Regulations of the Commissioner of Education as “funds raised other than by taxation or through charges of a Board of Education for, by or in the name of a school, student body or any subdivision thereof.” Extraclassroom activity funds are those operated by and for the students. Monies are usually collected voluntarily by pupils and are spent by them as they see fit so long as they abide by established regulations. Only student funds shall be placed in extraclassroom activity funds.

Extraclassroom activity funds must not be confused with funds accounted for in accordance with the Uniform System of Accounts prescribed by the state comptroller. Procedures discussed in this policy and applicable regulations apply only to extraclassroom activity funds. In order to promote the organization and maintenance of extraclassroom activities and to provide for the proper handling and safeguarding of extraclassroom activity funds, the Board of Education hereby adopts rules and regulations for the guidance of students, teachers, and principals.

Purpose

Student extraclassroom activities may only be formed for educational purposes.

Definition

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

Organizational Procedures

Students desiring to form an extraclassroom activity may petition their principal in writing. The petition must state the purpose of and describe the activities of the proposed extraclassroom activity and must be signed by at least seven students before it is presented to the principal for action. If the purpose of the proposed extraclassroom activity falls within the scope of educational or school service purposes and if the necessary space and equipment are available, the principal, in conjunction with the petitioning students, must seek a suitable adviser. When these procedures have been accomplished, the building principal may recommend to the chief school officer that the extraclassroom activity be approved by the Board of Education.

Charter

All extraclassroom activities shall adopt a charter that shall define the purpose of the organization. Charters also list the current year’s officers and must be filed with the central treasurer.

Fund Personnel

The following positions play a role in extraclassroom activity funds:

- Central Treasurer – This position is appointed annually at the reorganization, or as needed, by the Board of Education. The central treasurer aids the student clubs with extraclassroom activity funds financial records, bank accounts, and reporting. The central treasurer adheres to the rules and regulations established by law and by the district and ensure that faculty advisors and student treasurers follow the proper procedures.

- Faculty Advisor – These positions are appointed annually by the Board of Education. The position is typically held by a teacher with the primary role of guiding and advising students in the operation of extraclassroom activities. Faculty advisors must adhere to the rules and regulations established by law and by the district and assist the student treasurer in this process as well.
- Student Treasurer – These positions are appointed after a vote by the students participating in each extraclassroom activity. The student treasurers are responsible for overseeing all financial transactions of the extraclassroom activity under the guidance of the faculty advisor.
- Extraclassroom Fund Internal Auditor – This position is appointed annually at the reorganization meeting, or as needed, by the Board of Education. The extraclassroom fund internal auditor is primarily responsible for reviewing the extraclassroom paperwork each month to make sure that appropriate documentation exists and policy is followed.
- Extraclassroom Officers – These positions are appointed annually at the reorganization meeting or as needed by the Board of Education. The primary purpose of these positions is to review the disbursement documentation and sign off on all checks drawn from the extraclassroom activity bank account.
- Principals (middle school and high school only) – These principals shall ensure that the duties assigned to each activity’s faculty advisor in their respective buildings are carried out accurately and in a timely fashion. These principals will work with students on creating new clubs (if appropriate) and will also review fundraisers for appropriateness before they can occur.

Meetings

All extraclassroom activities shall meet at least bi-monthly while school is in session. These meetings shall be held on school property. Extraclassroom activities shall not meet outside school property unless they have received the consent of their school principal.

Officers

Each extraclassroom activity shall have a president, secretary and student treasurer. These officers shall be elected annually from among the membership by secret ballot. If a student treasurer fails to perform his/her duties in a timely and acceptable manner, the principal may remove him from office and the other club members would elect a replacement.

Financial Procedures

All extraclassroom activity funds shall be handled in accordance with the regulation for the safeguarding, accounting and auditing of these funds.

Inactive Clubs and Leftover Funds

An inactive extraclassroom activity shall be defined as one having no financial activity for one full school year. If an inactive club is identified, the central treasurer is directed to expend leftover funds as voted by the organization controlling these funds or if no such designation exists, then liquidate the leftover funds of these club(s) in accordance with the following: Leftover funds of inactive or discontinued extraclassroom activities and of graduating classes shall automatically revert to the account of the general student

organization or student council. Inactive clubs must follow the organizational procedures set forth in this policy to re-activate previously existing activities.

Travel and Transportation

All overnight trips and foreign travel must receive approval from the Board of Education. The faculty advisor shall provide a written itinerary to each student, along with a copy of the code of acceptable conduct and secure written permission from a student's parent/guardian for all overnight and foreign travel. Every effort should be made to provide the educational travel opportunity to all eligible students. The faculty advisor must assure that there is sufficient adult supervision at all times.

District transportation may be provided, upon timely and proper request. Each club may be invoiced for actual cost upon trip completion. Trip cost estimates may be obtained from the transportation department. Although use of private carrier is permitted, the faculty advisor is required to ascertain that the driver(s) are properly insured, properly licensed, and that the vehicle is appropriate, legal and safe. The safety of all students and adults must be a priority.

Risk Management

The faculty advisor shall work with the business official to assure that the district's exposure to any risk resulting from club activities or fundraisers is minimized. In all cases where a vendor will be using district facilities to conduct its event, the district requires a certificate of insurance with the district named as an additional insured. Periodically, the district may request that its primary liability insurance carrier conduct a review of the activities of its extraclassroom activities and may prohibit certain events based on the review results.

Tax Exempt Status

The extraclassroom activities of the district are not included in the exemption granted to the school district from New York State sales tax. Without exception, clubs and activities are prohibited from using the school's tax exemption. The taxable status of all fundraising events specified in the administrative regulations to this policy shall be enforced as listed by the central treasurer. Any event not specifically listed shall be deemed taxable unless a written determination that it is non-taxable has been issued from the business official to the central treasurer. The central treasurer shall be responsible for filing the periodic sales tax returns for the extraclassroom activity funds.

Contracts, Commitments and Guarantees

All commitments and contracts shall be the sole responsibility of the extraclassroom activity club giving rise to the transaction, regardless of change in advisers, membership or officers.

Sales Tax

A school district is not exempt from the provisions of the sales tax law whenever it becomes the vendor of services or property ordinarily sold by private persons. Each faculty advisor should know which of the activities his organization undertakes are subject to sales tax and take steps to see that all sales tax information is accurately recorded and sent to the central treasurer.

Donations

Gifts or donations are usually made in lump sums and should be recorded in the minutes of the activity. The student treasurer should issue a receipt and deposit the gift with the central treasurer. As a taxable entity donations to student organizations and the extraclassroom activity funds are not tax deductible.

Bonding of the Central Treasurer

The Board of Education shall require the central treasurer of the extraclassroom activity fund to be bonded for no less than \$250,000.

Investing Extraclassroom Activity Account Monies

The central treasurer may entrust a portion of the fund in a time deposit account, a certificate of deposit, a savings account or other investment. The investment of this money shall be credited to each activity account based on its prorated principal investment (or shall be credited to the building's student council account).

Closing Out of Inactive Accounts

Prior to the termination of a student organization all funds will remain in that club's account for six months and then disposed of in one of the following ways:

- (1) Expended by vote of the organization controlling these funds as provided for in the bylaws
- (2) Transferred to the general student organization or student council
- (3) An account that is inactive for one (1) year should be terminated with the monies transferred to the activity representing the general student organization or student council.

Graduating Class Accounts

Upon graduation or within six months all funds in the senior class accounts will be disposed of in one of the following ways:

- (1) Expended by vote of the student organization controlling these funds as provided for in the bylaws – voting as a whole and prior to their graduation.
- (2) Transferred to a student organization or student council.

Outstanding Student Fundraising Obligations

Any student having any outstanding fundraising money obligation to any extraclassroom activity organization shall not participate in any subsequent extraclassroom fundraising activity in any extraclassroom activity organization until the obligation is fulfilled. This limit on extraclassroom activity fundraising participation shall affect neither the student's participation in non-fundraising extraclassroom activities nor have any academic consequences.

Reports

The Board shall be provided with the reports and audits prescribed by law, commissioner regulation, Board policy, administrative regulation and, as necessary, to keep the Board advised of extraclassroom activities and the proper handling of extraclassroom activity funds.

Not Sufficient Funds

A check returned from the bank for "NOT SUFFICIENT FUNDS"

- 1) The amount of the check will be deducted from the activity organization's treasury and the activity treasurer and faculty advisor notified.
- 2) The extraclassroom activity fund central treasurer (central treasurer) will notify the maker of the check informing him/her that their check was returned to the district because of "Not Sufficient Funds." The central treasurer will notify the maker that the district is assessing a \$20.00 service fee and they have ten (10) business days to make payment in cash or money order only to the central treasurer.

Additionally, if a check has been deposited and returned a second time, the central treasurer will send a certified letter informing the maker that all bank fees and the amount of the check is due in cash or money order only to the central treasurer in ten (10) business days. A copy of this district policy will accompany the letter.

- 3) After the ten (10) business days, the check may be turned over to the Sheriff's Department with appropriate jurisdiction for legal processing.
- 4) Check fees reimbursed from the maker of the returned check will be deposited in the student council account. The check amount, when paid by the maker, will go into the activity organization's treasury.

Account Closed

A check returned from the bank for "ACCOUNT CLOSED"

- 1) Upon notice from the bank, the central treasurer will immediately send a certified letter to the maker of the check informing him/her that their check was returned to district because of "Account Closed." The letter will explain to the maker that the district is assessing an additional \$20.00 service fee to the amount of the check. The maker will also be informed that they have ten (10) business days to make payment, in cash or money order only, to the central treasurer or legal action will be taken.
- 2) After the ten (10) business days with no response, the check will be turned over to the Sheriff's Department with appropriate jurisdiction for legal processing.
- 3) Check fees reimbursed from the maker of the returned check may be deposited in the student council account. The check amount, when paid by the maker, will go into the activity organization's treasury.

Mileage Reimbursement

The Chenango Valley Central School District may reimburse employees and Board members for mileage accrued when using their own vehicles for district sanctioned trips. Such reimbursement will be based on the current Internal Revenue Service (IRS) mileage rate and follow the guidelines for payment below.

Guidelines

The district will pay mileage reimbursement for trips for an employee assigned to work at more than one building in the same workday (excludes meetings, conferences, etc.) Mileage may be considered for reimbursement for travel associated with meetings, conferences, workshops, etc. only if prior approval is obtained from the Superintendent of Schools.

All requests for mileage reimbursement must be submitted to the business office on the district Mileage Reimbursement Form within ninety (90) days of the trip.

Accounting

I. Statement of Philosophy

The Chenango Valley Central School District considers it very important that accurate financial records be developed and maintained on a consistent and systematic basis in order to support our decision-making responsibilities and those of the district's administrators. This declaration is based on the conviction that responsible stewardship recognizes that our school district is financed with public monies. Therefore, we insist on clear, complete and detailed accounting of all financial transactions for which we are accountable.

II. Policy Statements

A. System of Accounts

1) Purpose

The accounting system shall provide an accurate, clear and complete record of all financial transactions for which the Board is accountable. The primary purposes served by the systemized accounting data are (1) the rendering of financial stewardship; and (2) the facilitating of future financial planning.

2) Uniform System of Accounts

The system of accounts shall conform to the system prescribed pursuant to Section 36 of the General Municipal Law, Department of Audit and Control, and Section 2116-a of the Education Law, State Education Department. Additional accounts and/or records that may be useful in yielding fiscal information to assist the Board and administration in its decision-making may supplement this system. The various forms to be used shall be approved by the Board of Education.

3) Fixed Assets

The method of accounting for general fixed assets shall be in conformance with those prescribed by the Uniform System of Accounts for School Districts as defined and promulgated by the NYS Office of the State Comptroller.

B. Classification of Expenditures

1) Legal Requirements

All expenditures are records and reported under the account classifications provided in the State Uniform System of Accounts for School Districts in order to satisfy legal reporting requirements and to facilitate compilation of comparative financial statistics for various local, state, and national agencies and research organizations. These standard account classifications are related to the district's budget categories in a manner, which facilitates the recording and reporting of expenditures for budget control purposes.

2) Encumbering

Section 170.2(k) of the Commissioner's Regulations states it is the duty of the Board to keep the incurred obligations within the amount of the available appropriation. Requisitions shall be encumbered against available funds. When sufficient funds are not available, a transfer of funds or approval must accompany the request.

3) Mass Encumbering

To maintain budgetary control and to arrive at an accurate estimate of uncommitted appropriations, all known obligations must be encumbered early in the fiscal year. The advanced encumbering should include known obligations such as utilities, BOCES, debt service, salaries, fringe benefits, service contracts and other known contractual expenses.

4) Transfer of Funds

The Board of Education authorizes the Superintendent to make transfers between and within functional unit appropriations for teachers' salaries and ordinary expenses.

C. Cash Funds

1) Petty Cash Funds

A Petty Cash account may be established for each building and several departments within the district. The specific amount to be available in each building and the person responsible for each fund shall be designated annually by the Board. No single Petty Cash Fund may exceed \$100. The accounting procedure and the method used to report expenditures shall be those outlined in Section 170.4 of the Commissioner's Regulations.

2) Change Funds

A Change Fund may be established for the cafeteria operations and Athletic Department within the District. The specific amount to be available in each building and the person responsible for each fund shall be designated annually by the Board. No single Change Fund may exceed \$500.

D. The Safeguarding of District Funds

1) Bonding

The Board of Education will provide a public school system faithful performance bond, or blanket position bond for all employees, officers and pupils, as required by Subdivision 2 of Section 11 of the Public Officers Law and Subdivision 2(d) of Section 170 of the Commissioner's regulations. Annually, the Board will specify any additional amounts to be placed upon specific positions.

2) Cash in School Buildings

Under no circumstances shall cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extra-classroom funds, shall be deposited prior to close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the main office vault.

3) Treasurer's Receipts

The Board shall adopt a prenumbered receipt form to be used by the District Treasurer and other persons authorized to receive money. The Treasurer shall receipt all monies paid over to his/her custody with pre-numbered duplicate receipts (Commissioner's Regulation 170.2(h)). The Treasurer shall issue prenumbered receipt forms in triplicate to others authorized to receive monies in the first instance (Commissioner's Regulation 170.2(i)). The Treasurer shall maintain a log showing: receipt books number series, person responsible for each book and annually recall and audit receipt books.

4) Cash Accounting

The District's accounting system shall provide for adequate control of all monies belonging to the school district. The Treasurer's receipt numbers as well as the source and amount of the revenue shall be entered into the cash receipts journal. Revenue entries must be maintained on a gross basis.

5) Cash Collection

School employees are personally responsible for all monies, which they collect during the course of their assigned duties. Employees who receive monies on behalf of the districts other than the Treasurer must issue prenumbered receipts in triplicate (CR 170.2 (i)).

E) Extra-Classroom Activity Funds

1) Activity Accounts

An organization within the school district whose activities are conducted by students and whose financial support is raised other than by taxation or through charges of the Board of Education, shall be known as an extra-classroom activity and the monies received as Extra-Classroom Activity Funds. Annually, the Board of Education will appoint, upon the recommendation of the Superintendent, those members of the staff to serve as central treasurer, faculty advisor, and extra classroom activity internal auditor. The central treasurer shall submit to the Board of Education, during the academic year, quarterly financial statements indicating the status of each account.

2) Regulation of Activities and Monies

The regulations of the establishment, conduct, operation and maintenance of records concerning extra-classroom activities will be those outlined in Finance Pamphlet #2, available: <http://www.p12.nysed.gov/mgtserv/accounting/docs/ExtraclassroomActivitiesJanuary2015.pdf> and in conformance with Section 172 of the Commissioner's Regulations.

F) Check Signature

1) Internal Control

The Treasurer must maintain, at all times, control of his/her signature plate. The administration of the school district will establish and the Treasurer will maintain procedures, which will ensure adequate internal control and protection against misuse and/or loss of the check signature plate used to sign authorized checks drawn against the district. All checks must receive the single signature of the Treasurer or the single signature of the Deputy Treasurer if one is appointed.

2) Storage of Blank Checks

The safeguarding of unused checks shall be the responsibility of the Treasurer of the school district. The storage of unused/blank checks shall be maintained in such a manner as to restrict their availability and offer protection against fire, theft and water damage.

G) Facsimile Signature

Use of a facsimile signature rubber stamp shall not be used on any district document.

H) Scholarships and Trust Funds

1) Accounting

The accounting of all scholarship and trust funds given to the school district are under the supervision of the Board of Education and will be maintained in accordance with the latest GASB pronouncement.

2) Scholarships

Scholarship funds shall be administered by the Superintendent or his appointee, in accord with donor's request or procedures established by a designated faculty and administration committee approved by the Board of Education.

3) Trust Funds

Gifts will be set up as a trust fund for the purpose of receiving and disbursing cash in accordance with the donor's request. Education Law, Section 1709 (12 and 12-a) and Comptroller's Opinion No. 65-367.

I) Audit of Claims

1) Payments Prior to Audit

Payments of claims for public utility services, postage, freight and express charges may be made in advance of audit in accordance with Section 1724.3 and 2524.2 of the Education Law.

2) Internal Claims Auditor

When the office of auditor has been established and filled, all powers and duties of the Board of Education with respect to auditing, allowing or rejecting all claims against the school district shall be exercised only by the auditor in accordance with Sections 1709.20(a) and 2526 of the Education Law.

J) Certification of Payrolls

1) Responsibility

The Board of Education consistent with the provisions of Education Law 1720.2 and Section 170.2(b) of the Regulations of the Commissioner of Education designates the Superintendent of schools to be responsible for the certification of payrolls.

K) Bond Records

- 1) The District Treasurer's responsibilities will be under the direction of Broome-Tioga BOCES Central Business Office. The District Treasurer will maintain a permanent file which shall include the dates of resolutions authorizing the obligations; the type thereof; the date of issue; the numbers of each obligation; the banks from which the money was borrowed; the amount borrowed; the rate of interest; the principle and interest paid; the dates of maturity; and the dates the obligation was met.

L) Cash Flow Management

1) Responsibility

The Board of Education authorizes its Treasurer to manage all activities associated with the cash flow management consistent with the Office of the State Comptroller's Financial Management Guide. Periodic reporting of cash flow will be submitted to the Board.

2) Investments

The District's cash flow management program shall include procedures for investing monies, which are temporarily in order to afford interest income. All investments shall be made as a result of seeking quotations and consistent with the districts investment policy.

3) Borrowings

The use of an open competitive system of bidding and/or quoting for borrowing shall be conducted as prescribed in the provisions of Article VIII of the State Constitution and the Local Finance Law regulating the issuance of obligations.

M) Travel and Conferences

Reimbursement for authorized travel and conference attendance will be made in the manner prescribed by Section 77(b) of the General Municipal Law.

N) Periodic Financial Reports

1) Cash Reconciliation

The school District Treasurer shall report to the Board of Education the cash position and reconciliation of each fund of the school district on a monthly basis in compliance with Commissioner's Regulations, Section 170.2. (o)

2) Budget Status

The School District Treasurer shall submit a budget status report monthly to the Board of Education for each fund detailing the condition of each budget revenue and appropriation category. This shall be in at least the detail prescribed by Commissioner's Regulations, Section 170.2(p).

3) Annual Financial Statement

An annual financial statement for all funds shall be published by the Board of Education in the form of a legal notice in the official newspaper of the school district, during the month of July or August (or within three months after the close of fiscal year¹) in compliance with Education Law, Sections 1721 and 2528. Publication shall be in the format prescribed by Commissioner's Regulations, Section 170.2(s). This statement shall review the finances and transactions of the school district for the preceding school year.

4) Annual Audit

An annual audit of all funds of the school district shall be made by a certified public accountant or by a public accountant. The Board of Education shall adopt a resolution accepting the audit report and file a copy of this resolution and the audit, including the Management Letter, with the Commissioner of Education by October 15th as required by Commissioner's Regulations, Section 170.2(r). The clerk shall publish a notice within ten days of any external audit report received from an independent auditor.

The annual audit should include an examination of documents, records and accounts and be conducted in accordance with Generally Accepted Accounting Principals (GAAP).

Capital Assets

Capital Assets

The Board of Education submits two separate financial reports, the annual financial statements audited by the external auditor and the ST-3 submitted to the State Education Department (SED). This policy is to ensure those reports are compliant with generally accepted accounting principles and the standards promulgated by the Government Accounting Standards Board (GASB) and the New York Office of State Comptroller (OSC). This policy establishes requirements to maintain an inventory report of all capital assets. Capital assets means any item, or group of similar items, with a cost or value equal to or greater than \$5,000 owned by the district, including land, buildings, equipment and materials and supplies (inventory) which are used for longer than one year, and which require insurance coverage and specific accounting and disclosure.

Capital assets or groups shall be depreciated using the straight-line method. The straight-line method calculates depreciation expense by dividing the cost or fair market value of the asset, less certain other applicable costs and its residual value if material in amount, by the number of years in its estimated useful service life. Capital assets with physical characteristics that are appreciably affected by use or consumption should be considered for a method other than straight-line depreciation to accurately reflect their annual contribution to district operations. Depreciation means each year of a capital asset's useful life, a percentage of its value is recorded as a depreciated expense.

GASB 34 requires an annual inspection of assets being capitalized and depreciated to determine adjustments to the recorded asset values. These annual inspections will be conducted by Broome-Tioga BOCES' Central Business Office. A periodic inspection of assets as the basis for insurance coverage is also required. To facilitate this inspection, data for capital assets shall be recorded in a centralized asset record accounting system which can produce an asset register. In the system, an asset record will be established and maintained and will contain, where possible, the following information:

For capital or inventoried assets:

- (1) The date received by the district;
- (2) The description of the item;
- (3) The identification as to whether it is a capital or inventoried asset;
- (4) The purchase price or estimated value;
- (5) The building and room where the item is used;
- (6) The replacement cost.

For capital assets only:

- (1) The current value (also known as 'net book value');
- (2) The salvage value;
- (3) The estimated useful life;
- (4) The date and method of disposal or disposition.

Where an inventory tag number or serial number is important to differentiate among similar items, it should be added to the record.

Disposal of District Property

Building administrators and support staff supervisors are responsible for identifying obsolete or surplus equipment and supplies within their area(s) of responsibilities. Upon authorization of the Board of Education, obsolete or surplus equipment shall be disposed of in the following manner:

- (1) Reassign the items, as needed, to other locations within the school district;
- (2) Centralize the storage of items of potential usefulness; and/or
- (3) Discard or sell as surplus those items determined to be of no further use or worthless.

With Board approval items may be disposed of in the following manner:

- (1) Offer to sell or donate the items to local municipalities or local non-profit organizations;
- (2) Sell items at a public sale. In the event of a public sale, notice of availability of such equipment, supplies and materials and requests for bids shall be disseminated through announcements in local newspapers and such other appropriate means. The general public, as well as staff members who are not Board members, officers, or involved in the purchasing function, shall be eligible to bid on the equipment, supplies and/or materials; and
- (3) Sell remaining items as scrap for the best obtainable amount or discard in the safest, least expensive manner.
- (4) All items offered for sale or donated according to this policy shall be sold “as is” and potential buyers shall be notified that all sales and gifts of district property are “as is.”
- (5) All items approved for sale by the Board of Education may include an upset price approved by the Board, which is the lowest price that the Board of Education will accept for a particular item.

Fund Balance

Fund balance measures the net financial resources available to finance expenditures of future periods. The District's Unassigned General Fund Balance will be maintained to provide the District with sufficient working capital and a margin of safety to address local and regional emergencies without borrowing. The Unassigned General Fund Balance may only be appropriated by resolution of the Board of Education unless voter approval is required.

Fund balance of the District may be committed for a specific source by formal action of the Board of Education. Amendments or modifications to the committed fund balance must also be approved by formal action of the Board of Education. Committed fund balance does not lapse at year-end. The formal action required to commit fund balance shall be by Board resolution or majority vote.

GASB Statement 54 establishes the following classifications depicting the relative strength of the constraints that control how specific amounts can be spent:

- **Nonspendable** fund balance includes amounts that are not in a spendable form (inventory, for example) or are required to be maintained intact (the principal of an endowment fund, for example).
- **Restricted** fund balance includes amounts that can be spent only for the specific purposes stipulated by external resource providers (for example, grant providers), constitutionally, or through enabling legislation (that is, legislation that creates a new revenue source and restricts its use). Effectively, restrictions may be changed or lifted only with the consent of resource providers.
- **Committed** fund balance includes amounts that can be used only for the specific purposes determined by a formal action of the government's highest level of decision-making authority. Commitments may be changed or lifted only by the government taking the same formal action that imposed the constraint originally.
- **Assigned** fund balance comprises amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- **Unassigned** fund balance is the residual classification for the general fund and includes all amounts not contained in the other classifications. Unassigned amounts are technically available for any purpose. If another governmental fund has a fund balance deficit, then it will be reported as a negative amount in the unassigned classification in that fund. Positive unassigned amounts will be reported only in the General Fund.

The Board of Education elects to use the default policy of GASB 54 for the purpose of identifying which classifications of fund balance are spent first.

Municipal Finance Disclosure and Continuing Disclosure Policies and Procedures

ARTICLE I

General

Section 1.1. Purpose

The purpose of the Chenango Valley Central School District Municipal Finance Disclosure and Continuing Disclosure Policies and Procedures (these “Procedures”) is to establish processes and controls to (i) ensure that the financial disclosures that the Chenango Valley Central School District (the “School District”) makes are accurate and comply with all applicable federal and state securities laws, and (ii) promote best practices regarding disclosures relating to securities issued by the School District.

These Procedures are being adopted by the School District Board of Education as debt issuance disclosure best practices.

The failure of the School District Board of Education to comply with any provision of these Procedures shall not affect the authorization or the validity or enforceability of any bonds, notes or other forms of indebtedness that are otherwise issued by the School District in accordance with law.

Section 1.2. Disclosure Practices Working Group

To better carry out the purposes set forth in Section 1.1 of these Procedures, a Disclosure Practices Working Group (from time to time referred to below as the “DPWG”) is established. Membership of the DPWG shall consist of (1) the School District school business executive (the “business executive”), and (2) the School District treasurer, and (3) the responsible representative of the financial advisory firm of the School District (the “financial advisor”). The president of the Board of Education or a designee thereof may participate at will. The School District attorney, together with the School District’s bond counsel (“bond counsel”), shall be legal advisors to the DPWG. The School District attorney and the School District’s bond counsel shall assist the DPWG by review of School District preliminary and final Official Statements and other Disclosure Documents to advise the DPWG on requirements of the federal securities laws.

Section 1.3. Definitions

Unless otherwise defined in this document, initially capitalized terms used in these Procedures shall have the meanings set forth below:

“*Disclosure Coordinator*” means the School District official designated by the School District Board of Education from time to time to administer these Procedures. The Disclosure Coordinator shall be the School District business executive. The Disclosure Coordinator may designate the School District treasurer to act as deputy Disclosure Coordinator to participate in preparation of Disclosure Documents.

“*Disclosure Documents*” means those documents defined as such in Article II.

“*Disclosure Practice Working Group*” or “*DPWG*” means the Disclosure Practice Working Group as identified under Section 1.2 of these Procedures.

“*LAR*” means the independent auditor’s report of the School District including management’s discussion and analysis.

Section 1.3. Definitions (cont'd)

“MSRB” shall mean the Municipal Securities Rulemaking Board of Education or any other entity designated or authorized by the Securities and Exchange Commission (the “SEC”) to receive filings pursuant to Rule 15c2-12 under the federal Securities Exchange Act of 1934 (“Rule 15c2-12”), as the same may be amended and modified from time to time and includes the Electronic Municipal Market Access System of the MSRB (“EMMA”).

“Official Statement” means those Disclosure Documents described in Section 2.1(A) hereof.

“Preparer” means those persons defined as such in Section 3.3(A).

“Procedures” means these Municipal Finance Disclosure and Continuing Disclosure Policies and Procedures, as the same may be supplemented and amended from time to time.

“School District” means the Chenango Valley Central School District, New York.

“School District Financial Statements” means that portion of the IAR that are the audited Financial Statements.

Section 1.4. Activities of the Disclosure Practices Working Group

The DPWG shall consult as often as necessary to fulfill its obligations for purposes specified in Section 1.1 hereof including its disclosure obligations in connection with the issuance of debt and its continuing disclosure obligations thereafter. A bond or note due diligence session with the business executive, the School District treasurer, the School District attorney, the School District’s bond counsel and financial advisor in attendance at such session or by teleconference or a series of teleconferences or a combination thereof, of all or a portion of the DPWG may serve this purpose as to obligations in connection with the issuance of debt and production of any Official Statement in connection therewith. Post-issuance annual continuing disclosure obligations may be met by similar DPWG meetings or teleconferences. Physical meetings of the DPWG, if any, are intended to be internal meetings of School District staff and shall not be deemed to be public meetings for purposes of the Open Meetings Law of the State of New York.

Members of the DPWG and counsel to the DPWG may attend meetings in person or may participate in meetings by telephone teleconference. The Disclosure Coordinator shall be required to keep a record of such meetings and teleconferences and a brief summary of the matters discussed.

Section 1.5. Required Parties for Release of Official Statements

The participation of the School District business executive, the School District attorney, the bond counsel and the financial advisor is required prior to the time any School District Official Statement is finalized and the business executive acting on behalf of the president of the Board of Education must give final written approval thereof to the financial advisor, retaining a copy thereof before public release thereof.

Section 1.6. Required Parties for Other Disclosure Documents Review

For all other Disclosure Document review the business executive and the financial advisor are required parties.

ARTICLE II *Disclosure Documents*

Section 2.1. Disclosure Documents

For purposes of these Procedures the term “Disclosure Documents” shall mean (i) the School District’s documents and materials prepared or distributed in connection with the School District’s disclosure obligations under applicable federal and state securities laws relating to its securities and (ii) other disclosure that the

DPWG shall determine to review and approve. Disclosure Documents shall include, but not be limited to, the following:

Section 2.1. Disclosure Documents (cont'd)

- (A) preliminary and final Official Statements and preliminary and final private placement memoranda including, but not limited to, any School District financial information included therein relating to the School District's debt securities together with any supplements;
- (B) the School District's financial statements including, but not limited to, the Management's Discussion and Analysis and Notes thereto;
- (C) any filing made by the School District with the MSRB, whether made under a continuing disclosure agreement to which the School District is a party or made voluntarily, including annual financial information and operating data information and material events notices as defined in Rule 15c2-12;

Section 2.2. Other Potential Disclosure Documents

The term "Disclosure Documents" shall also include any other disclosure that the DPWG shall determine is reasonably likely to reach the investors or the securities markets and may be material to investors including, but not limited to press releases, web site postings and other communications required to be reviewed by the business executive as potential representations of the School District's financial condition to investors or the securities markets. See Section 3.1 below.

ARTICLE III
Review Process

Section 3.1. Determination of "Disclosure Document"

Whether a particular document or written, posted or other form of communication is a Disclosure Document shall be determined by the DPWG including, but not limited to, the determination whether a document should be filed voluntarily with the MSRB (as provided in Section 2.1(C) above) or whether a communication is reasonably likely to reach investors or the securities markets and may be material to investors. The business executive may seek the advice of bond counsel to determine whether any document should be treated as a Disclosure Document. For purposes of these Procedures it shall be assumed that each document specifically listed in Section 2.1 hereof is a "Disclosure Document" subject to the review process specified in Section 3.2 hereof.

Section 3.2. Review of Form and Content of Disclosure Documents

The DPWG shall critically review the form and content of each Disclosure Document. The DPWG may request a meeting or teleconference of all persons responsible for the preparation or review of the Disclosure Document.

Each bond resolution, tax anticipation note resolution and revenue anticipation note resolution will include a delegation to the president of the Board of Education as chief fiscal officer to finalize any offering document to, among other things, include the most recent School District financial information or other material information relevant to investors, and to otherwise make corrections and clarifications to ensure that such offering document complies with federal securities laws and such delegation as to the offering document may be further delegated to the School District Disclosure Coordinator in accordance with these Procedures.

- (A) Disclosure Coordinator. The Disclosure Coordinator shall work with the bond financing team (i.e., bond counsel, underwriter(s), underwriter’s counsel, financial advisor and appropriate School District staff) and

Section. 3.2 Review of Form and Content of Disclosure Documents (cont’d)

such other individuals as appropriate given the nature of the financing to ensure that these Procedures are followed with respect to the preparation and/or dissemination of any Disclosure Document.

- (1) The Disclosure Coordinator shall be responsible for soliciting material information from School District personnel as and if needed.
- (2) The Disclosure Coordinator shall contact the individuals as soon as possible to provide adequate time for such individuals to perform a thoughtful and critical review or draft of those portions of the Disclosure Document assigned to them, if any.
- (3) The Disclosure Coordinator shall maintain or cause to be maintained a general log of all individuals or departments that were requested to review or draft in connection with a Disclosure Document, including what sections such individuals or department prepared or reviewed.
- (4) The Disclosure Coordinator shall critically review each section of and all financial and operating information contained in the Disclosure Document to the extent any information provided therein is provided by a party other than the Disclosure Coordinator. To the extent practicable, the Disclosure Coordinator shall endeavor to establish an “audit trail” with respect to the preparation of any Disclosure Document. Of paramount importance is that information concerning the School District’s financial condition is thoroughly and critically compared for accuracy against the School District’s Financial Statements, including the notes of said financial statements and the other financial reports prepared and released by the School District.
- (5) The Disclosure Coordinator shall report any significant disclosure issues and concerns, if any, to the School District attorney and bond counsel. The School District attorney and the bond counsel shall critically review the material submitted and undertake to assist the School District to develop appropriate disclosure.

Section 3.3. Review of Disclosure Documents Other Than Official Statements and Continuing Disclosure Filings

The following Procedures shall apply to those Disclosure Documents that are not addressed in Section 2.1:

- (B) Determination of Disclosure Document. Any School District employee preparing (the “Preparer”) any information for release to the public that could be considered a Disclosure Document shall notify the business executive of such information. The business executive shall timely make a determination whether such information is a Disclosure Document under Section 2.1 with the assistance of the School District attorney and bond counsel.
- (C) Notify Business Executive. If the business executive determines that a document is a Disclosure Document, the Preparer shall inform the business executive of the (i) expected completion date of the Disclosure Document and (ii) the expected dissemination date of the Disclosure Document to the business executive. The business executive shall be provided with a reasonable opportunity to review such Disclosure Document.

(D) Involvement of School District Attorney. The School District attorney, in consultation with bond counsel, shall assist the Preparer to:

- (1) identify material information that should be disclosed;

Section 3.3 Review of Disclosure Documents Other Than Official Statements and Continuing Disclosure Filings (cont'd)

- (2) identify other persons that may have material information or knowledge of any information omitted from such Disclosure Document; and
- (3) determine when the Disclosure Document is final and ready for release by the business executive.

(E) Prepare Source List. The Preparer shall keep a list of individuals or groups that have contributed to the preparation of the Disclosure Document and a list of sources from which the information summarized or updated in the Disclosure Document was derived. These lists shall be submitted to the business executive along with the Disclosure Document.

ARTICLE IV
Training Policy

Section 4.1. Training

- (F) School District officials or employees with responsibility for collecting or analyzing information that may be material to the preparation of a Disclosure Document as designated under paragraph (B) below shall attend regular disclosure training sessions or educational forums necessary to stay up to date with federal municipal bond disclosure requirements. Such training shall include information on the School District's disclosure obligations under applicable federal and state securities laws and such individual's responsibilities and potential liability regarding such obligations.
- (G) The determination as to whether an employee shall receive such training shall be made by the business executive in consultation (if necessary) with the School District attorney or bond counsel.
- (H) The School District business executive will consult with bond counsel as to new developments under federal securities laws or otherwise to ensure that the School District maintains the best practices regarding its disclosure obligations.
- (I) At the request of the business executive, the bond counsel shall conduct separate training sessions for the School District business executive and the members of the School District Board of Education.

ARTICLE V
Document Retention Policies

Section 5.1. Official Statements

(J) Materials Retained. For a Disclosure Document that is an Official Statement or placement memorandum as referenced in Section 2.1(A), the School District Board of Education shall maintain a central depository with the following materials for a period of five years from the date of delivery of the securities referenced in such Disclosure Document.

- (1) the printed copy of the preliminary and final Official Statement (or preliminary and final offering memoranda);

- (2) the “deemed final” certification provided by a School District official to the underwriter of the securities in accordance with paragraph (b)(1) of Rule 15c2-12;
- (3) any executed copies of the letters, requests and certifications prepared and/or delivered in connection the offering;
- (4) the information and related sources referenced in the materials described in (3) above;
- (5) the bond purchase agreement or official notice of sale, as applicable; and

Section 5.1. Official Statements (cont'd)

- (6) any written certification or opinions executed by a School District official relating to disclosure matters, delivered at the time of delivery of the related securities.

(K) Materials Not Retained. These Procedures shall not require the DPWG to retain after the date of delivery of the related securities the drafts of any of the materials referenced in subsection (A) above.

Section 5.2. Disclosure Documents other than Official Statements

For Disclosure Documents other than those described in Section 5.1(A) above, the business executive shall maintain a central depository for a period of five years from the date the respective Disclosure Document is published, posted or otherwise made publicly available:

- (1) the final version of the Disclosure Document,
- (2) final versions of all transmittal letters, requests and certifications relating to information in the Disclosure Document,
- (3) the information and related sources referenced in the materials described in (2) above.

The business executive shall not retain the drafts of any such materials.

ARTICLE VI
Annual Review

Section 6.1. Annual Review

The business executive shall conduct an annual review and evaluation of these Disclosure Policies and Procedures with bond counsel. As appropriate, the Board of Education shall amend these Disclosure Policies and Procedures to be consistent with changes in the federal and state securities laws, pronouncements of the Securities and Exchange Commission and such other matters as the business executive deems necessary or desirable, upon advice of the School District attorney and bond counsel.

Overtime

The federal Fair Labor Standards Act (“FLSA”) requires all employers, public and private, to pay one and a half times the hourly rate of pay for all work performed by eligible employees over forty hours in one week.

A non-exempt employee may not work overtime without the express approval of his or her supervisor. A supervisor must approve all overtime work in advance. Supervisory approval shall be documented and this documentation will be retained and utilized when reviewing timesheets and payroll. All supervisory personnel shall monitor overtime use on a biweekly basis and report such use to the superintendent or designee.

Accurate and complete timesheets of actual hours worked during the workweek must be signed by each employee, the supervisor and submitted to the business office. The business official shall review work records of employees on a regular basis to make an assessment of overtime use.

Gender Neutral Single-Occupancy Bathrooms

The District is committed to creating and maintaining an inclusive educational and work-environment. The District will ensure that all single-occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use.

"Single-occupancy bathroom" means 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 and security.

All gender neutral bathroom facilities will be clearly designated by the posting of signage either on or near the entry door of each facility.

Education Law § 409-m
Public Buildings Law § 145

Non-Teaching Staff Selection and Appointment

The Board of Education has the legal responsibility to appoint all non-teaching employees. The duty of recruiting and selecting members of the non-teaching staff is assigned to the Superintendent of Schools. In carrying out this responsibility, the Superintendent will involve various administrative department staff as needed. This policy pertains to all prospective employees eligible for membership in the New York State Employees' Retirement System.

All non-teaching personnel selected for employment by the district must be recommended by the Superintendent of Schools and approved by the Board of Education thereby authorizing payment for services rendered as provided for by Civil Service Law. A roster of substitute non-teaching personnel will be presented to the Board for their approval thereby authorizing their limited employment as needed.

The Board of Education offers the following criteria to be used in the recruitment, selection and appointment of appropriate non-teaching staff members for the school district:

1. There will be no discrimination in the hiring process due to age, gender, creed, race, color, national origin, sexual orientation or disability.
2. Candidates for non-teaching positions must provide evidence of meeting the Civil Service eligibility requirements, where applicable, for the position for which they are a candidate. No recommendation for full-time employment will be made for a candidate not meeting Civil Service requirements. Vacancies for positions where appropriate candidates are unavailable may be filled by temporary appointment under Civil Service regulations.
3. The quality of support staff is enhanced by a staff with diversity in educational preparation, geographic backgrounds and previous work experiences. Effort will be made to maintain and increase diversity and inclusion in Chenango Valley's support staff personnel.

The employment of non-teaching personnel will adhere to the following guidelines:

1. A verbal offer of employment is made to the candidate subject to approval of the recommendation by the Board of Education.
2. Verbal acceptance of the offer by the candidate subject to approval of the recommendation by the Board of Education.
3. Formal recommendation of the candidate to the Board of Education by the Superintendent of Schools.
4. Approval of the candidate by resolution of the Board of Education.
5. Notice of Board of Education action communicated to the candidate.

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT
SECTION III – Policy No. 1 - Non-Teaching Staff Selection and Appointment (CV policy)

Dec. 2015/Legal review

Adopted: 02/16/83

Reviewed: 02/19/14, 01/20/16, 03/21/18, 03/25/20

Revised: 09/17/97, 05/17/99, 11/14/01, 10/15/03, 11/16/05, 02/23/22

6. Formal written acceptance of the appointment by the candidate. The signed Oath of Allegiance is considered formal written acceptance by the candidate.
7. New York State Screening Test for New Employees (fingerprinting). Candidate will be responsible for payment of all fingerprinting and associated fees. Bus driver fingerprints are submitted to DMV (instead of TEACH) and are paid for by the district.

Teaching Staff Selection and Appointment

The Board of Education has the legal responsibility to appoint all teaching employees. The duty of recruiting and selecting members of the teaching staff is assigned to the Superintendent of Schools. In carrying out this responsibility the Superintendent will involve various administrators, Instructional Leaders and teaching staff as needed. This policy pertains to all prospective employees eligible for membership in the New York State Teachers' Retirement System. Selection of the Superintendent of Schools and administration are not addressed by this policy.

All teaching personnel selected for employment by the district must be recommended by the Superintendent of Schools and approved by the Board of Education thereby authorizing payment for services rendered as provided by Education Law. A roster of substitute teachers will be presented to the Board for their approval thereby authorizing their limited employment as needed.

The Board of Education offers the following criteria to be used in the recruitment, selection and appointment of appropriate teaching staff members for the school district.

- 1) There will be no discrimination in the hiring process due to age, gender, creed, race, color, national origin, sexual orientation or disability.
- 2) Candidates for teaching positions must provide evidence of meeting the State Education Department requirements for certification within the teaching area for which they are a candidate. No recommendation for employment will be made for a teacher without such certification. Vacancies for positions where appropriate certified candidates are unavailable may be filled by temporary appointment.
- 3) The quality of instruction is enhanced by a staff with diversity in educational preparation, geographic backgrounds and previous work experiences. Effort will be made to maintain and increase diversity and inclusion in Chenango Valley's teaching staff.

The employment of teaching personnel will adhere to the following guidelines:

- 1) A verbal offer of employment is made to the candidate subject to approval of the recommendation by the Board of Education.
- 2) Verbal acceptance of the offer by the candidate subject to approval of the recommendation by the Board of Education.
- 3) Formal recommendation of the candidate to the Board of Education by the Superintendent of Schools.
- 4) Approval of the candidate by resolution of the Board of Education.
- 5) Notice of Board of Education action communicated to the candidate.
- 6) Formal written acceptance of the appointment by the candidate. The signed Oath of Allegiance is considered formal written acceptance by the candidate.
- 7) New York State Screening Test for New Employees (Fingerprinting). Candidate will be responsible for payment of all fingerprinting and associated fees.

Corporal Punishment

It is the policy of the Board of Education that the use of corporal punishment, as defined below by members of the staff upon pupils, is prohibited.

Corporal punishment is defined by the Board of Education as “any act of physical force upon a pupil for the purpose of punishing that pupil.” However, the Board of Regents’ position does not prohibit the use of reasonable physical force in situations in which alternative procedures and methods not involved in the use of physical force cannot reasonably be employed for the following reason:

- (1) To protect oneself from physical injury
- (2) To protect another pupil or teacher or any other person from physical injury
- (3) To protect the property of the school or others
- (4) To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district functions, powers and duties if the pupil has refused to comply with a request to refrain from further disruptive acts provided that alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purposes set forth in 1-3.

Each building principal will review this policy with their respective staffs at the beginning of each school year.

Reporting Child Abuse in an Educational Setting

The Chenango Valley Central School District subscribes to all of the provisions of Title 6 – Child Protective Services of the Social Services Law (Sections 411-428). Our purpose is to provide protective services to abused and maltreated children as described by the law, and to make all school personnel within the district aware of our legal responsibilities under this law. Procedures shall be developed and maintained, and regulations shall be disseminated by administration regarding the:

- a) mandatory reporting of child abuse/neglect;
- b) reporting procedures and obligations of persons required to report;
- c) provisions for taking a child into protective custody;
- d) immunity from liability and penalties for failure to report;
- e) obligations for provision of services and procedures necessary to safeguard the life of a child; and
- f) awareness and training

Child Abuse & Maltreatment Identification & Reporting Procedures

Chapter 544 of the Laws of 1988, Section 3209-A requires each school district develop procedures regarding the reporting of child abuse and maltreatment. The Chenango Valley Board of Education, in recognition of this responsibility, has adopted a policy regarding the subject of child abuse. An "abused" child is a child under the age of 18 years old whose parent or other person legally responsible for his/her care:

- 1) Inflicts or allows to be inflicted upon the child, physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ, or
- 2) creates or allows to be created, a substantial risk of physical injury to the child by other than accidental means which is likely to cause death, serious or protracted disfigurement, protracted impairment of physical or emotional health, or loss or impairment of the function of any bodily organ, or
- 3) commits, or allows to be committed, a sex offense against the child; permits or encourages the child to engage in prostitution or incest; or allows the child to engage in sexual performance (Penal Law, Art. 263).

A "maltreated" or "neglected" child is one who is under the age of 18 years old:

- 1) who has had serious physical injury inflicted upon him/her, or;
- 2) whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of his/her parent or other person legally responsible for his/her care to exercise a minimum degree of care as defined in (a) or (b) below;
 - a) Supplying the child with adequate food, clothing, shelter, education in accordance with the compulsory education laws, medical, dental, optometric or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or
 - b) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by misusing a drug or drugs; or by misusing alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aide of the court; or
 - c) who has been abandoned by his/her parents or other person legally responsible for his/her care.

Persons required to report cases of suspected abuse or maltreatment:

Section 413 of the Child Protective Services Act requires that any school official, physician, psychologist, registered nurse or mental health professional must report cases of alleged abuse or neglect when they have reasonable cause to suspect that a child is abused or maltreated based upon information obtained in their professional capacity. "School officials" are interpreted as teachers, administrators or pupil services staff. Section 413 further requires that any individual required to report must immediately notify the building principal or the principal's designee. The principal does not have the authority to prohibit the mandated reporter from making the report directly to the Central Register, nor does it relieve the mandated reporter from ensuring that a report has been made.

Reporting Procedures

All cases of suspected child abuse or neglect must be reported orally to the New York State Central Register of Child Abuse and Maltreatment. Reports are to be made by calling the toll free number, 1-(800)-635-1522. Staff is available to receive reports twenty-four hours a day, seven days a week. Within 48 hours of making an oral report, a written report must be filed with the local County Department of Social Services Child Protective Unit using form DSS-2221-A. (See sample in addendum)

- 1) Any school official who suspects a case of child abuse or neglect shall immediately notify the building principal. If the principal is not available the school official shall notify the principal's designee.
- 2) The building principal or designee shall determine which staff member will be responsible for making both the oral and written reports. The building principal does not have the power to prevent this report from being filed.

- 3) The school official who suspected the abuse or neglect need not be the person making either the oral or written report. However, the school official who suspected the abuse or neglect must ensure that these reports have been made by the staff member designated to make both reports.
- 4) At the time the oral report is made, the following information, if known, should be provided:
 - name and address of the child and parents, or legally responsible adult.
 - the child's age, sex and race.
 - the nature and extent of the child's injuries, abuse, or maltreatment.
 - the name of the person suspected of causing the injury, abuse or maltreatment.
 - family composition.
 - source of the report.
 - person making the report.
 - any action taken by the school or staff.
 - any other additional information which may be helpful.

Child Interviews on School Property/Access to School Records

Section 425 of New York State Social Services Law provides that the Department of Social Services may request and shall receive such assistance and data as needed to fulfill its responsibilities. Therefore, the Child Protective Service caseworker shall be allowed to interview suspected abused or maltreated students on school property whether or not the school was the source of the report. Parental permission is not required for these interviews; such action may result in a compromised interview with the child. Child Protective Services may also review school records relevant to the investigation without parental permission (see Section IV, 2).

Interviews should be conducted in the presence of the principal or designee. However, the school official may elect to be absent during the interview when the school official and the Child Protective Service worker agree that the presence of the school official is not essential to protect the interests of the pupil, and that the absence of the school official may increase the likelihood that the Child Protective Service worker can accomplish the purpose of the interview.

School officials should request that Child Protective Services sign a statement that interviewing the child without prior parental notification is in the best interests of the child. (See sample in addendum).

Written Report

The building principal or designee will be responsible for filing three (3) copies of the State Department of Social Services Form 2221A, "Report of Suspected Child Abuse and Maltreatment," with the local protective service within 48 hours, after the telephone report to the State Central Registry. Any photographs, if not already provided to Child Protective Services, should accompany the written report. A copy of this report should be made for the child's confidential file.

Confidential File

The principal or designee will retain a confidential file in his/her office containing all initial and updated information concerning each case. A telephone call and written notification that a report has been filed will be forwarded to the district Superintendent by the principal or designee. No record of the case shall be placed in the child's cumulative folder or health record. The confidential file shall be retained until the district is notified by the New York State Department of Social Services, or by court order, to expunge, seal or otherwise modify the confidential file.

Legal implications for Mandated Reporters

- a) Immunity: Mandated reporters who, in good faith, make a report or take photographs of injuries or bruises are given immunity from liability, either civil or criminal, that might otherwise result from such action. Good faith is presumed of any individual required to report cases of suspected abuse or neglect provided such person was acting in the discharge of his/her duties and within the scope of his/her employment and that such liability did not result from the willful misconduct or gross negligence of such person.
- b) Liability for Failure to Report: Any person required to report who willfully fails to do so is guilty of a Class A misdemeanor; and, civilly liable for the proximate damages caused by the failure to report.

Awareness and Training

Each building principal shall provide a copy of these regulations and procedures to each mandated reporter who serves in their building each year. In addition, the building principal shall be responsible for determining any in-service training needs for their staff, and shall take the steps necessary to implement such training.

ALLEGED CHILD ABUSE/MALTREATMENT
INTERVIEW OR REMOVAL OF A MINOR FROM SCHOOL
WITHOUT A COURT ORDER OR PARENTAL
CONSENT OR NOTIFICATION

As a representative of the Department of Social Services and/or a Law Enforcement Agency of appropriate jurisdiction, and acting in my official capacity concerning a matter of alleged child abuse or maltreatment, I have determined that it is necessary to remove the below named child(ren) from school grounds without a Court Order or consent of and prior notification to the child's parents or a person in parental relation. I am exercising my authority to remove the child(ren) pursuant to my authority under the Family Court Act and Social Services Law. I am making this request because, in my opinion, prior notification to the child's parents would jeopardize the investigation, the child's safety, or both. I have discussed this situation with my supervisor.

Student(s) Removed

Date

Time

DSS and/or Law Enforcement Agency Representative

Board Appointment and Training of Special Education Personnel, CSE and CPSE Members

The Chenango Valley Central School District Board of Education has the responsibility to appoint a Committee on Special Education and a Committee on Preschool Special Education yearly. The duty of selecting members of the committee is assigned to the Superintendent of Schools or his/her designee. In carrying out this responsibility the Superintendent or his/her designee will assure that members are appropriately certified for their roles where required. Training opportunities will be made available. Training opportunities can include site visits, workshops, school in-service and direct information to members appropriate to their specialization on the committee.

Controlled Substance and Alcohol Testing

The U.S. Department of Transportation (D.O.T.) has issued regulations 49 CFR Parts 40, 382, 391, 392 and 395 (regulations) pursuant to the Omnibus Transportation Employee Testing Act of 1991 - P.L. 102-143 (Omnibus Act), which govern the use of drugs and alcohol by commercial motor vehicle drivers and which also require the Chenango Valley Central School District (district) to conduct mandatory drug and alcohol testing of covered drivers and safety sensitive employees. The regulations were enacted on January 1, 1996.

It is the district's intention to comply fully with the Omnibus Act and D.O.T.'s regulations governing drug and alcohol use and testing, and the requirements of the D.O.T.'s regulations are hereby incorporated into this policy. In the event D.O.T.'s and/or NYS Department of Motor Vehicles' regulations are amended, this policy and the applicable term(s), condition(s), and/or requirement(s) of this policy shall be deemed to have been amended automatically at that time without the need for redrafting in order to reflect and be consistent with D.O.T.'s regulations. In such case, the district reserves the right to apply the amended requirements immediately and without giving prior notice to drivers, safety sensitive employees and/or applicants unless such notice is required by D.O.T. or another applicable law. The district also intends to comply with the applicable requirements of the Drug-Free Workplace Act of 1988, the Drug Free Schools and Communities Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Rehabilitation Act §504 and the New York State Human Rights Law.

The Superintendent shall implement this policy and comply with the Omnibus Act, the regulations and other applicable laws and collective bargaining agreements. The Superintendent shall also develop Drug and Alcohol Testing Educational Material that complies with 49 CFR Part 382, Subpart F, for distribution to covered employees as required by the regulations. The Superintendent or his/her designee shall provide written notice to the Chenango Valley Support Staff Association and of the availability of the educational materials required by the D.O.T.

The Medical Review Officer for the district shall be selected by an agency as may be designated by the Board from time to time.

The Superintendent shall arrange for training of all supervisors who may be called upon to determine whether reasonable suspicion exists to test a driver/safety sensitive employees for alcohol misuse or controlled substance use.

Any violations of this policy, the Drug and Alcohol Testing Educational material, the Omnibus Act or D.O.T. 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 other applicable collective bargaining agreement. The Superintendent shall also provide for an administrative appeal process whereby a covered employee may appeal a positive alcohol test and/or controlled substance test. Said process shall not interfere with D.O.T. mandated actions (e.g. removal from safety sensitive functions).

Pre-referral Intervention Strategies in General Education
(Prior to a Referral for Special Education)

The school district has established a plan for implementing school wide approaches and pre-referral interventions in order to remediate a student's performance *prior to referral* for special education. This plan does include a Response to Intervention (RTI) process.

The provision of programs and/or services for students starts with consideration/implementation of instruction in the general education curriculum, with appropriate supports and/or modifications as may be necessary. In implementing pre-referral intervention strategies, the district may utilize resources/strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973 and Educationally Related Support Services and Academic Intervention Services as defined in Education Law and/or Commissioner's Regulations. All of these programs may be considered as possible components of Pre-referral/Intervention Instructional Support Plans. The district will ensure that they have a system in place, with appropriate personnel, for developing, implementing and evaluating pre-referral intervention strategies.

The district will provide general education support services, instructional modifications, alternative instructional approaches, or alternative program options to address a student's performance prior to a referral to a Committee on Special Education (CSE). Building RTI Teams will be formed in accordance with law and/or regulations as may be applicable as well as district guidelines. This will include representatives from general and special education as well as other disciplines and include individuals with classroom experience.

Administration shall ensure that appropriate opportunities exist for collaboration between general education teachers and/or special educators, and that consultation and support are available to teachers and other school personnel to assist parents/guardians to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

The determination of prevention and pre-referral intervention strategies/services shall consider the student's strengths, environment, social history, language and cultural diversity in addition to the teacher's concerns. The building administrator will further ensure that all staff is familiar with intervention procedures and procedures for operating the Building RTI Team.

Pre-referral/Intervention Instructional Support Plans shall be proactive in their strategies to meet the broad range of student needs and to improve student performance. Pre-referral/Intervention Strategies and/or Instructional Support Plans are to be reviewed and evaluated to determine their effectiveness and modified as may be appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented shall be maintained.

However, should a referral be made to the CSE during the course of implementing pre-referral/intervention instructional support services, the CSE is obligated in accordance with law to continue its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an individualized education program, if applicable.

Educational Related Support Services

Educational related support services (ERSS) means curriculum and instructional modification services; direct student support team services; assessment and non-career counseling services; special instruction to eligible students with disabilities as defined in Education Law Section 4401, which does not generate excess cost aid including related services but excluding transportation and transition services; and to eligible, qualified students pursuant to Section 504 of the Rehabilitation Act of 1973. These services are provided to eligible students, individually or in groups, and may include those related consultation services provided to their families and related school personnel in order to enhance the academic achievement and attendance of such students. Educational related support services shall also mean speech and language improvement services as defined in Commissioner's Regulations. ERSS may be utilized as a component of any Pre-referral/Intervention Instructional Support Plan.

Section 504 of the Rehabilitation Act of 1973

For students who are qualified for services pursuant to Section 504 of the Rehabilitation Act, but are not classified as students with disabilities as defined in Education Law Section 4401, Section 504 Accommodation Plans may address instructional support services that can be utilized as components of any pre-referral/intervention strategies as deemed necessary and/or appropriate.

Academic Intervention Services

Academic Intervention Services means additional instruction which supplements the instruction provided in the general education curriculum and assists students in meeting the State learning standards as defined in Commissioner's Regulations and/or student support services, which may include guidance, counseling, attendance and study skills, which are needed to support improved academic performance.

However, such services shall not include services provided to students with limited English proficiency pursuant to Commissioner's Regulations or special education services and programs as defined in Education Law Section 4401. Academic Intervention Services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments.

The district has developed a description of the academic intervention services offered to grades K through 12 students in need of such services. The district will review and revise this description every two (2) years based on student performance results.

Parental/Guardian notification of students who have been determined to need academic intervention services will be provided as per Commissioner's Regulations.

In implementing prevention and/or pre-referral intervention support strategies in order to remediate a student's performance prior to referral for special education, the utilization of academic intervention services, as enumerated in Commissioner's Regulations, may be included as a component of any such Pre-referral/Intervention Instructional Support Plan.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Education Law Sections 3602(32), 4401 and 4401-a

8 New York Code of Rules and Regulations (NYCRR) Sections 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(t), 100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c) and Part 154

NOTE: Refer also to Policy No. 10 -- Response to Intervention (RTI) Process

Response to Intervention (RTI) Process

Response to Intervention (RTI) is a multi-tiered early prevention and intervention system designed to improve outcomes for all students. In accordance with Commissioner's Regulations, the school district has established administrative practices and procedures for implementing district-wide initiatives that address a Response to Intervention (RTI) process applicable to all students. For students suspected of having a potential learning disability, the district will provide appropriate RTI services pursuant to Commissioner's Regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

Chenango Valley Schools has established procedures for identifying students with learning disabilities that use a research-based RTI process prior to or as a part of an individual evaluation to determine whether a student has a learning disability. Effective July 1, 2012 an RTI process is **required** for all students in grades kindergarten through grade 4 suspected of having a disability under the Individuals with Disabilities Education Act (IDEA).

Minimum Requirements of District's RTI Program

The district's RTI process shall include the following minimum requirements:

- a) Scientific, research-based instruction in reading and mathematics provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's Regulations, shall mean scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;
- b) Screenings are provided to all students in the class to identify those students who are not making academic progress at expected rates in Grades K-5 at a minimum of two (2) times per year;
- c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;
- d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;
- e) The application of information about the student's response to intervention to make educational decisions about changes in goals [i.e., goals for all students, not just Individualized Education Program (IEP) goals], instruction and/or services and the decision to make a referral for special education programs and/or services; and

Each building has established RTI Teams that include principals, school psychologist, Special Education teacher, social worker, classroom teacher and AIS teacher.

- f) Written notification to the parents/guardians when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:
- 1) The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's Regulations;
 - 2) Strategies for increasing the student's rate of learning; and
 - 3) The parents'/guardians' right to request an evaluation for special education programs and/or services.

Structure of Response to Intervention Program

Chenango Valley Central School District uses a three tiered model of intervention. Tier I is general support through classroom curriculum; Tier II is strategic support with targeted interventions delivered by an AIS teacher, the Special Education teacher or the classroom teacher. Tier III is intensive support with intense targeted interventions delivered by the AIS or Special Education teacher. Tier III support could result in eligibility to Special Education services.

The district's RTI program consists of multiple tiers of instruction/assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning and to help raise achievement levels for all students.

Building RTI Teams, whose members may include, but are not limited to, regular education teachers, special education personnel, the school psychologist, reading and math coordinators, designated administrators, and other individuals deemed appropriate by the district, will be available for each building/grade level classification to address the implementation of the district's RTI process.

The Building RTI Team's responsibilities shall include, but are not limited to, the following:

- a) Determining the level of interventions/student performance criteria appropriate for each tier of the RTI model;
- b) Analyzing information/assessments concerning a student's response to intervention and making educational decisions about changes in goals, instruction and/or services;
- c) Determining whether to make a referral for special education programs and/or services.

Criteria for Determining the Levels of Intervention to be Provided to Students

In Grades K-3 students performing below the NYS Education requirements in the combined areas of Reading and/or the combined areas of Mathematics and below level in NYS approved screenings will be eligible to receive Academic Intervention Services by AIS providers or Special Education teachers. Students in Grades 4-9 will be provided AIS services through determination of the Regulations of the Commissioner of Education relative to Academic Intervention Services (AIS) Requirements.

Assessment measures used to determine eligibility for AIS services in Grades K-3 are NYS approved Benchmark Screenings that are delivered a minimum of two (2) times per year along with district established benchmarks.

Types of Interventions

The district provides multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

The Tier Level of instruction is specific to each student's needs and is an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

Tier One Instruction

Tier One instruction is provided to all students in the general education setting. The use of scientific, research based instruction in the areas of reading and math will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

Tier Two Instruction

In general, Tier Two instruction consists of small group, targeted interventions for those students identified as being "at risk" who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as AIS Teachers, and/or Special Education teachers or classroom teachers, and/or therapist as determined by the Building RTI Team.

At the conclusion of Tier Two instruction, the Building RTI Team reviews the student's progress and make a determination as to whether Tier Two interventions should be maintained; the student returned to the general education classroom if satisfactory progress is shown; or referred for Tier Three instruction.

Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions tailored to the needs of the individual student; and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction is provided by those specialists, as determined by the Building RTI Team, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the Committee on Special Education.

Progress monitoring on a continuous basis is an integral part of Tier Three; and the student's response to the intervention process will determine the need/level of further intervention services and/or educational placement.

Amount and Nature of Student Performance Data to be Collected

The Building RTI Team will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic needs as warranted. Such data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the district's RTI program and make modifications to the program as deemed necessary.

Manner and Frequency for Progress Monitoring

The Building RTI Team monitors the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team meets with the student's teacher(s) and determines if further adjustments need to be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress is an ongoing part of the RTI program from the initial screening to completion of the RTI process as applicable. Parents/guardians may also request that the progress of their child be reviewed by the Building RTI Team.

Fidelity is also completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks are established for student performance at the completion of the instructional period/intervention process.

Staff Development

All staff members involved in the development, provision and/or assessment of the district's RTI program, including both general education and special education instructional personnel, shall receive appropriate training necessary to implement the district's RTI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data and the manner and frequency for monitoring progress.

Parent/Guardian Notification

Written notification shall be provided to parents/guardians when their child requires an intervention beyond that provided to all students in the general education classroom. Such written notice shall include the following information:

- a) the amount and nature of student performance data that will be collected and the general education services that will be provided as part of the RTI process;
- b) strategies for increasing the child's rate of learning; and
- c) the parents'/guardians' right to request an evaluation for special education programs and/or services.

34 Code of Federal Regulations (CFR) Sections 300.309 and 300.311

Education Law Sections 3208, 4002, 4401, 4401-a, 4402, 4402, and 4410

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

Family Medical Leave Act/Lactation Policy

The District allows eligible employees to take a leave for up to 12 work weeks in a 12-month period under the Family Medical Leave Act (FMLA). The District will follow the rules of FMLA to determine eligibility and acceptable reasons.

Employee Notice and Medical Certification

When a leave is foreseeable, the employee must give at least 30 days' advance notice of when and how much leave he or she needs. When leave is not foreseeable, the employee must provide notice as soon as practicable.

The District may require an employee to submit certification from a healthcare provider to substantiate a leave request. If the certification is incomplete or insufficient, the District will identify in writing what information the employee must provide to correct the deficiency within seven days. If the employee fails to timely provide the requested information, the District may deny his or her FMLA leave request.

The District may also request a second opinion regarding the employee's medical status from a healthcare provider of its choice at its expense and a third opinion from a provider agreed upon by the District and the employee to be paid for by the District.

12-Month Period

The District will use a "rolling" 12-month period measured backward from the date of any FMLA leave usage.

Concurrent Leave

Employees must use all eligible paid leaves concurrently with periods of FMLA leave.

Intermittent Leave

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is continuous leave. The period during summer vacation is not counted against an employee's FMLA entitlement; the employee will continue to receive any benefits that are customarily given over the summer break. If intermittent use of leave is allowed under FMLA, the District will allow this type of leave in whole or half day increments.

If an instructional employee request intermittent leave or leave on a reduced schedule, and will be on that leave for more than 20% of the number of working days during that period, the District may:

- a) Require the employee to take leave for a period or periods of a particular duration not greater than the duration of the planned treatment; or
- b) Transfer the employee temporarily to an available alternative position for which the employee is qualified which has equivalent pay and benefits and which better accommodates recurring leave periods than the employee's regular position.

Nursing Mothers (Breastfeeding/Lactation)

The District will provide reasonable unpaid break time or permit the use of paid break time or meal time to allow an employee to express breast milk for their nursing child each time the employee has reasonable need to express breast milk for up to three years following childbirth.

Upon employee request, the District will designate a room or other location to be used by the employee to express breast milk which will be in close proximity to the work area, well lit, shielded from view, and free from workplace or public intrusion. The location will, at a minimum, contain a chair, a working surface, nearby access to clean running water, and an electrical outlet. The location will not be a restroom or toilet stall. The District will provide access to refrigeration for the purposes of storing expressed milk.

If the sole purpose of the location is not dedicated for use by employees to express breast milk, the location will be made available to employees when needed and will not be used for any other purpose while in use. The District will provide notice to all employees as soon as practicable when the location has been designated for use by employees to express breast milk.

At the employee's option, the District will allow the employee to work before or after their normal shift to make up the amount of time used during the unpaid break time(s) so long as the additional time requested falls within the District's normal work hours.

The District will provide a written notification regarding the rights of nursing employees to express breast milk in the workplace to each employee upon hire, annually thereafter, and to employees returning to work following the birth of a child. This notice will be based on a written policy developed by the Commissioner of Labor and will at a minimum:

1. Inform employees of their rights pursuant to law;
2. Specify how a request may be submitted to the District for a room or other location for use by an employee to express breast milk;
3. Require the District to respond to requests within a reasonable time frame that is not to exceed five business days.

The District will not discriminate or retaliate against an employee who chooses to express breast milk in the workplace.

Sexual Harassment of District Personnel

Chenango Valley Central School District is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. Chenango Valley Central School District has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Chenango Valley's commitment to a discrimination-free work environment.

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all district employees an environment that is free of sexual harassment, including sexual violence and intimidation. Sexual harassment, including sexual violence, is a violation of law and stands in direct opposition to district policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises and in another state. Since sexual violence is a form of sexual harassment, the term "sexual harassment" as used in this policy will implicitly include sexual violence even if it not explicitly stated.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Chenango Valley CSD, or with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

- 1) Chenango Valley Central School District Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with Chenango Valley.
- 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, up to and including termination.
- 3) Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Chenango Valley Central School District has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Chenango Valley Central School District who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, or the District Sexual Harassment Officers (DSOs). Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

¹ 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.

- 4) Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Chenango Valley Central School District to liability for harm to victims 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 knowingly allow such behavior to continue, will be penalized for such misconduct.
- 5) Chenango Valley Central School District will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. 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.
- 6) All employees are encouraged to report any harassment or behaviors that violate this policy. Chenango Valley Central School District will provide all employees a complaint form for employees to report harassment and file complaints.
- 7) Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to the District's Compliance Officers.
- 8) This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations 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, gender identity and the status of being transgender.

Under New York State Human Rights Law, 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 complaining 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 consists of 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 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 complain 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 assaults of a sexual nature, such as:
 - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, sexual coercion, 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 victim'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, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- 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. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

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 or not during work hours.

What is “Retaliation”?

Unlawful retaliation can be any action that would keep 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.

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:

- filed 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;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

Reporting Sexual Harassment

Preventing Sexual Harassment is everyone's responsibility. Chenango Valley Central 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 District Compliance Officer. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or District Compliance Officer.

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 victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Board Responsibilities

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances should be evaluated. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from co-workers as well as supervisors, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the school district. The district will designate, at a minimum, two (2) complaint officers identified as District Compliance Officers.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he/she has been a victim of sexual harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment to the District Compliance Officers through informal and/or formal complaint procedures as developed by the district. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly, thoroughly and equitably investigated in accordance with the terms of this policy. In the event that the District Compliance Officer is the alleged offender, the employee should report his/her complaint to the next level of supervisory authority.

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 District's Compliance Officer(s).

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

Upon receipt of an informal/formal complaint (even an anonymous complaint), the district will conduct a thorough, prompt and equitable investigation of the charges. However, even in the absence of a complaint, if the district has knowledge of or has reason to know of or suspect any occurrence of sexual harassment, the district will investigate such conduct promptly, equitably and thoroughly. All procedures developed by the district will provide for the prompt and equitable resolution of the sexual harassment.

All complaints or information about suspected 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.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, the District Compliance Officer(s) will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, 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 final resolution of the complaint, together with any corrective actions action(s).
- Keep the written documentation and associated documents in the employer’s records.
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Based upon the results of the investigation, if the district determines that an employee has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken, as warranted, up to and including termination of the offender's employment in accordance with legal guidelines, district policy and regulation, the district's Code of Conduct, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Privacy Rights

As part of the investigation, the district has the right to search all school property and equipment including district computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the district for the use of students and staff, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Notice

The District will provide this policy to all employees in writing. The District will post this policy prominently throughout the District to the extent practicable.

At the time of hiring and at every annual sexual harassment prevention training program, the District will provide each employee a notice containing this policy and the information presented at the District’s sexual harassment prevention training program.

This notice will be provided in English and in the language identified by the employee as his or her primary language, provided that the New York State Department of Labor Commissioner has published a template of the model materials in that language.

The notice will be delivered in writing, either in print or digitally. The notice will either link to or include, as an attachment or printed copy, the policy and training materials.

Legal Protections and External Remedies

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

Aside from the internal process at Chenango Valley CSD, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to 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 DHR or in New York State Supreme Court.

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

Complaining internally to Chenango Valley Central 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 discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination 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 monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400 [appropriate other contact info], www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit 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.

United States Equal Employment Opportunity Commission (EEOC)

The 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.

If an employee believes that he/she has been discriminated against at work, he/she 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 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at 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, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

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

Development and Dissemination of Administrative Regulations

Regulations have been developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable complaint officer(s).

Such regulations have been developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees, express the district's condemnation of such conduct, and explain the sanctions for harassment. Training programs will be established for employees to help ensure awareness of the issues pertaining to sexual harassment in the workplace, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The district's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks and/or school calendars.

Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
29 CFR § 1604.11(a)
34 CFR Subtitle B, Chapter I
Civil Service Law § 75-B
Executive Law Article 15
Labor Law § 201-g

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT



New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form for employees to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Board Appointed Sexual Harassment Officers. Once you submit this form, your employer must follow its sexual harassment prevention policy and investigate any claims.

If you are more comfortable reporting verbally or in another manner, your employer is still required to follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/combating-sexual-harassment

COMPLAINANT INFORMATION

Name:

Home Address:

Work Address:

Home Phone:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

(please select one)

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made against:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe the conduct or incident(s) that is the basis of this complaint and your reasons for concluding that the conduct is sexual harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint:

The last two questions are optional, but may help facilitate the investigation.

5. Have you previously complained or provided information (verbal or written) about sexual harassment at [Name of employer]? If yes, when and to whom did you complain or provide information?
6. *Employees that file complaints with their employer might have the ability to get help or file claims with other entities including federal, state or local government agencies or in certain courts.*
7. Have you filed a claim regarding this complaint with a federal, state or local government agency?

Yes No

Have you instituted a legal suit or court action regarding this complaint?

Yes No

Have you hired an attorney with respect to this complaint?

Yes No

I request that [name of employer] investigate this complaint of sexual harassment in a timely and confidential manner as outlined below, and advise me of the results of the investigation.

Signature: _____

Date: _____

Instructions for Employers

If you receive a complaint about alleged sexual harassment, you must follow your sexual harassment prevention policy by investigating the allegations through actions such as:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

You should create a written document of the findings of the investigation, along with any corrective actions taken and notify the employee and the individual(s) against whom the complaint was made. This may be done via email.

For District Use Only

Formal complaint initially received on: _____

Formal complaint initially received by: _____
(name and title)

Indicate to whom and the date that this formal complaint was forwarded, if at all:

Chaperones

A chaperone is defined as an individual who provides voluntary non-paid adult assistance with student activities, field trips or excursions. Chaperones will be routinely assigned and follow the guidelines noted below:

- (1) Chaperones will augment the school district professional staff so that for
 - a) A single day field trip or excursion there will be at least one (1) adult for each twenty (20) students.
 - b) Overnight field trips or excursions will require **at least** one (1) adult for each ten (10) students with an appropriate proportion of male and female supervision.
- (2) All chaperones with student activities, field trips or excursions will assist and be responsible to the school district staff member in charge of the activity. In matters requiring a decision in an irregular situation, the staff member in charge may confer with chaperone(s) but need not be bound by their advice.
- (3) Authorized expenses incurred by chaperone(s) in the course of a field trip or excursion will be reimbursed by the district. Authorized expenses will be limited to the customary cost of lodging, meals, admissions, etc.
- (4) All chaperones will be given written guidelines adhering to the above policy by the school administrator and/or school staff sponsor in charge of the activity or trip. Such guidelines will be explained prior to all activities or trips.

Chaperone Guidelines

Being accountable for someone else's child is an extremely important responsibility. In carrying out your duties as supervisory personnel during a school trip, activity or excursion, chaperones should always present a responsible adult image. Encouragement should be given to the students for proper and legal behavior at all times. Working with young people of all ages can be most pleasurable and rewarding, and we thank you most sincerely for your cooperation and assistance to our students.

General Guidelines for Chaperones

- 1) Become aware of the students in your group. Check in with the administrator and/or school staff sponsor in charge of the activity when you arrive. This administrator and/or school staff sponsor in charge will give you specific information regarding assigned duties, particular students and proposed timetables. Introduce yourself to groups of students and if possible, try to learn the students' names. Be aware of particular groups. In groups, however, sometimes there are pranks, plotting, silliness, experimentation or vandalism. Make sure the students know that you are a chaperone and don't try to be their peer or buddy. You are in the responsible role of a parent/guardian. The students know that all established disciplinary rules apply whenever they are on a school-sponsored trip or activity. The administrator and/or school staff sponsor in charge will have information regarding any particular health problems of the students. A special word of caution about students who are involved with alcoholic beverages and/or illegal drugs: ALL cases must be referred immediately to the administrator and/or school staff sponsor in charge and care should be taken that these students are safely and properly dealt with (i.e. DO NOT dismiss or send these students away without supervision!!)
- 2) With large groups of students the administrator and/or school staff sponsor in charge will most likely divide students into groups to be supervised by particular chaperones. This procedure helps in chaperone visibility and student recognition of chaperone authority. Chaperones should become familiar with students assigned to them. Breaking into these smaller groups also eases the burden of taking roll, making head counts, encouraging promptness for scheduled rendezvous times, etc.
- 3) The CV staff administrator and/or school staff sponsor in charge of the activity is responsible for the ultimate decisions regarding discipline and itinerary. All unusual circumstances should be reported to that administrator and/or school staff sponsor in charge. Chaperones may give input to the staff member in an advisory capacity but the final burden of responsibility lies with the administrator and/or school staff sponsor in charge. The same applies when dealing with commercial personnel (for example; bus drivers, hotel staff, police, etc.) and the sponsors of the CV activity. The administrator and/or school staff sponsor in charge should handle problems with outside personnel.

- 4) Chaperones at functions for any district event. The administrator and/or school staff sponsor in charge will assign specific duties to the chaperones. These involve regular visits to the student bathrooms, regular inspection of outside doors and sporadic trips through the gym and/or dance floor. Visibility and mobility of the adult chaperones are the desired goals.
- 5) The Code of Conduct will be adhered to with all situations. If there is a concern, please contact an administrator.

Non-Resident Student Tuition

Non-resident students may be enrolled in the Chenango Valley Central School District as follows:

- A) Parent (or guardian) request
- B) Student request
- C) Neighboring school district request (Superintendent's Exchange Program)
- D) Court, Social Services or other placement agency

Attendance as a non-resident tuition student is a privilege and failure to follow the school district's policies and Code of Conduct may result in termination of this privilege. Attendance as a non-resident student will be allowed if there is available space and no additional staff members are required to accommodate this request. Transportation may be provided to and from bus stops along preexisting routes within the District's boundaries, if space is available. No stops will be made outside of the District boundaries.

A non-resident student attending the Chenango Valley Central School District at his or her request or that of the parent or guardian (A and B above) will be charged the prevailing non-resident tuition charges established by the Board of Education. The tuition charges are established annually and will be equal to the most recent Official State Education Department formula (NRT) available at the time of the annual Reorganizational meeting of the Board of Education. Further, tuition charges will be reviewed and adopted by the Board of Education annually and applied as outlined below:

Two payment options are offered for non-resident tuition students as follows:

- The annual option requires tuition to be paid before September 1st of each school year.
- The semi-annual option requires tuition to be paid before September 1st (first semester) and February 1st (second semester).

Should the parent (or guardian) or student personally own real property within the district, the tuition charges will be reduced by the amount of annual school taxes paid on the property.

Under C above, in honoring a request from a neighboring school district (through the Superintendent's Exchange Program) the Superintendent of Schools may waive the tuition charges to allow a student from another school district an opportunity to attend CVCS D tuition free. However, failure to follow the school district's policies and Code of Conduct may result in termination of the privilege of attending Chenango Valley.

Under D above, placements made through the courts, Social Services or other placement agency will result in tuition charges assessed to the appropriate school districts of origin.

Fundraising

It is recognized that students may participate in fundraising activities related to their memberships in school organizations. The purposes for which a school organization may raise funds shall be consistent with the philosophy of the school district. The Board of Education believes that fundraising should be conducted only when there is some educational benefit for the student. The administration should approve and schedule these activities so as to eliminate the possibility of many drives being conducted simultaneously.

Group projects that require a fundraising effort shall have a tangible objective directed toward the growth and development of students participating in the project. While fundraising projects are expected to be related to the educational program, these activities may be social in nature contributing to student spirit, a sense of teamwork, pride in one's school and the ability to set and attain goals.

All student fundraising shall be reviewed for appropriateness and approved by the appropriate building principal if the fundraising benefits a particular school building or activity within a school building, or by the Superintendent, or his/her designee, if the project benefits the entire school. An organization shall submit a form for approval of its fundraising proposal. Examples are included at the end of this policy. The school principal or Superintendent or his/her designee shall consider the following in determining whether to approve a fundraising project:

- 1) Justification for the fundraising
- 2) Type of fundraiser (i.e. item to be sold, service provided, etc.)
- 3) Price of item or service to be sold
- 4) Date(s) of fundraiser
- 5) Duration of fundraiser
- 6) Financial control, accounting procedures and daily deposit of the proceeds from fundraiser activities

Fundraising shall be categorized as follows:

- 1) A School Organization – a group or club of students that is recognized by the Board of Education
- 2) A School-Related Organization – such as PTA, Friends of BaCH or Booster Club projects

Any fundraising must be sponsored by the school district through a school organization or by a school-related organization.

Raffles and/or chances may not be used as fundraisers by school organizations. All solicitation for charities from school children must comply with all applicable laws, rules and regulations.

Membership by a student in a school organization shall not be dependent on his/her support of fundraising project(s). Any participation quotas in projects shall serve only as a guide and do not determine a student's right to participate in an organization's activity. Fundraising projects will not be initiated simply to provide items subsequently owned by individual students unless specifically authorized by the building principal or Superintendent. While recognizing the motivational value of incentives for students involved in fundraising projects, it is expected that a balance will exist between a cooperative and competitive climate in these activities.

Funds raised by school organizations must be deposited and accounted for in the extracurricular fund. Accounting for funds raised by school-related groups is the responsibility of such groups.

Fundraising Proposal by School Organization

The following information must be submitted for approval by the School Principal, Superintendent, or designee prior to undertaking a fundraising project. School Organization proposals must be submitted at least fourteen (14) days prior to beginning an activity so that an adequate review can take place. A determination will be made within one week of receipt of the proposal.

Name of the School Organization:

Name of Advisor of School Organization:

Reason for the fundraising:

Type of fundraiser (at school, out of school):

Prices of items or services to be sold (in general):

Dates of fundraiser:

Role of school personnel and students in fundraiser including accounting procedures (e.g. who will make daily deposits):

Signature of Advisor of School Organization

Date

For Internal Use:

Approved:

Denied:

Superintendent, School Principal, or Designee

Date

Fundraising Proposal by School-Related Organization

The following information must be submitted for approval by the School Principal, Superintendent, or designee prior to undertaking a fundraising project. School-Related Organization proposals must be submitted at least fourteen (14) days prior to beginning an activity so that an adequate review can take place. A determination will be made within one week of receipt of the proposal.

Name of the Organization including whether the organization is a Not-for-Profit with 501(c)(3) status:

Person chairing the proposed fundraising activity:

Name:

Phone number:

E-mail address:

Reason for the fundraising:

Type of fundraiser (at school, out of school):

Prices of items or services to be sold (in general):

Dates of fundraiser:

Role of school personnel and students in fundraiser:

Signature of Advisor of School Organization

Date

For Internal Use:

Approved:

Denied:

Superintendent, School Principal, or Designee

Date

Student Photographs by Commercial Photographers

Student photographs may be taken during school hours on school premises by commercial photographers only when there is a school purpose for them such as a yearbook, student records or identification cards.

When permission has been granted for student photographs taken by a commercial photographer for a school purpose, such photographs may be taken either during or outside school hours. Teachers or other school personnel may assist in the process.

The commercial photographer who is taking the photographs may advise students by means of a card, brochure or other appropriate device that copies may be purchased directly from the photographer.

Groups such as student organizations, parent associations and booster clubs may organize the sale of copies of student photographs provided no school employees participate during working hours and photographs are taken during non-school hours unless permission is granted by an administrator.

Valedictorian & Salutatorian Selection

Prior to each June graduation a valedictorian and salutatorian will be designated from members of the current senior class. Selection will be made in accordance with the following rules and procedures:

1. All subjects marked numerically will be used to determine class rank.
2. Only final grades will be used in the computation of class rank. The final grade ranking will be based upon all high school credit bearing courses completed prior to the spring semester of the senior year. The midyear average of a full year senior course will be treated as a full year calculation.
3. A full year course is assigned a value of one (1.0) unit of credit; one semester courses are assigned a value of one-half (.5) a unit of credit.
4. Those students completing Advanced Placement courses, accelerated, enriched and college level courses will receive an additional ten percent (10%) weighting for grades received in those courses.
5. Seniors who are selected as valedictorian (highest grade point average) and salutatorian (second highest grade point average) will be recognized at commencement.
6. Only seniors who graduate from and who have been in attendance at Chenango Valley High School for a minimum of three consecutive semesters, which must include a semester of junior year and their first semester senior year, will qualify for consideration as valedictorian or salutatorian.

Student Publications

Students will enjoy the constitutional rights of freedom of expression. They will have the right to express their views in speech, writing, or through any other medium or form of expression within limitations comparable to those imposed on all citizens but specifically designed for children and youth in a school setting.

The Board will encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views.

All student publications will be expected to comply with the rules for responsible journalism. Libelous statements, unfounded charges and accusations, obscenity, vulgar or obscene speech, pornographic material, material advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations, materials promoting sexual harassment, or material which may responsibly lead to disruption of the educational process or impinging upon the rights of others, will not be permitted.

Expressions of personal opinion must be clearly identified as such, and bear the name of the author. Opportunity for expression of opinions differing from those of the student publishers must be provided.

Student literature and/or publications that are sponsored by the school district and/or produced under the direction of a teacher as part of the school curriculum are not considered a public forum. Material that is inappropriate, inconsistent with the district's basic educational mission or may be harmful may be edited or distribution prohibited.

Distribution of school sponsored and non-school sponsored publications/literature subject to the above - students have a right to distribute literature on school grounds and in school buildings. The principal will reasonably regulate the time, place, and manner of distribution of literature. No literature may be distributed unless a copy is submitted at least 24 hours in advance to the building principal. The principal may prohibit the distribution if it does not comply with this policy. The principal will provide a decision within two (2) school days after receipt of the publication. If distribution is denied, the principal's decision can be immediately appealed to the Superintendent of Schools or designee who shall provide a decision following receipt of said appeal.

Student Field Trips and Excursions

The Board of Education considers student field trips and excursions to be a recognized part of the school program. It is expected that such field trips will be coordinated with the curriculum and planned for specific educational purposes.

The administration shall approve and regulate such activities. Their responsibilities shall include but not be limited to oversight of the following:

- 1) Justify the value of such field trip or excursion.
- 2) Provide for the safety and supervision of students during such field trips or excursions.
- 3) Assure that parental permission has been obtained for each student participating in a field trip or excursion.

Transportation for field trips or excursions shall be restricted to school vehicles and those commercial carriers contracted for by the district. The use of private automobiles for trips or excursions is prohibited. School vehicles shall not normally be used for field trips or excursions beyond seventy-five (75) miles from the district. All students participating in field trips or excursions shall embark and disembark at designated school district buildings.

Trips or excursions sponsored by school clubs or organizations are considered to be school activities and must adhere to the guidelines of this policy. Trips and excursions are occasionally conducted by faculty members, as individuals, during vacation periods. These trips are considered to be non-school activities and as such are neither sanctioned nor prohibited by the district.

The Superintendent or his/her designee 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.

Interscholastic Athletic Program

It is the policy of the Chenango Valley Central School District to provide interscholastic athletic opportunities for the students of the middle/senior high school. The program is designed to provide appropriate competition with students of other school districts. Participation in Chenango Valley's athletic program is voluntary on the part of the student and, being extracurricular, is not assigned course credit.

The interscholastic athletic program is administered by the Director of Athletics, supervising the varsity, junior varsity, and modified offerings. Secondary students are invited to try out for various sports at their skill specific level and encourage grade level programming. It is recognized that the competitive nature of the interscholastic program intensifies as students get older and mature athletically. The varsity program (generally 11/12) within each sport will naturally be more selective than the junior varsity (generally 9/10) and less so for the modified sports (generally 7/8). While the program is not intramural or recreational, efforts are made to keep as many students as possible actively involved within each sport. Competition for membership on a team, however, is a factor. This will be more of a consideration at the varsity level than on the junior varsity or modified teams. The numbers of students able to participate on a junior varsity or varsity team may vary from sport-to-sport. Students in 7th grade will not be able to participate on a junior varsity or varsity team unless there is not a modified team or the Director of Athletics determines otherwise. Students cannot be selectively classified if there are older athletes who are being cut from a team unless the Director of Athletics determines otherwise. The availability of athletic fields, gymnasiums, equipment, qualified coaches, budget limitations, etc. will all serve as self-limiting factors within the total program.

Participation in the athletic program will be subject to rules established through the New York State Public High School Athletic Association, Section IV, the Southern Tier Athletic Conference and the school district.

Student Safety and Accidents

It is the goal of the Chenango Valley Central School District that the students be educated in a safe school environment. In a continuing effort to achieve this goal, routine inspections of the physical condition of all buildings and grounds will be conducted. School personnel will review safe practices with the students, particularly in those areas of instruction or extracurricular activities that offer special hazards. Safety education will be offered to students as germane to particular subjects such as laboratory courses in science, technology, health, and physical education. Students and/or parent/guardian are also required to immediately notify school staff members if they are injured at school.

Nurses and coaches are required to be certified in first aid and are available to our students during the school day and extracurricular athletic activities. Should a student be injured while in care of the district and first aid is required, parents/guardians will be telephoned or contacted in an appropriate manner by the school. Parents/guardians need not be contacted for a minor injury, but should be contacted if the severity of the injury warrants. If the injury is severe or if there appears to be severe pain, the principal or his/her designee will call for an ambulance. In areas of doubt, outside medical assistance will be sought. The parent/guardian will be responsible for the cost of outside medical assistance related to a school incurred injury. A claim for medical expenses not covered by the family's insurance plan may be submitted to the school district's accident insurance carrier for consideration.

*All accidents require an accident report be completed by the supervisor of the activity.

SAFETY CONDITIONS AND PREVENTION INSTRUCTION

The practice of safety will be considered an integral part of the instructional program through fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety. Each principal will be responsible for the supervision of a safety program for his or her school. The safety program may include, but is not limited to, in-service training, plant inspection, fire prevention, accident recordkeeping, driver and vehicle safety programs, emergency procedures and drills, and traffic safety programs relevant to students, employees, and the community.

Acquired Immune Deficiency Syndrome (AIDS) Instruction in Health Education

The District will provide a health education program that includes appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention will be provided in an age-appropriate manner, will be consistent with community values, and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

The Safety Committee consisting of appropriate school personnel, Board members, parents/guardians, religious representatives, and other community members will make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

No student will be required to receive instruction concerning the methods of AIDS prevention if his or her parent or legal guardian files with the principal a written request that the student not participate in this instruction, with an assurance that the student will receive this instruction at home.

AIDS instruction in the elementary grades will be taught by the regular classroom teachers, while this instruction in the middle and high school grades will be a part of the required health education curriculum.

Hands-Only Cardio Pulmonary Resuscitation and Automated External Defibrillator (AED) Instruction

High school students will be provided instruction in hands-only cardiopulmonary resuscitation and the use of an AED. Standards for this instruction will be based on a nationally recognized instructional program that utilizes the most current guidelines for cardiopulmonary resuscitation and emergency cardiovascular care issued by the American Heart Association or a substantially equivalent organization, that are consistent with the requirements of the programs adopted by the American Heart Association or the American Red Cross, and that will incorporate instruction designed to:

Adopted: 07/15/87
Reviewed: 01/15/92, 03/17/04, 01/18/06, 10/17/07, 03/19/14
Revised: 01/19/00, 12/19/01, 02/17/16, 04/16/18
Repealed: 06/17/20
Adopted: 06/17/20

- a) Recognize the signs of a possible cardiac arrest and to call 911;
- b) Provide an opportunity to demonstrate the psychomotor skills necessary to perform hands-only compression cardiopulmonary resuscitation; and
- c) Provide awareness in the use of an AED.

The Committee on Special Education or a Multidisciplinary Team, in accordance with Section 504 of the Rehabilitation Act, may determine, on an individual student basis, if a student with a disability should be excused from the requirement for instruction in hands-only CPR and the use of AEDs.

Environmental Conservation Instruction

The Board supports and encourages the development of a District-wide, articulated curriculum of environmental conservation integrated into other program disciplines.

Fire and Arson Prevention/Injury Prevention/Life Safety Education

District administration will provide instruction in fire and arson prevention, injury prevention, and life safety education relating to protection against injury or death and property loss or damage as a result of criminally initiated or other preventable fire.

This instruction will include materials to educate children on the dangers of falsely reporting a criminal incident, an impending explosion or fire emergency involving danger to life or property, an impending catastrophe, or a life safety emergency.

Student Safety

Instruction in courses in technology education, science, home and career skills, health and safety, physical education, and art will include and emphasize safety and accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in relevant courses, and instructors will teach and enforce all safety procedures relating to the particular courses, including wearing protective eye devices during appropriate activities.

Eye Safety

The Superintendent or designee will ensure that eye safety devices are distributed as necessary and that they are properly repaired, cleaned, and stored to prevent the spread of germs or diseases after use. Each classroom teacher is responsible for the safe and proper use of all instructional materials and equipment by students in his or her classroom.

Emergency Planning

The District will maintain updated plans and operating procedures to be followed in the event of natural or manmade disasters or enemy attack. Students will be provided instruction to respond effectively in emergency situations.

Instruction on Prevention of Child Abduction

All students in grades K through 8 in District schools will receive instruction designed to prevent the abduction of children provided by or under the direct supervision of regular classroom teachers. The Board will provide appropriate training and curriculum materials for the regular classroom teachers who provide this instruction. However, at the Board's discretion, this instruction may be provided by any other public or private agency.

The Commissioner of Education will provide technical assistance to assist in developing curricula for these courses of study which must be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness skills, information, self-confidence, and support to aid in the prevention of child abduction.

For purposes of developing these courses of study, the Board may establish local advisory councils or utilize the school-based shared decision making and planning committee established under the Commissioner's regulations to make recommendations concerning the content and implementation of these courses. Alternatively, the District may utilize courses of instruction developed by consortia of school districts, boards of cooperative educational services, other school districts, or any other public or private agency. The advisory council will consist of, but not be limited to, parents/guardians, school trustees and Board members, appropriate school personnel, business and community representatives, and law enforcement personnel having experience in the prevention of child abduction.

Adopted: 07/15/87
Reviewed: 01/15/92, 03/17/04, 01/18/06, 10/17/07, 03/19/14
Revised: 01/19/00, 12/19/01, 02/17/16, 04/16/18
Repealed: 06/17/20
Adopted: 06/17/20

Instruction on Child Development and Parenting Skills

Instruction regarding child development and parenting skills may be offered by the District. The curriculum will include instruction on the consequences and prevention of shaken baby syndrome, which may include the viewing of a video presentation for students in secondary schools.

Education Law §§ 409, 409-a, 807, 807-a, and 906

8 NYCRR Part 136 and § 141.10

AIDS Instruction:

8 NYCRR §§ 135.3(b)(2) and 135.3(c)(2)

Cardiopulmonary Resuscitation and Automated External Defibrillators:

Education Law §§ 804-C and 804-D; 8 NYCRR § 100.2(c)(11)

Civil Preparedness:

New York State Office of Disaster Preparedness

Fire and Arson/Injury Prevention/Life Safety:

Education Law § 808

8 NYCRR § 100.2(c)(6)

Prevention of Child Abduction:

Education Law § 803-a

Student Safety:

Education Law § 808

8 NYCRR §§ 107 and 155

Instruction on Child Development and Parenting Skills

Education Law § 804-B

Adopted: 07/15/87

Reviewed: 01/15/92, 03/17/04, 01/18/06, 10/17/07, 03/19/14

Revised: 01/19/00, 12/19/01, 02/17/16, 04/16/18

Repealed: 06/17/20

Adopted: 06/17/20

Kindergarten Entry Age

It is the policy of the Chenango Valley Central School District that children who are five years of age or older on December 1st of the school year they are eligible to begin in Kindergarten.

Prevention of Unlawful Possession, Unlawful Manufacture,
Use or Distribution of Illicit Drugs and Alcohol by Students and Employees

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

The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226 requires that as a condition for receiving funds or any other form of financial assistance under any federal program, the district must certify that it has adopted and implemented a program to prevent the unlawful possession, unlawful manufacture, use or distribution of illicit drugs and alcohol by students and employees. The purpose of this policy is to comply with the requirements of the relevant federal statutes and regulations.

Definitions

'Illicit drugs and alcohol' shall be construed throughout this policy to refer to the use of all substances including but not limited to alcohol, tobacco, inhalants, marijuana, cocaine and its derivatives (i.e., crack), LSD, PCP, amphetamines, heroin, steroids, 'look alikes,' any of those substances commonly referred to as counterfeit and 'designer drugs,' and any drug or substance that the manufacture, possession or distribution can result in criminal consequences. The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

'Unlawful possession, use or distribution of illicit drugs on school premises or as a part of any school activity' includes the use, possession, sale or gift of any drug or controlled substance including marijuana or any instruments for the use of such drugs, controlled substance or marijuana such as a pipe, syringe or other paraphernalia while on school premises (including buildings or grounds) or on a bus going to or from a school function or at a school-sponsored function. An exception is any drug taken in accordance with a current prescription signed by a physician that is to be taken by that particular person as permitted by the school nurse.

'Possession, use or distribution of alcohol on school premises includes being under the influence of an alcoholic beverage, drinking an alcoholic beverage or being in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine, beer, hard cider, and any substance containing alcohol.

Drug Prevention Program for Employees

The program is hereby adopted for all employees of the Chenango Valley Central School District. The following Standards of Conduct, consequences and procedures apply to all employees of the district:

- (a) The unlawful possession, unlawful manufacture, use or distribution of illicit drugs as well as the possession, unlawful manufacture, use or distribution of alcohol on school premises or as a part of any of the activities of the school is prohibited.
- (b) Any employee who violates the Standards of Conduct set forth in this notice is subject to disciplinary sanctions. Disciplinary sanctions in accordance with statutes of the State of New York up to and including termination of employment and referral for prosecution will be imposed on employees who violate the Standards of Conduct set forth in (a). Such disciplinary sanctions shall be imposed in accordance with the statutes of the State of New York and, if applicable, the labor contract pertaining to the bargaining unit in which the employee functions. As a condition of employment, the employee will abide by the terms of this statement and notify the employer in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction.
- (c) Information about any drug and alcohol counseling, rehabilitation and re-entry programs that are available to employees will be available upon request from a District.
- (d) Employees shall be sent a copy of the attached notice. This notice contains the Standards of Conduct set forth in (a) a statement of disciplinary sanctions as well as the programs available in the community.
- (e) Distribution to the employees of the attached notice is mandatory. The Superintendent is hereby directed to adopt a procedure to give notice to each present employee and each employee hired in the future. A record shall be kept that such notice was given.
- (f) The Board shall periodically conduct a review of this program with the Superintendent to:
 - (i) Determine the effectiveness of the program and implement changes if they are needed; and
 - (ii) Ensure that the disciplinary sanctions for violation of the Standards of Conduct are consistently enforced.
- (g) Inservice programs to familiarize the professional staff with the provisions and purposes of the discipline policy and procedures shall be conducted periodically in each school of the district by the building principal.

Drug Prevention Program for Students

- (a) Age appropriate developmentally based drug and alcohol education and prevention programs address the legal, social and health consequences of drug and alcohol abuse and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. These programs are for all students in all grades, kindergarten through twelve.
- (b) Students will be informed that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.
- (c) Standards of Conduct are hereby adopted which clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students on school premises or as part of any of the school's activities.
- (d) Disciplinary sanctions up to and including expulsion as well as referral for prosecution will be imposed on students who violate the Standards of Conduct.
- (e) Information about any drug and alcohol counseling, rehabilitation and re-entry programs that are available to students will be given to students and parents upon request.

The Standards of Conduct set forth in (c), the statement of disciplinary sanctions described in (d), and the programs available described in (e) are set forth in the 'Notice to Students and Parents – Standards of Conduct Regarding Illicit Drugs and Alcohol,' which follows this policy. Such notice shall be given annually to each student and to the parents of such student and, if appropriate, to the person with whom the student resides.

The Board shall periodically (minimum of at least once every three years) conduct a review of this program with the Superintendent, administration and staff to:

- (i) Determine the effectiveness of the program and implement changes if needed; and
- (ii) Ensure that the disciplinary sanctions are consistently enforced.

Notice to Students and Parents

The unlawful possession, unlawful manufacture, use or distribution of illicit drugs and the possession, unlawful manufacture, use or distribution of alcohol by students on school premises or as part of any of the activities of the school district is prohibited.

The range of penalties, which may be imposed for a violation of the Standards of Conduct, is as follows:

Verbal warning; written warning; written notification to parent; counseling; probation; reprimand; detention; suspension from transportation; suspension from athletic participation; suspension from social or extracurricular activities; suspension from other privileges; exclusion from a particular class; in-school suspension; involuntary transfer; suspension or expulsion as well as referral for prosecution or other appropriate action.

The type and extent of punishment shall be determined by the building principal or Superintendent and/or present Student Disciplinary Code. Such disciplinary measures shall be appropriate to the seriousness of the offense and where applicable to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in accordance with Education Law §3214(3).

The school district administrative employees may conduct searches of the person or property of any student where there are reasonable grounds for suspecting that the search will provide evidence that the student has violated or is violating the law or the rules of the school. A search may be conducted for the presence of drugs or alcohol or other contraband where there is reasonable suspicion that such drugs, alcohol or contraband are present on the person, property in the locker or on the premises of the school district. Parents will be notified of the search. If the search is positive, authorities will be called immediately. Upon return to school the student will be counseled by the Counselor/Social Worker and informed of available community assistance. (Refer to drug and alcohol counseling, rehabilitation and re-entry programs as listed as part of the notice to employees).

This notice is given in conjunction with the Student Code of Conduct which has been previously adopted by the Board of Education. The code prohibits among other things the following:

The use, possession, sale or gift of any drug or controlled substance including marijuana or any instruments for the use of such drugs, controlled substance or marijuana such as a pipe, syringe or other paraphernalia while on school premises (including buildings or grounds) or on a bus going to or from a school function or school-sponsored function. An exception is any drug taken in accordance with a current prescription signed by a physician that is to be taken by that particular person as administered by the school nurse. Being under the influence of an alcoholic beverage, drinking an alcoholic beverage or being in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine beer and cider having alcoholic content.

The Standards of Conduct set forth in this notice shall be considered part of the Student Code of Conduct and these standards shall be construed in harmony with each other.

Student Immunizations

Every student entering or attending a District school must present proof of immunization or proof of immunity by serology (blood test) if applicable unless a New York State licensed physician certifies that the immunization is detrimental to the student's health. The requirement for that immunization is waived until the immunization is no longer detrimental to the student's health.

Except for this exemption, the District may not permit a student lacking evidence of immunization to remain in school for more than 14 days, or more than 30 days for an out-of-state or out-of-country transferee who can show a good faith effort to get the necessary certification or other evidence of immunization.

The administration will notify the local health authority of the name and address of the excluded students and provide the parent or person in parental relation a statement of his or her duty regarding immunization as well as a consent form prescribed by the Commissioner of Health. The school will cooperate with the local health authorities to provide a time and place for the immunization of these students.

For homeless children, the enrolling school must immediately refer the parent or guardian of the student to the Homeless Liaison, who must assist them in obtaining the necessary immunizations, or immunization or medical records.

The District will provide an annual summary of compliance with immunization requirements to the Commissioner of Health.

All schools will also post educational information on influenza and the benefits of influenza immunization which will be in plain view and available to parents.

Education Law §§ 310 and 914
Public Health Law §§ 613 and 2164
8 NYCRR §§ 100.2 and 136.3
10 NYCRR Subpart 66-1

2023-24 School Year

New York State Immunization Requirements for School Entrance/Attendance¹

NOTES:
All children must be age-appropriately immunized to attend school in NYS. The number of doses depends on the schedule recommended by the Advisory Committee on Immunization Practices (ACIP). Intervals between doses of vaccine must be in accordance with the [“ACIP-Recommended Child and Adolescent Immunization Schedule.”](#) Doses received before the minimum age or intervals are not valid and do not count toward the number of doses listed below. See footnotes for specific information for each vaccine. Children who are enrolling in grade-less classes must meet the immunization requirements of the grades for which they are age equivalent.

Dose requirements MUST be read with the footnotes of this schedule

Vaccines	Pre-Kindergarten (Day Care, Head Start, Nursery or Pre-K)	Kindergarten and Grades 1, 2, 3, 4 and 5	Grades 6, 7, 8, 9, 10 and 11	Grade 12
Diphtheria and Tetanus toxoid-containing vaccine and Pertussis vaccine (DTaP/DTP/Tdap/Td)²	4 doses	5 doses or 4 doses if the 4th dose was received at 4 years or older or 3 doses if 7 years or older and the series was started at 1 year or older	3 doses	
Tetanus and Diphtheria toxoid-containing vaccine and Pertussis vaccine adolescent booster (Tdap)³	Not applicable		1 dose	
Polio vaccine (IPV/OPV)⁴	3 doses	4 doses or 3 doses if the 3rd dose was received at 4 years or older		
Measles, Mumps and Rubella vaccine (MMR)⁵	1 dose	2 doses		
Hepatitis B vaccine⁶	3 doses	3 doses or 2 doses of adult hepatitis B vaccine (Recombivax) for children who received the doses at least 4 months apart between the ages of 11 through 15 years		
Varicella (Chickenpox) vaccine⁷	1 dose	2 doses		
Meningococcal conjugate vaccine (MenACWY)⁸	Not applicable		Grades 7, 8, 9, 10 and 11: 1 dose	2 doses or 1 dose if the dose was received at 16 years or older
Haemophilus influenzae type b conjugate vaccine (Hib)⁹	1 to 4 doses	Not applicable		
Pneumococcal Conjugate vaccine (PCV)¹⁰	1 to 4 doses	Not applicable		

1. Demonstrated serologic evidence of measles, mumps or rubella antibodies or laboratory confirmation of these diseases is acceptable proof of immunity to these diseases. Serologic tests for polio are acceptable proof of immunity only if the test was performed before September 1, 2019, and all three serotypes were positive. A positive blood test for hepatitis B surface antibody is acceptable proof of immunity to hepatitis B. Demonstrated serologic evidence of varicella antibodies, laboratory confirmation of varicella disease or diagnosis by a physician, physician assistant or nurse practitioner that a child has had varicella disease is acceptable proof of immunity to varicella.
2. Diphtheria and tetanus toxoids and acellular pertussis (DTaP) vaccine. (Minimum age: 6 weeks)
 - a. Children starting the series on time should receive a 5-dose series of DTaP vaccine at 2 months, 4 months, 6 months and at 15 through 18 months and at 4 years or older. The fourth dose may be received as early as age 12 months, provided at least 6 months have elapsed since the third dose. However, the fourth dose of DTaP need not be repeated if it was administered at least 4 months after the third dose of DTaP. The final dose in the series must be received on or after the fourth birthday and at least 6 months after the previous dose.
 - b. If the fourth dose of DTaP was administered at 4 years or older, and at least 6 months after dose 3, the fifth (booster) dose of DTaP vaccine is not required.
 - c. Children 7 years and older who are not fully immunized with the childhood DTaP vaccine series should receive Tdap vaccine as the first dose in the catch-up series; if additional doses are needed, use Td or Tdap vaccine. If the first dose was received before their first birthday, then 4 doses are required, as long as the final dose was received at 4 years or older. If the first dose was received on or after the first birthday, then 3 doses are required, as long as the final dose was received at 4 years or older.
3. Tetanus and diphtheria toxoids and acellular pertussis (Tdap) adolescent booster vaccine. (Minimum age for grades 6 through 9: 10 years; minimum age for grades 10, 11, and 12: 7 years)
 - a. Students 11 years or older entering grades 6 through 12 are required to have one dose of Tdap.
 - b. In addition to the grade 6 through 12 requirement, Tdap may also be given as part of the catch-up series for students 7 years of age and older who are not fully immunized with the childhood DTaP series, as described above. In school year 2023-2024, only doses of Tdap given at age 10 years or older will satisfy the Tdap requirement for students in grades 6 through 9; however, doses of Tdap given at age 7 years or older will satisfy the requirement for students in grades 10, 11, and 12.
 - c. Students who are 10 years old in grade 6 and who have not yet received a Tdap vaccine are in compliance until they turn 11 years old.
4. Inactivated polio vaccine (IPV) or oral polio vaccine (OPV). (Minimum age: 6 weeks)
 - a. Children starting the series on time should receive a series of IPV at 2 months, 4 months and at 6 through 18 months, and at 4 years or older. The final dose in the series must be received on or after the fourth birthday and at least 6 months after the previous dose.
 - b. For students who received their fourth dose before age 4 and prior to August 7, 2010, 4 doses separated by at least 4 weeks is sufficient.
 - c. If the third dose of polio vaccine was received at 4 years or older and at least 6 months after the previous dose, the fourth dose of polio vaccine is not required.
 - d. For children with a record of OPV, only trivalent OPV (tOPV) counts toward NYS school polio vaccine requirements. Doses of OPV given before April 1, 2016, should be counted unless specifically noted as monovalent, bivalent or as given during a poliovirus immunization campaign. Doses of OPV given on or after April 1, 2016, must not be counted.
5. Measles, mumps, and rubella (MMR) vaccine. (Minimum age: 12 months)
 - a. The first dose of MMR vaccine must have been received on or after the first birthday. The second dose must have been received at least 28 days (4 weeks) after the first dose to be considered valid.
 - b. Measles: One dose is required for prekindergarten. Two doses are required for grades kindergarten through 12.
 - c. Mumps: One dose is required for prekindergarten. Two doses are required for grades kindergarten through 12.
 - d. Rubella: At least one dose is required for all grades (prekindergarten through 12).
6. Hepatitis B vaccine
 - a. Dose 1 may be given at birth or anytime thereafter. Dose 2 must be given at least 4 weeks (28 days) after dose 1. Dose 3 must be at least 8 weeks after dose 2 AND at least 16 weeks after dose 1 AND no earlier than age 24 weeks (when 4 doses are given, substitute “dose 4” for “dose 3” in these calculations).
 - b. Two doses of adult hepatitis B vaccine (Recombivax) received at least 4 months apart at age 11 through 15 years will meet the requirement.
7. Varicella (chickenpox) vaccine. (Minimum age: 12 months)
 - a. The first dose of varicella vaccine must have been received on or after the first birthday. The second dose must have been received at least 28 days (4 weeks) after the first dose to be considered valid.
 - b. For children younger than 13 years, the recommended minimum interval between doses is 3 months (if the second dose was administered at least 4 weeks after the first dose, it can be accepted as valid); for persons 13 years and older, the minimum interval between doses is 4 weeks.
8. Meningococcal conjugate ACWY vaccine (MenACWY). (Minimum age for grades 7 through 10: 10 years; minimum age for grades 11 and 12: 6 weeks)
 - a. One dose of meningococcal conjugate vaccine (Menactra, Menveo or MenQuadfi) is required for students entering grades 7, 8, 9, 10 and 11.
 - b. For students in grade 12, if the first dose of meningococcal conjugate vaccine was received at 16 years or older, the second (booster) dose is not required.
 - c. The second dose must have been received at 16 years or older. The minimum interval between doses is 8 weeks.
9. Haemophilus influenzae type b (Hib) conjugate vaccine. (Minimum age: 6 weeks)
 - a. Children starting the series on time should receive Hib vaccine at 2 months, 4 months, 6 months and at 12 through 15 months. Children older than 15 months must get caught up according to the ACIP catch-up schedule. The final dose must be received on or after 12 months.
 - b. If 2 doses of vaccine were received before age 12 months, only 3 doses are required with dose 3 at 12 through 15 months and at least 8 weeks after dose 2.
 - c. If dose 1 was received at age 12 through 14 months, only 2 doses are required with dose 2 at least 8 weeks after dose 1.
 - d. If dose 1 was received at 15 months or older, only 1 dose is required.
 - e. Hib vaccine is not required for children 5 years or older.
 - f. [For further information, refer to the CDC Catch-Up Guidance for Healthy Children 4 Months through 4 Years of Age.](#)
10. Pneumococcal conjugate vaccine (PCV). (Minimum age: 6 weeks)
 - a. Children starting the series on time should receive PCV vaccine at 2 months, 4 months, 6 months and at 12 through 15 months. Children older than 15 months must get caught up according to the ACIP catch-up schedule. The final dose must be received on or after 12 months.
 - b. Unvaccinated children ages 7 through 11 months are required to receive 2 doses, at least 4 weeks apart, followed by a third dose at 12 through 15 months.
 - c. Unvaccinated children ages 12 through 23 months are required to receive 2 doses of vaccine at least 8 weeks apart.
 - d. If one dose of vaccine was received at 24 months or older, no further doses are required.
 - e. PCV is not required for children 5 years or older.
 - f. [For further information, refer to the CDC Catch-Up Guidance for Healthy Children 4 Months through 4 Years of Age.](#)

For further information, contact:

**New York State Department of Health
Bureau of Immunization
Room 649, Corning Tower ESP
Albany, NY 12237
(518) 473-4437**

**New York City Department of Health and Mental Hygiene
Program Support Unit, Bureau of Immunization,
42-09 28th Street, 5th floor
Long Island City, NY 11101
(347) 396-2433**

New York State Department of Health/Bureau of Immunization
health.ny.gov/immunization

Weapon or Firearm Possession

It is the policy of the Chenango Valley Central School District that students shall not bring a weapon or firearm or possess a weapon or firearm on district property, on a district bus or vehicle, in district buildings, or at district sponsored activities or settings under the control or supervision of the district regardless of location. Additionally, no adult (as outlined by the law) shall bring a weapon or firearm or possess a weapon or firearms on district property, on a district bus or vehicle, in district buildings, or at district sponsored activities or settings under the control or supervision of the district regardless of location.

For purposes of this policy, the term “firearm” will be as defined in 18 U.S.C. 921(a).

For the purposes of this policy, the term "weapon" will be as defined in 18 U.S.C. 930(g)(2).

Violation of this policy by a student will result in a disciplinary hearing pursuant to Education Law Section 3214. The penalty for violation of this policy by a student is an expulsion for not less than one year. The Superintendent may modify this penalty on a case-by-case basis taking into consideration the totality of circumstances surrounding the offense and the student’s previous record. Appropriate alternative instruction as required by New York Law must be provided to a student during the period of his or her suspension.

For students who are classified disabled under the Individuals with Disabilities Education Act (IDEA) and Part 200 of the Commissioner’s Regulations, a suspension for more than ten days constitutes a change of placement. If a violation of this policy involves a student with a disability, the district is required to adhere to not only Education Law Section 3214, but also Commissioner’s Part 200 Regulation, federal law and regulations, and the district’s policy and procedures regarding pupils with disabilities prior to invoking a penalty of more than ten days for such student.

The Superintendent shall refer a student under the age of sixteen who has been determined to have violated this policy to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act. The Superintendent shall refer any pupil sixteen years of age or older who has been determined to have violated this policy to the appropriate law enforcement officials.

School districts receiving funding assistance from the state that is derived from funds made available under the Elementary and Secondary Education Act must provide in their application for assistance: (1) An assurance that the district has the required firearms policy in effect, and (2) A description of the circumstances surrounding any expulsions imposed under this policy, including the name of the school concerned, the numbers of students expelled from the school and the types of weapon involved.

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT
SECTION IV – Policy No. 16 – Weapon or Firearm Possession (CV policy)

Legal review: Jan. 2016, May 2020

Adopted: 06/20/94

Reviewed: 03/20/02, 03/17/04, 01/16/08, 06/22/22

Revised: 04/12/00, 04/19/06, 04/23/14, 03/16/16, 05/16/18, 07/07/20

This policy complies with the requirements of the Gun-Free Schools Act, and the Commissioner’s Decisions which have found automatic suspension penalties contrary to New York Law. (See, Appeal of Nathaniel D., 32 Ed. Dept. Rep. 67 – permanent suspension of a student is an “extreme penalty, which is generally educationally unsound except under the most extraordinary circumstances.”) (Appeal of Troy R., 29 Ed. Dept. Rep. 424 – District must examine the circumstances surrounding an incident prior to imposing a long-term suspension from school, and declaring mandatory suspension policies in violation of 8 NYCRR 100.2(1)(1)(vi) and 8 NYCRR 100.2).

Student Transportation for School Sponsored Activities

It is the policy of the Chenango Valley Central School District to provide round trip transportation for students engaged in school activities that are conducted away from Chenango Valley. The transportation services provided both originate and terminate at a designated Chenango Valley Central School District building.

As part of the educational process, it is expected and encouraged that students engaged in such activities will travel to and from these events as a group while under the direct supervision of a designated Chenango Valley staff member. Under extenuating circumstances the supervising staff member may permit a student having prior written permission to be driven by a parent or guardian, or drive him or herself to and from any and all school-sponsored activities, events or clubs held away from Chenango Valley but must have approval by the appropriate administrator (i.e. Building Principal, Athletic Director, and/or designee).

It is a frequent occurrence that parents, guardians, family members and neighbors attend such school activities as spectators and wish to provide transportation for the student. Arrangements for transportation alternatives for the student must be arranged to the satisfaction of the appropriate supervisor or designee and the parent or guardian. Any such permission must be in writing. A parent/guardian signature would constitute adequate permission. Under extenuating circumstances and upon approval of Superintendent or designee, some school-sponsored activities, events or clubs may not have student transportation provided.

Computer Usage and Internet Safety

The Chenango Valley Board of Education believes that technology has become a fundamental tool whereby students can learn to obtain information, solve problems and communicate. Access to this technology should be available to all, enabling each student to become a lifelong learner and productive member of our global society.

The Professional Development Team will work closely with the Superintendent or his designee to coordinate inservice programs for the training and development of district staff in computer skills and incorporate computer use in the curriculum. Use of the computer network as an integral part of the curriculum, and not merely as a minor instructional resource or reward for completed class work, will be encouraged. Through software applications, online databases, and electronic mail, the network will significantly enhance educational experiences and provide statewide, national and global communications opportunities for faculty, support staff, students.

The Superintendent and administrative staff will be responsible for governing the use, supervision and security of the district's network in compliance with the following Computer Use Guidelines.

Chenango Valley Central School District Computer Use Guidelines

Access to the district's computer system is a privilege. Any misuse or violation of the terms set forth below could result in the loss of one's account.

The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided so that users are aware of the responsibilities. If a Chenango Valley Central School District user violates any of these provisions, his or her account may be terminated and future access could be denied.

A staff account will be established for each user who requests access to the district's computer system only after completing the attached form. This account will be nontransferable and be used only in the support of education and research. This account may include access to electronic mail, online services, and the internet. It may also include the opportunity for staff to have independent access to the District Computer System (DCS) from their home or other remote locations, and/or to access the DCS from their personal devices. All use of the DCS and the wireless network, including independent use off school premises and use on personal devices, will be subject to this policy and any accompanying regulations.

With access to computers and people all over the world also comes the availability of some materials that may not be considered to be of educational value within the content of the school setting. Chenango Valley Central School District has taken available precautions, including the use of filtering software, to restrict access to inappropriate materials. While this filtering software is being constantly updated, no technology tool can take the place of appropriate supervision of student online activities by responsible adults. On a global network, it is impossible to control all materials and an industrious user may discover controversial information. Chenango Valley Central School District firmly believes that the valuable information and interaction available on this network far outweigh the possibilities that users may procure material that is not consistent with the educational goals of this district. It shall be the responsibility of all members of the CVCS D staff to supervise and monitor access to the internet in accordance with this policy and the Children's Internet Protection Act. Furthermore, students will receive education about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyber bullying awareness and response.

Acceptable Use: Any use of your account must be in support of education and research and consistent with the educational objectives of CVCS D. Unauthorized access, including "hacking" and other unlawful activities are not allowed. Transmission of any materials in violation of any US or state law is prohibited.

This includes, but is not limited to: copyrighted material, threatening or obscene material, material which promotes violence or hatred against particular individuals or groups of individuals, material which advocates the destruction of property, or material protected by trade secret. Use for commercial activities by non-profit institutions is generally not acceptable. Use for product advertisement is also prohibited.

Privileges: Procedures for disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent or his designee. They will determine what appropriate use is, take appropriate action and determine consequences, including, but not limited to, revoking a user's account. The administration, faculty, and staff of CVCSD may request the system administrator to deny, revoke, or suspend specific user accounts.

Network Etiquette: Applicants are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

- * Be polite. The use of abusive or objectionable language in either public or private messages is not permissible. Do not swear or use profanity. Electronic bullying or harassment will not be tolerated.
- * Never reveal your personal information such as your last name, personal address, or phone number, or those of any other student or colleague.
- * Do not use the network in such a way that it could disrupt the use of the network by others. This includes sending "chain letters", "broadcast" messages, and "junk mail" to lists or individuals and any message that is likely to result in the loss of a recipient's work or systems.
- * Do not access, upload, download or distribute pornographic, obscene, or sexually explicit material.
- * Do not share your password with others or use anyone else's login information.

Privacy: Users should not expect that files, including e-mail records, stored on district servers will be private. System administrators may review files and communications. Messages relating to, or in support of, illegal activities may be reported to the authorities.

Responsibility: CVCSD will not be held responsible for any damages you may suffer. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by negligence, or user errors or omissions. Use of any information obtained via the Internet is at your own risk. CVCSD denies any responsibility for the accuracy or quality of information obtained.

Security: Security on any computer system is a high priority. If you feel you can identify a security problem, please notify the Superintendent or his designee. Do not use another individual's account, forge messages or post anonymous messages. Attempts to log-in to the system as any other user may result in the cancellation of your account. Attempts to log-in as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the district's system. Users will not load any software or download any files (e.g., MP3's) to the district network unless authorized by the technology department. Always log-off when you leave a computer (all activity involving your account is your responsibility).

Vandalism: Any form of vandalism or theft will result in cancellation of privileges. This includes, but is not limited to, contamination, deletion, or reconfiguration of data or degradation of system performance in any way.

Plagiarism: Plagiarism is taking ideas and/or words of someone else and claiming them. Rules for properly crediting research sources apply for the internet and other online computer networks. Violations of plagiarism could result in the cancellation of computer privileges.

**Chenango Valley Central School District
Computer Usage Sign-off**

FACULTY OR STAFF

I have read the Computer Useage and Internet Safety Policy and I understand and will abide by the Computer Use Guidelines. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense and/or result in disciplinary action. Should I commit any violation, my access privileges may be revoked and school disciplinary action and/or appropriate legal action may be taken.

Name (print): _____

Signature: _____

Date: _____

Building: _____

Title: _____

Office Use:

Username _____ Ipad (MS/HS Teacher Aide & Teachers) _____

Password _____ IT Help Desk _____

Email Group _____ SNAP (teachers only) _____

SchoolTool _____ FM _____ SchoolDude (Pat) _____

Packet-Network _____

Title IX – Non-Discrimination on the Basis of Sex in Educational Programs & Activities

Overview, Scope and Application of Policy

It is the policy of the Chenango Valley Central School District to comply with the requirements of Title IX of the Education Amendments of 1972, as amended, and its implementing regulations (Title IX). Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a district that receives federal financial assistance. As required by Title IX, the District does not discriminate on the basis of sex in its education programs and activities or when making employment decisions.

This policy is designed to address complaints of sex discrimination occurring against a person in the United States that fall within the scope of Title IX only, and applies to any individual participating in or attempting to participate in the District's education programs or activities including students and employees.

Title IX has a specific definition of sexual harassment that differs from similar definitions in other anti-discrimination statutes and regulations. Accordingly, this Policy is just one component of the District's overall effort to provide for the prompt and equitable resolution of complaints of sex discrimination, including sexual harassment. Other District policies and documents that address sex-based misconduct may have different definitions, standards of review and grievance procedures. These additional documents must be read in conjunction with this Policy, as they may provide additional and/or different rights and remedies for certain forms of sex-based misconduct not covered by Title IX.

In order to promote familiarity with issues pertaining to discrimination and harassment in the schools, and to help reduce incidents of prohibited conduct, the District provides mandatory Title IX training to all District faculty and staff, as well as additional training to Title IX Coordinators, investigators and decision-makers regarding the impartial administration of this Policy and associated grievance process. All Title IX training materials will be published on the District's website.

Copies of this Policy will be available upon request and will be published on the District's website and in appropriate locations and/or school publications. Inquiries about this Policy or the application of Title IX may be directed to the District's Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

What Constitutes Sex Discrimination under Title IX

Title IX prohibits various types of sex discrimination including, but not limited to: sexual harassment; the failure to provide equal athletic opportunity; sex-based discrimination in a District's science, technology, engineering, and math (STEM) courses and programs; and discrimination based on pregnancy.

Under Title IX, sexual harassment includes conduct on the basis of sex that satisfies one or more of the following:

- a) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;

- b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- c) Any conduct that meets the statutory definition of “sexual assault” (20 U.S.C. § 1092 (f) (6) (A) (v)), “dating violence” (34 U.S.C. § 12291 (a) (10)), “domestic violence” (34 U.S.C. § 12291 (a) (8)), or “stalking” (34 U.S.C. § 12291 (a) (30)).

Title IX Coordinator

The District has designated and authorized the Assistant Superintendent and Director of Pupil Services to serve as its Title IX Coordinators, who will coordinate the District's efforts to comply with its responsibilities under Title IX. However, the responsibilities of the Title IX Coordinators may be delegated to other personnel. Where appropriate, the Title IX Coordinators may seek the assistance of the Dignity Act Coordinator(s) (DAC(s)) in investigating, responding to, and remedying complaints of sex discrimination, including sexual harassment.

Prior to the beginning of each school year, the District shall issue an appropriate written notification which advises students, parents/legal guardians, employees, labor unions and other relevant individuals of this Policy. Included in such notification will be the name, title, office address, telephone number and email address of the Title IX Coordinators, which contact information will also be prominently displayed on the District's website. Such information will also be made available to all applicants for employment with the District.

Reporting Allegations of Sex Discrimination

Any person who believes that he/she has been subjected to any type of discrimination or harassment, or is not the alleged victim, but has knowledge of an occurrence of discrimination or harassment, should report it to his/her immediate supervisor, the building principal or other individual in charge of his/her building, the District Compliance Officer (DCO) or the Title IX Coordinator(s). Reports may be made in person, by using the contact information for the Title IX Coordinator/DCO, or by any other means that results in the Title IX Coordinator/DCO receiving the person's oral or written report.

Depending on the nature of the allegations, the Title IX Coordinator(s) and/or the DCO will coordinate the District's investigation into the allegations of discrimination/harassment. If the Title IX Coordinator/DCO is the individual suspected of engaging in discrimination or harassment, the complaint will be directed to another Title IX Coordinator/DCO if the District has designated an additional individual to serve in such capacity, or to the Superintendent.

Reporting discrimination and harassment is everyone's responsibility. All District employees who witness or receive an oral or written report of sex discrimination must immediately inform the Title IX Coordinator. Failure to immediately inform the Title IX Coordinator may subject the employee to discipline up to and including termination.

Grievance Process for Complaints of Sex Discrimination Other than Title IX Sexual Harassment

The District will provide for the prompt and equitable resolution of reports of sex discrimination other than Title IX sexual harassment. In responding to these reports, the Title IX Coordinator and/or DCO will utilize the grievance process set forth in Section III, Policy No. 12 of the District Policy Manual, and/or any other applicable District policy, procedure, regulation, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

Grievance Process for Formal Complaints of Title IX Sexual Harassment

The District will respond to allegations of Title IX sexual harassment in a manner that is reasonable in light of the known circumstances whenever it has actual knowledge of sexual harassment in an education program or activity of the District. For purposes of reports and formal complaints of sexual harassment under Title IX, the term “education program or activity” includes locations, events, or circumstances over which the District exercises substantial control over both the respondent(s) and the context in which the sexual harassment occurred.

Except where disclosure may be permitted or required by law or regulation, the District will keep confidential the identity of: (1) any individual who has made a report or complaint of sex discrimination; (2) any individual who has made a report or filed a formal complaint of sexual harassment; (3) the complainant(s); (4) any individual who has been reported to be the perpetrator of sex discrimination; (5) the respondent(s); and (6) any witnesses to the alleged acts.

After a Report of Title IX Sexual Harassment Has Been Made

Any individual who believes that he/she has been subjected to discrimination or harassment or who is made aware of and/or witnesses any possible occurrence of discrimination or harassment shall report such incident or occurrence as soon as possible after the alleged incident occurs in order to help the District effectively and promptly investigate and resolve the complaint. Victims and/or witnesses should attempt to provide as much detail as possible when making such reports.

Note: Making a report of sexual harassment is not the same as filing a formal complaint of sexual harassment. A formal complaint is a document either filed by a complainant or a parent or legal guardian who has a right to act on behalf of the complainant or signed by the Title IX Coordinator which alleges sexual harassment against a respondent and requests that the District investigate the allegations. While the District must respond to all reports it receives of sexual harassment, the Title IX grievance process is only initiated with the filing of a formal complaint.

Whenever a report of Title IX sexual harassment is made, the Title IX Coordinator shall promptly contact the person alleged to be the victim of the harassment and offer supportive measures. The Title IX Coordinator shall consider the alleged victim's wishes with respect to supportive measures, inform the alleged victim of the availability of supportive measures with or without the filing of a formal Title IX complaint and explain to the alleged victim the process for filing a formal complaint. For purposes of this Policy, “supportive measures” means individualized services reasonably available that are non-punitive,

non-disciplinary, and not unreasonably burdensome to the other party, which are designed to ensure equal educational access, protect safety, or deter sexual harassment.

Emergency Removal and Administrative Leave

At any point after receiving a report or formal complaint of sexual harassment, the District may immediately remove a respondent from the District's education program or activity on an emergency basis, provided that the District: (a) Undertakes an individualized safety and risk analysis; (b) Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and (c) Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. The District should coordinate their Title IX compliance efforts with special education staff when initiating an emergency removal of a student with a disability from an education program or activity.

The District may place an employee respondent on administrative leave with or without pay during the pendency of the grievance process in accordance with applicable laws, regulations, District policy, procedure, collective bargaining agreements, or other documents, such as the District's *Code of Conduct*.

Filing and District's Receipt of a Formal Title IX Complaint

A complainant may file a formal complaint with the Title IX Coordinator in person or by mail, email, or other method made available by the District. Only the filing of a formal complaint initiates the grievance process. A formal complaint must be signed and filed by the complainant, the complainant's parent or legal guardian, or the Title IX Coordinator. Where a parent or legal guardian signs the complaint, the parent or legal guardian does not become the complainant; rather the parent or legal guardian acts on behalf of the complainant. The Title IX Coordinator may sign the formal complaint, but his or her signature does not make him or her a complainant or a party to the complaint. The complainant, or the complainant's parent or legal guardian, must physically or digitally sign the formal complaint, or otherwise indicate that the complainant is the person filing the formal complaint. The formal complaint form may be obtained from the District's Title IX Coordinator or found on the District's website.

Within 3 business days of receiving a formal complaint, the Title IX Coordinator will notify the complainant, in writing, that his/her complaint has been received. Additionally, the Title IX Coordinator must provide to all complainants and respondents a written notice containing the following information:

1. A copy of this grievance procedure, and references to any other applicable District policy, procedure, collective bargaining agreement or other document that prohibits knowingly making false statements or submitting false information during the grievance process;
2. The allegations of sexual harassment made in the complaint including, if known, the identities of the parties involved, the conduct allegedly constituting sexual harassment, and the date(s) and location(s) of the alleged conduct;
3. A statement that the parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations in the complaint;
4. A statement that the accused is presumed not responsible and that a determination of responsibility will be made at the conclusion of the investigative process;
5. A statement that the parties may select an advisor of their choice, who may or may not be an attorney.

The District **must** dismiss a formal Title IX complaint if:

1. The complaint does not establish that the alleged conduct would constitute “sexual harassment”, as defined by Title IX regulations, even if proved;
2. The complaint does not establish that the conduct occurred during a District “education program or activity”, as defined by said regulations; or
3. The complaint does not establish that the conduct occurred against a person in the United States.

The District **may** dismiss a complaint or any allegations therein if at any time during the investigation:

1. A complainant notifies the Title IX Coordinator in writing that he/she would like to withdraw the complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the complaint or allegations therein.

The District shall give the parties written notice of any dismissal and the reasons therefor. Written notice of dismissal shall also include information on the parties’ right to appeal pursuant to the “Title IX Appeals Procedure” set forth in this Policy. The dismissal of a formal complaint under Title IX does not preclude action under another related District policy, procedure, collective bargaining agreement, or other document such as the District’s *Code of Conduct*.

Investigation of a Formal Title IX Complaint

The Title IX Coordinator will oversee the District’s investigation of all formal complaints. Where appropriate, the District may appoint additional employees, legal counsel or other appropriate third parties to investigate a Title IX complaint, and will additionally appoint one or more decision-makers to handle the disposition of a complaint on the merits after a formal investigation. The Title IX Coordinator may serve as an investigator, but may not serve as a decision-maker. No other person appointed as an investigator may serve as a decision-maker. All District employees/appointees handling Title IX complaints must be free from conflicts of interest or bias for or against the complainant(s) and the respondent(s).

While timelines for investigating complaints will vary depending upon the scope and complexity of the matter, it is anticipated that investigations will be completed no more than 30 business/calendar days from the District’s receipt of the complaint. The Title IX Coordinator or the individual or entity assigned to investigate the allegations in the complaint will inform the Superintendent if extenuating circumstances require more than 30 business/calendar days for the investigation to be completed. Written notification will also be provided to all parties regarding the need for additional time.

In conducting an investigation, the Title IX Coordinator or the individual or entity assigned to investigate the allegations of discrimination and/or harassment, will, as appropriate: collect and objectively review all relevant documents; interview the complainant, the respondent, and any witnesses presented by either the complainant or the accused; review relevant files and video; and collect and review other evidence as appropriate. Interviews of the complainant, the alleged victim, and the accused will be conducted separately. During the investigation, any party whose participation is invited or expected at any interview or other meeting pertinent to the investigation shall be provided with reasonable written notice of the date, time, location, participants and purpose of said interview or meeting.

Upon completion of the investigation, the Title IX Coordinator or the individual or entity assigned to investigate the allegations in the complaint will prepare and promptly provide to the parties, their advisors and the Title IX decision-maker(s) in electronic format or hard copy: (a) all evidence collected that directly relates to the allegations, and (b) a written investigative report that fairly summarizes relevant evidence. Parties will have 10 calendar days to review and respond to the evidence and investigative report, which review period may be extended upon consent of the parties or for good cause shown.

Determination of Responsibility

After receiving the investigative report, each party will have 10 business/calendar days to submit to the Title IX decision-maker(s) written questions that the party wants asked of any other party or witness, which questions must be relevant, as determined by the decision-maker(s). For all relevant questions asked, the decision-maker(s) must obtain and provide each party with the answers within 7 business/calendar days or as soon as practicable thereafter, and allow for additional, limited follow-up questions from each party, which must be submitted within 5 business/calendar days after the parties have received responses to their initial questions.

Within 30 days after the conclusion of the above-described investigative review period and subsequent question/answer period, or as soon as practicable thereafter, the Title IX decision-maker(s) shall issue a written determination of responsibility for the alleged Title IX violation. The decision-maker(s) shall find the respondent responsible for the violations alleged in the complaint if the entire administrative record proves by a preponderance of the evidence that he/she/they is/are responsible. The decision-maker(s)' written determination shall be transmitted simultaneously to all parties, and shall include instructions on how to file an administrative appeal thereof in accordance with this Policy.

Where a determination regarding responsibility for sexual harassment has been made against the respondent, remedies will be provided to a complainant and disciplinary sanctions may be imposed on a respondent. Remedies will be designed to restore or preserve equal access to the District's education program or activity. Remedies and disciplinary sanctions will be implemented in accordance with applicable laws and regulations, as well as any District policy, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

The Title IX Coordinator is responsible for the effective implementation of any remedies and/or disciplinary sanctions. The Title IX Coordinator will work with other individuals as necessary to effectively implement remedies and/or disciplinary sanctions.

Title IX Appeals Procedure

Within 30 business/calendar days of the date of the dismissal of a formal Title IX complaint, or the issuance of the decision-maker's determination of responsibility for an alleged Title IX violation, any party shall have the right to appeal to the Board of Education said determination on any of the following grounds:

1. One or more procedural irregularities affected the outcome of the matter;
2. New evidence that was not reasonably available when the determination was made has come to light that could affect the outcome of the matter;

3. The Title IX Coordinator, investigator or decision-maker had a general or specific conflict of interest or bias against the complainant or respondent that affected the outcome of the matter.

The appellant's appeal must be accompanied by a written statement challenging the determination that sets forth the ground(s) for the appeal and any arguments in support thereof. If the appeal is based upon the discovery of new evidence or an alleged conflict of interest, such evidence must be included with the appellant's written statement.

In the event that an appeal is filed, the Board of Education shall notify the other party in writing. Within 30 business/calendar days of said notification, the other party may submit a written statement setting forth arguments in opposition to the appeal.

Within 30 business/calendar days or as soon as practicable thereafter, the Board of Education shall issue a written decision describing the result of the appeal and the rationale for the result, which decision shall be provided simultaneously to both parties. The Board of Education's decision shall be based upon the entire administrative record and the parties' appellate submissions.

Prohibition of Retaliatory Behavior

The District prohibits retaliation against any individual for the purpose of interfering with his or her Title IX rights or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing under Title IX.

Charging an individual with *Code of Conduct* or other applicable violations that do not involve sex discrimination, including sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. Charging an individual with a *Code of Conduct* or other applicable violation for making a materially false statement in bad faith during a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

All complaints alleging retaliation will be handled in a manner consistent with the District's policies and procedures regarding the investigation of discrimination and harassment complaints.

Recordkeeping

For a period of seven years, the District will retain the following:

- a) Records of each sexual harassment investigation including any:
 1. Determination regarding responsibility;
 2. Audio or audiovisual recording or transcript required under law or regulation;
 3. Disciplinary sanctions imposed on the respondent; and
 4. Remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.

- b) Any appeal and its result.
- c) Any informal resolution and its result.
- d) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
- e) For each response to sexual harassment where the District had actual knowledge of sexual harassment in its education program or activity against a person in the United States, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If a District does not provide a complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

NON-DISCRIMINATION AND ANTI-HARRASSMENT IN THE SCHOOL DISTRICT
CHENANGO VALLEY CENTRAL SCHOOL DISTRICT
TITLE IX COMPLAINT FORM

Title IX of the Education Amendments Act of 1972 and its implementing regulations (Title IX) prohibit discrimination on the basis of sex in any education program or activity operated by a district that receives federal financial assistance. As required by Title IX, the District does not discriminate on the basis of sex in its education programs and activities or when making employment decisions.

The District will promptly respond to reports of sexual harassment, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections to complainants and respondents, and impose sanctions and implement remedies when warranted.

Instructions

This form is used to file a formal complaint of sexual harassment under Title IX. Under Title IX, sexual harassment includes conduct on the basis of sex that satisfies one or more of the following:

- a) An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- c) Sexual assault, dating violence, domestic violence, or stalking.

Filing a formal complaint of sexual harassment initiates the District's Title IX grievance process which involves, among other things, investigating the allegations of sexual harassment. At the beginning of the grievance process, a written notice of allegations will be sent to all known parties which describes, among other things, details of the allegations being made including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

This form must be completed and signed by either the alleged victim ("the complainant"); a parent or legal guardian who has a right to act on behalf of the complainant; or the Title IX Coordinator. It should be submitted to the Title IX Coordinator in person or by mail, email, or other method made available by the District. Filling this form out as thoroughly as possible will assist the District in providing for the prompt, thorough, and equitable resolution of all allegations. Inquiries about this form or the Title IX grievance process may be directed to the District's Title IX Coordinator(s).

The District has designated and authorized the following District employee(s) to serve as its Title IX Coordinator(s): Refer to Title IX Coordinator on website.

You may use additional sheets of paper if needed and attach any relevant materials or evidence.

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT



NON-DISCRIMINATION AND ANTI-HARRASSMENT IN THE SCHOOL DISTRICT TITLE IX COMPLAINT FORM

Information about the Complainant

(The person alleged to have experienced the sexual harassment.)

First and last name: _____

Complainant's relationship to the District:

Student Employee Other _____

Primary building or location: _____

Further details including, if applicable, grade or title: _____

Complainant's contact information:

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Information about the Respondent

(The person alleged to have perpetrated the sexual harassment.)

First and last name: _____

Respondent's relationship to the District:

Student Employee Other _____

**NON-DISCRIMINATION AND ANTI-HARRASSMENT IN THE SCHOOL DISTRICT
TITLE IX COMPLAINT FORM (CONT'D.)**

Primary building or location: _____

Further details including, if applicable, grade or title: _____

Respondent's contact information:

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Information about the Alleged Incident(s)

Describe the alleged incident(s) of sexual harassment and how it has affected you. **Include any known date(s), time(s), and place(s) of the alleged incident(s).**

Is the sexual harassment continuing? Yes No

Information about Witnesses

List the names and known contact information for any witnesses, individuals who may have information related to this formal complaint, or individuals you have discussed the alleged incident(s) with:

**NON-DISCRIMINATION AND ANTI-HARRASSMENT IN THE SCHOOL DISTRICT
TITLE IX COMPLAINT FORM (CONT'D.)**

Information about Previous Reports

Have you previously reported or provided information (verbal or written) about this or related incidents?
If yes, when and to whom did you report information to? What was the remedy, outcome, or resolution?

Information about Legal Counsel

If you have obtained legal counsel or a non-attorney advisor and would like us to work with them, please provide their name and contact information:

Information about the Person Completing this Form

Are you the complainant? Yes No

If no, fill out the following:

First and last name: _____

Relationship to the complainant:

I am the parent/legal guardian of the complainant

I am the Title IX Coordinator for the District

Other _____

**NON-DISCRIMINATION AND ANTI-HARRASSMENT IN THE SCHOOL DISTRICT
TITLE IX COMPLAINT FORM (CONT'D.)**

Your contact information:

Address: _____

Home phone: _____ Cell phone: _____ Work phone: _____

Email: _____

Filing a Formal Complaint

Have you previously met with the District's Title IX Coordinator to discuss the allegations listed in this formal complaint and supportive measures available? Yes No

If yes, indicate the first and last name the Title IX Coordinator: _____

Are you requesting that the District investigate the allegations of sexual harassment being made in this formal complaint? Yes No

Additional Information

Did you use additional sheets of paper and/or attach any relevant materials or evidence in completing this form? Yes No

If yes, please:

Indicate how many additional sheets of paper have been attached: _____

Identify all relevant materials and evidence that have been attached: _____

I certify that the facts in this formal complaint are true to the best of my knowledge, information, and belief.

First and last name: _____

Signature: _____ Date: _____

**NON-DISCRIMINATION AND ANTI-HARRASSMENT IN THE SCHOOL DISTRICT
TITLE IX COMPLAINT FORM (CONT'D.)**

For District Use Only

Formal complaint initially received on: _____

Formal complaint initially received by: _____
(name and title)

Indicate to whom and the date that this formal complaint was forwarded, if at all:

Anti-Sexual Harassment Policy for Students (Protected Class)

- The Chenango Valley Central School District (district) recognizes the harmful and insidious nature of harassment and the toll it can have on the district's students.
- The district is fully committed to maintaining an educational environment that is free from all forms of sexual harassment.
- In keeping with this commitment the district will not tolerate the sexual harassment of its students at school, school-related functions, on school grounds or on school transportation.
- The district prohibits all forms of sexual harassment, including sexual harassment by a person of the same sex and gender-based harassment that occurs in all areas of a student's educational experience.
- Any student who has experienced or witnessed any behavior which the student, in good faith, believes is sexual harassment is to report said harassment immediately to a teacher, school counselor, school nurse, school psychologist, assistant principal, principal, Assistant Superintendent (who is the Title IX Coordinator) or Superintendent. Any employee or staff of the district who has witnessed any such behavior is to report said behavior to the Title IX Coordinator.
- The district will promptly investigate all reports of sexual harassment and pursuant to the results of said investigation will take appropriate disciplinary and/or corrective action that is in accordance with applicable laws, rules, regulations and/or collective bargaining agreements.
- The district prohibits any retaliation against students who have made good-faith reports of sexual harassment and/or who have participated in any investigation of sexual harassment complaints.

Sexual Harassment

It is the district's policy to provide an educational environment that is free from all forms of sexual harassment. This policy applies to the actions of the district's staff or employees, students and any third party who may have contact with a student (such as a vendor or a visitor to a school building) while the student is at school, a school function, on school grounds or on school transportation.

No employee or staff member of the district has the authority to condition any aspect of a student's educational experience (such as grades, homework, participation in extracurricular activities, or access to school facilities) on the granting of sexual favors, on the toleration of sexual conduct or on the toleration of any other conduct prohibited by this policy. Any violations of this policy shall be treated as serious misconduct and will result in appropriate disciplinary action, which may include the termination of employment (if the violator is an employee) or suspension from school (if the violator is a student).

All of the district's staff, employees and students as well as non-employees of the district during educational contacts with the district's students or while visiting the district's premises are expected to comply with this policy.

Definition of 'Sexual Harassment'

This policy prohibits all forms of conduct such as verbal, physical or visual conduct that are unwelcome. For the purposes of this policy, sexual harassment encompasses conduct that includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature when either (1) submission to such conduct is made either explicitly or implicitly a term or condition of a student's educational experience (such as grades, homework, participation in extracurricular activities or access to school facilities); (2) submission to, or rejection of, such conduct by a student is used by a factor in decisions affecting the student's educational experience; or (3) such conduct has the purpose or effect of unreasonably interfering with a student's educational experience or creating an intimidating, hostile or offensive educational environment.

The district prohibits all forms of sexual harassment whether perpetrated by a male against a female, a female against a male, a male against a male or a female against a female. So long as the sexual harassment is sexually or gender based, it is a violation of this policy. **The district will not tolerate sexual harassment in any situation whether employee to student, student to employee or student to student.**

It is important for employees and students to avoid conduct on their part that can be construed by others as sexual harassment (e.g., telling jokes of a sexual nature or making demeaning comments about a particular gender).

Examples of Prohibited Conduct

The following are examples of sexual harassment:

- offering educational terms, privileges or benefits such as grades, homework, access to school facilities, or enrollment or participation in school-sponsored events, functions or activities in exchange for a sexual and/or romantic favor;
- making or threatening reprisals after a negative response to sexual and/or romantic advances or to other discriminatory conduct;
- making unwelcome sexual and/or romantic advances, propositions, flirtations or repeated unwelcome requests for or efforts to make social contact;
- using verbal abuse of a sexual or gender-based or other discriminatory basis such as using sexually degrading or vulgar words to describe an individual or making derogatory sexual comments, slurs, taunts, jokes, language or epithets;
- inappropriate use of email or displaying or downloading sexually suggestive or gender based images from the internet;
- asking questions about sexual conduct or sexual orientation or disclosing or spreading rumors about such information concerning yourself or others;
- leering or making sexual, derogatory, insulting, obscene or other sex-based comments or gestures;
- displaying sexually suggestive or gender based objects, pictures, posters or cartoons;

- sending sexually suggestive or obscene letters, gifts, notes or invitations;
- retaliating against a student for refusing to participate in such behavior or for complaining about such behaviors;
- sexual assault or attempted sexual assault;
- clothing with sexually obscene or explicit slogans, messages or pictures;
- unwelcome and offensive public sexual display of affection including kissing (“making out”), groping, fondling, petting, inappropriate touching of one’s self or others, sexually suggestive dancing, sexually suggestive dancing, sexually suggestive massages; and
- unwelcome, painful and/or sexually offensive physical pranks or touching of an individual’s clothing and/or body such as “hazing,” “initiations,” “streaking,” “mooning,” “snuggies,” or “wedgies” (pulling underwear up at the waist so it goes in between the buttocks), bra snapping, skirt “flip ups,” “spiking” (pulling down someone’s pants or swimming suit), pinching or placing hands inside another’s pants, shirt, blouse, dress, etc.)

The above list is illustrative only and does not exclude other conduct which also could be construed as sexual harassment.

Every employee and staff member of the district has a responsibility to create and maintain an educational environment that is free of sexual harassment. No employee or staff member of the district shall threaten or insinuate, either explicitly or implicitly, that a student’s refusal to submit to sexual and/or romantic advances will adversely affect the student’s educational experience or advancement including grades, homework, access to school facilities and participation in school sponsored activities and events. Sexually harassing conduct in the schoolhouse, whether committed by district staff, employees, students or third parties (vendors and visitors to school buildings) is strictly prohibited.

Scope of Policy

This policy covers conduct at school, at social functions and events sponsored by the district (i.e., sporting events, extracurricular activities), on school grounds or on school transportation.

Timely Reporting, Complaint Procedure

An important objective of this policy is to prevent the development of an educational environment which, because of prohibited conduct, unreasonably interferes with a student’s educational experience or is intimidating, hostile or offensive. It is therefore essential and required that students **immediately report** conduct which they believe is in violation of this policy. Such timely reporting is necessary so that a sexual harassment complaint can be remedied before a harassing situation develops and so that the district can avoid the spread of harmful rumors.

Any student who believes that he/she has been subjected to conduct that is in violation of this policy should immediately report the facts of the incident and the name of the individuals involved to a teacher, school counselor, school nurse, school psychologist, assistant principal, Assistant Superintendent or Superintendent.

Investigation of Complaints

The district's policy is to investigate all reported incidents thoroughly, promptly and in a discrete manner. The district recognizes that every investigation requires a determination based on all of the facts in the matter. The district also recognizes the serious impact that a false accusation can have and trust that all students, employees, agents and officials will act responsibly when making complaints.

Sanctions for Violations of this Policy

The district expects all employees and students to be aware of this policy and to abide by it at all times. If an investigation confirms that sexual harassment has taken place, the district will take appropriate corrective and/or disciplinary action in accordance with the applicable laws, rules, regulations and collective bargaining agreements. Such corrective and/or disciplinary action may include counseling, reprimand, suspension and/or the termination of the offending party's employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Bad Faith Complaints

Although the district encourages the reporting of sexual harassment, students and the district's staff and employees must recognize that complaints made in bad faith (such as when the complainant knows that the complaint is false) can have a serious impact on other students and/or employees of the district who may experience adverse employment action and also suffer a compromise in their reputation. In addition, bad faith complaints of sexual harassment disrupt the schoolhouse and waste resources by triggering lengthy and potentially time-consuming investigations.

It is therefore misconduct under this policy for a student or staff member to make complaints of sexual harassment in bad faith and doing so may result in corrective or disciplinary action taken against the complainant. For the purposes of this policy, complaints are made in 'bad faith' when the complainant: (a) makes the complaint solely to harm, injure, degrade, defame or embarrass another person; (b) knows that the complaint is false; and/or (c) acts with reckless disregard to the truth when making the complaint.

Confidentiality

When investigating sexual harassment complaints, the district will maintain confidentiality to the extent that the district considers practicable, appropriate and necessary in order to meet the purposes of investigating and responding to sexual harassment complaints and in order to achieve the other objectives of this policy.

Retaliation is Strictly Prohibited

The district strictly prohibits any district staff member or employee or student from retaliating against anyone who makes a good faith report of sexual harassment or participates in an investigation under this policy. Any staff member or student who violates this provision of the policy will be subjected to appropriate discipline in accordance with applicable laws, rules, regulations and collective bargaining agreements. Such discipline may include counseling, reprimand, suspension and/or termination of employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Title IX Coordinator

Each year at the Board of Education reorganization meeting, the District appoints Title IX Coordinators to monitor and investigate Title IX complaints. (See also Section IV-Policy 20 of the Chenango Valley CSD policy manual). Teachers, principals, assistant principals and any other employee or staff member who receives a complaint under this policy or who observes a violation of this policy must report such complaint or observation to the Assistant Superintendent. The investigation of all violations of this policy as of all complaints filed under this policy shall be the responsibility of the Title IX Coordinators.

Responsibility

The district's staff and employees are responsible for strict compliance with all aspects of this policy. Therefore, they should review the manner and style in which they oversee and supervise students and the quality of the educational environment they create through their supervision. In particular, staff members and employees of the district should take pains not to condone or tolerate any conduct that might violate this policy.

Waiver

Any failure by a student to report any incidents of sexual harassment may result in the full waiver of his/her claim.

Publication

The district shall promulgate this policy as follows:

A copy of this policy shall be provided to each employee, agent or official on the first pay day of each September. With respect to an employee, agent or official who is hired during the school year, this policy shall be provided to the employee, agent or official after the Board of Education has appointed the employee, agent or official. This policy shall be included in the student handbook and in the school calendar. This policy shall be provided annually to the president of each bargaining unit. The name, business address and telephone number of the district's Title IX Coordinator shall be published in the student handbook and in the district's newsletter.

Independent Educational Evaluations (IEEs)

Introduction

The Chenango Valley School District has established the following policy on Independent Educational Evaluations (IEE) for children with educational disabilities or for children who are referred to the Committee on Special Education because they are suspected of having an educational disability and may, therefore, be in need of special education.

An IEE means an evaluation conducted by a qualified examiner(s), as defined in federal regulations who is not employed by the school district responsible for the education of the disabled child or child who is thought to be educationally disabled.

Parents/guardians of disabled children have the right under Federal and State regulations to obtain an independent evaluation at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education. Additionally, Federal Regulations specify requirements for independent evaluations. These documents, in addition to *A Parent's Guide to Special Education: Your Child's Right to an Education in New York State*, detail independent evaluation requirements. These documents are available from the district for parents/guardians who desire additional information. The school district has adopted this policy on independent evaluations in order to explain the rights of parents/guardians and the responsibilities of school districts with regard to independent evaluations, and also to avoid any misunderstandings.

If the parents/guardians disagree with the evaluation conducted by the school district, they may have the right to obtain an IEE at public expense. The district may request the parents/guardians specify the areas of disagreement with the district's evaluation. The school district may initiate an impartial hearing to show that if the school's evaluation is appropriate, the parents/guardians would not have the right to a publicly funded independent evaluation or the right to reimbursement for an IEE they may have already obtained.

Timeline

The district has established a 45 calendar day timeline for parents/guardians to request independent evaluation. Upon completion of the evaluation conducted by the school district, the parents/guardians will have 45 calendar days from the date of receipt of the school district's evaluation as a time limit to request an independent evaluation. Requests received more than 45 calendar days after the parents/guardians have received the results of the evaluation prepared by the school district will not be considered for payment by the school district.

Public Expense

Public expense means that the school district either pays for the full cost of the independent evaluation or ensures that the evaluation is otherwise provided at no cost to the parent. The district has established reasonable reimbursement rates for independent evaluators that do not exceed the costs, which the school district would be required to pay to its own employees. The school district will not pay more than \$750 for a comprehensive IEE that would meet the requirements under Commissioner's Regulations which may require an individual psychological evaluation, a physical examination, a social history and other suitable examinations and evaluations as may be necessary to ascertain the physical, mental and emotional factors which contribute to a suspected educational disability.

Responsibilities

When an IEE is requested and approved by the school and an independent evaluator is selected by the parents/guardians, it then becomes the responsibility of that professional to contact the school to arrange dates of classroom visitations, discussions with staff, and payment.

A school district has the responsibility to designate a geographic area within which the parents would be limited in their search for an independent evaluator. The Chenango Valley School District will not consider at public expense independent evaluators outside Broome County, New York. Requests for exception to this policy should be forwarded in writing to the Director of Special Education of the district.

Reimbursement

The district may pay for an independent evaluation or assessment only if conducted by an individual who possesses a current license or certification from the NYS Education Department in the area of the evaluation. The Chenango Valley School District will permit parents/guardians to select any independent evaluator who is within the confines of Broome County at the time the parents/guardians make the request of the school district, as long as the qualified professional selected by the parents/guardians is a certified and/or licensed evaluator.

In addition, the district will pay for an evaluation performed by an employee of any other public school district or BOCES within the State of New York whom the parents/guardians choose to employ as an independent evaluator. Such evaluations may also be presented as evidence at a hearing conducted by the public school district or requested by the parents/guardians.

An IEE requested by parents/guardians (which does not relate to the district's responsibility and which would typically not be conducted by school certified/licensed staff members) requires parents/guardians to demonstrate that unique circumstances justify an IEE that does not fall within the district's responsibility to provide a free, appropriate public education.

Anti-Harassment Policy for Students

- The Chenango Valley Central School District (district) recognizes the harmful and insidious nature of harassment, including on the basis of a protected characteristic (i.e., race, color, national origin, religion, age, disability, sexual orientation and/or veteran status), and the toll that harassment can have on the district's students.
- The district is fully committed to maintaining an educational environment that is free from all forms of harassment and discrimination that are prohibited by law and this policy.
- In keeping with this commitment, the district will not tolerate any harassment of its students at school, school-related functions, on school grounds or on school transportation.
- The district prohibits all forms of harassment that occurs in all areas of a student's educational experience.
- This policy applies to the actions of the district's staff or employees, students and any third party who may have contact with a student (such as vendors, visitors, coaches, advisors, volunteers and parents) while the student is at school, a school function, on school grounds or on school transportation.
- Any student who has experienced or witnessed any behavior which the student in good faith believes is harassment is to report said harassment immediately to a teacher, guidance counselor, school nurse, school psychologist, assistant principal, principal, Director of Pupil Services or Assistant Superintendent (who are the Title IX Coordinators), or Superintendent. Any employee or staff of the district who has witnessed any such behavior is to report said behavior to the Title IX Coordinators.
- The district will promptly investigate all reports of harassment and pursuant to the results of said investigation will take appropriate disciplinary and/or corrective action that is in accordance with applicable laws, rules, regulations and/or collective bargaining agreements.
- The district prohibits any retaliation against students who have made good faith reports of harassment and/or who have participated in any investigation of harassment complaints.

Harassment

It is the district's policy to provide an educational environment that is free from all forms of harassment and discrimination that are prohibited by law and this policy (including but limited to, harassment that targets race, color, national origin, religion, age, disability, sexual orientation and/or veteran status) (harassment). Under this policy harassment is verbal or physical conduct that

denigrates or shows hostility or aversion toward an individual, (including but not limited to because of his/her race, color, religion, national origin, age, disability, alienage or citizenship status, marital status, creed, genetic disposition or carrier status, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates) and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive educational environment; (ii) has the purpose or effect of unreasonably interfering with an individual's educational experience; or (iii) otherwise adversely affects an individual's educational opportunities.

Harassing conduct includes but is not limited to:

- epithets, slurs, name calling, negative stereotyping or offensive 'slang;'
- threatening, intimidating or hostile acts;
- denigrating jokes and/or displays or circulation of any written or graphic material (such as signs, pictures or cartoons) that denigrates, intimidates an individual or shows hostility or aversion toward an individual or group (including through email);
- pushing, shoving, threats or other intentional acts perpetrated in whole or in part of the victim's status;
- mimicking or mocking another's speech, accent, disability or behavior.
- repeated unwanted touching or inappropriate comments.

Every employee and staff member of the district has a responsibility to create and maintain an educational environment that is free of harassment. Harassing conduct whether committed by district staff, employees, students or third parties (vendors and visitors to school buildings) is strictly prohibited.

Scope of Policy

This policy covers conduct at school, at school-sponsored events and events on or off school grounds or on school transportation.

Timely Reporting – Complaint Procedure

An important objective of this policy is to prevent the development of an educational environment which because of prohibited conduct, unreasonably interferes with a student's educational experience or is intimidating, hostile or offensive. It is therefore essential and required that students and staff immediately report conduct which they believe is in violation of this policy. Such timely reporting is necessary so that a harassment complaint can be remedied before a harassing situation develops and so that the district can avoid the spread of harmful rumors.

Any student who believes that he/she has been subjected to conduct that is in violation of this policy should immediately report the facts of the incident and the name of the individuals involved to a teacher, guidance counselor, school nurse, school psychologist, assistant principal, principal, Assistant Superintendent or Superintendent.

Investigation of Complaints

The district's policy is to investigate all reported incidents thoroughly, promptly and in a discrete manner. The district recognizes that every investigation requires a determination based on all of the facts in the matter. The district also recognizes the serious impact that a false accusation can have and trust that all students, employees, agents and officials will act responsibly when making complaints.

Sanctions for Violations of this Policy

The district expects all employees and students to be aware of this policy and to abide by it at all times. If an investigation confirms that harassment has taken place, the district will take appropriate corrective and/or disciplinary action in accordance with the applicable laws, rules, regulations and collective bargaining agreements. Such corrective and/or disciplinary action may include counseling, reprimand, suspension and or the termination of the offending party's employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Bad Faith Complaints

Although the district encourages the reporting of harassment, students and the district's staff and employees must recognize that complaints made in bad faith (such as when the complainant knows that the complaint is false) can have a serious impact on other students and/or employees of the district who may experience adverse employment action and also suffer a compromise in their reputation. In addition, bad faith complaints of harassment disrupt the school and waste resources by triggering lengthy and potentially time-consuming investigations.

It is therefore misconduct under this policy for a student or staff member to make complaints of harassment in bad faith and doing so may result in corrective or disciplinary action taken against the complainant. For the purposes of this policy complaints are made in 'bad faith' when the complainant: (a) makes the complaint solely to harm, injure, degrade, defame or embarrass another person; (b) knows that the complaint is false; and/or (c) acts with reckless disregard to the truth when making the complaint.

Confidentiality

When investigating harassment complaints the district will maintain confidentiality to the extent that the district considers practicable, appropriate and necessary in order to meet the purposes of investigating and responding to harassment complaints and in order to achieve the other objectives of this policy.

Retaliation is Strictly Prohibited

The district strictly prohibits any district staff member or employee or student from retaliating against anyone who makes a good faith report of harassment or participates in an investigation under this policy. Any staff member or student who violates this provision of the policy will be subjected to appropriate discipline in accordance with applicable laws, rules, regulations and collective bargaining agreement. Such discipline may include counseling, reprimand, suspension and/or termination of employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Title IX Coordinators

The Director of Pupil Services and Assistant Superintendent are designated as the Title IX Coordinators. Teachers, principals, assistant principals and any other employee or staff member who receives a complaint under this policy or who observes a violation of this policy must report such complaint or observation immediately to the Director of Pupil Services or Assistant Superintendent. The investigation of all violations of this policy and of all complaints filed under this policy shall be the responsibility of the Director of Pupil Services and Assistant Superintendent.

Responsibility

The district's staff and employees are responsible for strict compliance with all aspects of this policy. Therefore, they should review the manner and style in which they oversee and supervise students and the quality of the educational environment they create through their supervision. In particular, staff members and employees of the district should take pains not to condone or tolerate any conduct that might violate this policy.

Notice

This policy shall constitute notice to all staff and students that the district does not permit the harassment of students and that any harassment of students may result in disciplinary action, including termination or suspension. The district is not required to notify staff/students of each and every act of harassment that might be a violation of this policy.

Waiver

Any failure by a student to report any incidents of harassment may result in the full waiver of his/her claim.

Publication

The district shall promulgate this policy as follows:

A copy of this policy shall be provided to each employee, agent or official on the first payday of each September. With respect to an employee, agent or official who is hired during the school year this policy shall be provided to the employee, agent or official after the Board of Education has appointed the employee, agent or official.

This policy shall be included in the Student Handbook and in the School Calendar.

This policy shall be provided annually to the president of each bargaining unit.

The name, business address and telephone number of the district's Title IX Coordinators shall be published in the Student Handbook and in the district's newsletter.

Non-Discrimination and Anti-Harassment

- The Chenango Valley Central School District (district) recognizes the harmful and insidious nature of harassment and discrimination on the basis of a protected characteristic, which includes, but is not limited to race, skin color, national origin, religion, age, disability, sexual orientation, gender identity and/or veteran status, and the toll that harassment can have on employees, staff, students, vendors, and visitors to the district's buildings, grounds, and facilities.
- The district is fully committed to maintaining an educational environment that is free from all forms of harassment and discrimination that are prohibited by law.
- In keeping with this commitment, the district prohibits any harassment or discrimination that occurs at school, school-related functions, on school grounds, or on school transportation, whether perpetrated by or against the district's students, employees, staff, vendors, or visitors to the district's buildings, grounds, or facilities.
- This policy applies to the actions of the district's staff or employees, students and third parties (such as vendors, visitors, coaches, advisors, volunteers and parents) while the student is at school, a school function, on school grounds or on school transportation.
- Any student, employee, agent or official of the district who has witnessed behavior at school or at a school-related function that he/she, in good faith, believes is harassment or discrimination should immediately report it to a teacher, guidance counselor, school nurse, school psychologist supervisor, an assistant principal, a principal, the Assistant Superintendent (who is the Title IX coordinator), or Superintendent. Any employee of the district who has witnessed or received a report of such behavior shall immediately report said behavior to the Title IX coordinator.
- The district will promptly investigate all reports of discrimination and harassment and, pursuant to the results of the investigation, will take appropriate disciplinary and/or corrective action that is in accordance with applicable laws, rules, regulations, and/or collective bargaining agreements.
- The district prohibits any retaliation against persons who have made good faith reports of harassment or discrimination and/or who have participated in any investigation of harassment complaints.

Harassment on the Basis of a Protected Characteristic

It is the district's policy to provide an educational environment that is free from all forms of harassment and discrimination that are prohibited by law. Harassment on the basis of any protected characteristic is strictly prohibited by law and this policy.

Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her actual or perceived sex, race, color, national origin, creed, religion, marital status, age or disability, military status, sexual orientation, gender (identity, expression), predisposing genetic characteristic, ethnic group, religious practice, or weight, as mandated by the Dignity for All Students Act, or any other characteristic protected by law or that of his/her relatives, friends, or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive educational and/or working environment; (ii) has the purpose or effect of unreasonably interfering with an individual's educational experience and/or work performance; or (iii) otherwise adversely affects an individual's educational and/or employment opportunities.

Harassing conduct includes, but is not limited to:

- epithets, slurs, name calling, negative stereotyping, or offensive slang;
- threatening, intimidating, or hostile acts;
- jokes and/or displays or circulation of any written or graphic material (such as signs, pictures or cartoons) that denigrates or intimidates an individual, or shows hostility or aversion toward an individual or group (including via electronic communication, outlined in our Computer Usage Policy;
- pushing, shoving, threats, or other intentional acts perpetrated in whole or in part because of the victim's protected status;
- mimicking or mocking another's speech, accent, disability or behavior.

Scope of Policy

This policy covers conduct at school, at school-sponsored events/functions/conferences on or off school grounds or on school transportation.

Timely Reporting; Complaint Procedure

An important objective of this policy is to prevent harassing conduct that unreasonably interferes with a student's or employee's educational/work environment or is intimidating, hostile or offensive. It is therefore essential and required that students and employees immediately report conduct which they believe is in violation of this policy. Such timely reporting is necessary so that a complaint can be investigated while information is most available, so that a problem can be remedied before a harassing situation develops, and so that the district can avoid the spread of harmful rumors.

Any student who believes that he/she has been subjected to conduct that is in violation of this policy should immediately report the facts of the incident and the name of the individuals involved to a teacher, guidance counselor, school nurse, school psychologist, assistant principal, principal, Assistant Superintendent or Superintendent.

Any employee, agent, or official of the district who believes that he or she has been subjected to conduct in violation of this policy should report the facts of the incident and the name of the individuals involved to his/her immediate supervisor or, in the alternative, to the Assistant Superintendent. If, for any reason, an employee, agent, or official of the district would prefer not to make the report to these individuals, the employee should report the conduct to the Superintendent.

Any employee who observes or receives a report of harassment or discrimination of another student, employee, agent, official, vendor, or visitor of the district's buildings or grounds must immediately report the harassment to one of the persons listed above.

Investigation of Complaints

The district's policy is to investigate all reported incidents thoroughly, promptly, and in a discrete manner, and will do so in accordance with the investigative procedures set forth in Section III, Policy No. 12 of the District Policy Manual. The district recognizes that every investigation requires a determination based on all of the facts in the matter, and that all parties to the investigation should have an equal opportunity to present evidence and witnesses for the investigator's consideration. The district also recognizes the serious impact that a false accusation can have and trust that all students, employees, agents and officials will act responsibly when making complaints. The final determination of any incident will be reported to the Superintendent, and the parties to the investigation will be notified regarding whether or not corrective action was taken.

Sanctions for Violations of this Policy

The district expects all employees and students to be aware of this policy and to abide by it at all times. If an investigation confirms that harassment has taken place, the district will take appropriate corrective and/or disciplinary action in accordance with the applicable laws, rules, regulations and collective bargaining agreements. Such corrective and/or disciplinary action may include counseling, reprimand, suspension, and/or termination of the offending party's employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Bad Faith Complaints

Although the district encourages the reporting of harassment, students and the district's staff and employees must recognize that complaints made in bad faith (such as when the complainant knows that the complaint is false) can have a serious impact on other students and/or employees of the district, who may experience adverse employment action and also suffer a compromise in their reputation. In addition, bad faith complaints of harassment disrupt the school and waste resources by triggering lengthy and potentially time consuming investigations.

It is therefore misconduct, under this policy, for a student or staff member to make complaints of harassment in bad faith and doing so may result in corrective or disciplinary action taken against the complainant. For the purposes of this policy, complaints are made in bad faith then the complainant: (a) makes the complaint solely harm, injure, degrade, defame or embarrass another person; (b) knows that the complaint is false; and/or (c) acts with reckless disregard to the truth when making the complaint.

Confidentiality

When investigating harassment complaints, the district will maintain confidentiality to the extent that the district considers practicable, appropriate and necessary in order to meet the purposes of investigating and responding to harassment complaints and in order to achieve the other objectives of this policy.

Retaliation is Strictly Prohibited

The district strictly prohibits any district supervisor, employee, agent, official or student from retaliating against anyone who makes a good faith report of harassment or participates in an investigation under this policy. Any district supervisor, employee, agent, official or student who violates this provision of the policy will be subject to appropriate discipline, in accordance with applicable laws, rules, regulations and collective bargaining agreements. Such discipline may include counseling, reprimand, suspension, and/or termination of employment (if the violator is a staff member or employee of the district) or suspension from school (if the violator is a student).

Title IX Coordinator

The Assistant Superintendent is designated as the Title IX Coordinator of this policy. Teachers, principals, assistant principals and any other employee or staff member who receives a complaint under this policy or who observes a violation of this policy must report such complaint or observation immediately to the Assistant Superintendent. The investigation of all violations of this policy and of all complaints filed under this policy shall be the responsibility of the Assistant Superintendent.

Publication

The district shall promulgate this policy as follows:

- A copy of this policy shall be provided to each employee, agent or official on the first payday of each September. With respect to an employee, agent or official who is hired during the school year, this policy shall be provided to the employee, agent or official after the Board of Education has appointed the employee, agent or official.
- This policy shall be included in the Student Handbook and in the School Calendar.
- This policy shall be provided annually to the president of each bargaining unit.
- This policy shall be published annually in the district's newsletter.
- This policy shall be published on the district's website.
- The name, email address, business address and telephone number of the district's Title IX Coordinator shall be published in the Student Handbook, in the district's newsletter and on the district's website.

Policy Review

The district shall, on an annual basis, provide for a review of this policy with all of its employees, agents, and officials.

Individualized Education Program Disclosure

Each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for the implementation of a student's Individualized Education Program (IEP) shall have access to the IEP through the district management system.

The Director of Special Education shall designate a professional employee of the district with knowledge of the student's disability and the education program to implement the student's IEP, inform each teacher, assistant and support staff person of his or her responsibility relating to the implementation of the IEP, specific accommodations, modifications, and support that must be provided.

The student's IEP shall continue to remain confidential and shall not be re-disclosed to any other person except in accordance with Federal and State laws and regulations, including the Family Educational Rights and Privacy Act and the Individuals with Disabilities Education Act and applicable regulations.

Wellness Policy

Given the documented connection between proper nutrition, adequate physical activity and educational success, the Board of Education adopts the following goals and authorizes the following actions to provide district students with a school environment that promotes student health and wellness and reduces childhood obesity.

For purposes of this policy, “school campus” means all areas of district property accessible to students during the school day; “school day” means the period from the midnight before to 30 minutes after the end of the official school day; and “competitive food” means all food and beverages other than meals reimbursed under federal food programs available for sale to students on the school campus during the school day.

I. Foods and Beverages Available to Students on School Campus during the School Day

The Board recognizes that a nutritious, well-balanced, and reasonably-portioned diet is essential for student wellness. To help students possess the knowledge and skills necessary to make nutritious food choices for a lifetime the district shall ensure that all foods and beverages available in school promote good nutrition, balance, and reasonable portion sizes. The district shall ensure that all foods and beverages available for sale to students on the school campus during the school day meet or exceed the program requirements and nutrition standards found in federal regulations.

To accomplish this the Board directs that the district serve healthy and appealing foods and beverages at district schools following state and federal nutrition guidelines as well as safe food preparation methods.

A. School Meals – the district shall:

1. Include fruits, vegetables, salads, whole grains, and low fat items at least to the extent required by federal regulations.
2. Encourage students to try new or unfamiliar items.
3. Make efforts to ensure that families are aware of need-based programs for free or reduced price meals and encourage eligible families to apply.
4. Consider serving produce and food from local farms and suppliers.
5. Make free drinking water available at locations where meals are served.

B. Meal Scheduling – the district shall:

1. Provide adequate time to eat.
2. Schedule lunchtime between normal lunch hours (10:30 a.m. – 1:30 p.m.).

C. Foods and Beverages Sold Individually (e.g., a la carte, vending machines, school stores) – the district shall:

1. Ensure that all such items meet the nutrition standards set in federal regulations for competitive foods regarding whole grains, fruits, vegetables, calories, fat, saturated fats, trans fats, sugar, sodium, and caffeine.
2. Permit the sale of fresh, frozen or canned fruits and vegetables, if processed pursuant to federal regulations, as exempt from the nutrition standards.
3. Work with existing vendors or locate new vendors that will comply with nutrition standards.

D. Fund-Raising Activities – the district shall:

1. Ensure that all fundraisers selling food or beverages to students on school campus during the school day meet the competitive foods nutrition standards set in federal regulations for whole grains, fruits, vegetables, calories, fat, saturated fats, trans fats, sugar, sodium, and caffeine.
2. Promote non-food items to sell, or activities (physical or otherwise) in which to participate.
3. Student groups conducting fundraisers which take place off the school campus or outside the school day are encouraged to follow this policy.
4. Outside organizations (e.g., Parent groups, booster clubs) conducting fundraisers which take place off the school campus or outside the school day are encouraged to follow this policy.

E. School and Class Parties, Celebrations, and Events Where Food and Beverages are Provided, But Not Sold – the district shall:

1. This section applies to all school and classroom parties, snacks which have been brought in for the class or school, celebrations, food provided to learn about cultures or countries, and other events where food is provided but not sold.
2. Schools shall set guidelines for the frequency and content of classroom and school-wide celebrations where food and beverages are provided.
3. The district shall promote the use of food and beverage items which meet the standards for competitive foods and beverages, promote non-food activities, and discourage foods and beverages which do not meet those standards at celebrations.
4. Model the healthy use of food as a natural part of celebrations.

F. Marketing of Foods and Beverages

1. Any food or beverage that is marketed on school grounds during the school day must meet at least the federal nutrition standards for competitive items.
2. This restriction applies to all school buildings (interior and exterior), school grounds, school buses and other vehicles used to transport students, athletic fields, structures, parking lots, school publications, and items such as vending machines, equipment, posters, garbage cans, or cups.
3. Marketing includes all advertising and promotions: verbal, written, or graphic, or promotional items.
4. This restriction does not apply to personal opinions or expression or items used for educational purposes.

5. This restriction applies to all purchases and contracts made after the effective date of this provision.

II. Physical Activity

Physical activity is an important factor in staying healthy and being ready to learn. The Board encourages every student to develop the knowledge and skills necessary to perform a variety of physical activities, to regularly participate in physical activity, and to appreciate and enjoy physical activity as an ongoing part of a healthy lifestyle. In addition, staff, families, and community are encouraged to participate in and model physical activity as a valuable part of daily life. The district's Physical Education program shall adhere to the curricular requirements of the Commissioner of Education and the New York State Learning Standards.

A. Physical Education

1. Students shall engage in physical education for at least the minimum number of hours or days per week under State requirements.
2. Physical Education classes shall incorporate the appropriate NYS Learning Standards.
3. Promote, teach and provide opportunities to practice activities that students enjoy and can pursue throughout their lives (e.g., yoga, fitness walking, and step aerobics).
4. The performance or withholding of physical activity shall not be used as a form of discipline or punishment.

B. Recess

1. Maintain daily allotment of recess time for elementary school.
2. Recess shall not be used for punishment or reward.
3. Permit scheduling recess before lunch, if applicable.
4. Recess will be held outdoors whenever possible and indoors during the most inclement weather at the discretion of the building principal.

C. Physical Activity in the Classroom

1. Promote the integration of physical activity in the classroom both as activity breaks and as part of the educational process (e.g., kinesthetic learning).
2. If the district is under severe time or space constraints, consider meeting the state requirements for Physical Education through collaborative and integrative in-classroom activity under the supervision of a Physical Education teacher.

D. Extracurricular Opportunities for Physical Activity

1. Promote clubs and activities that meet the various physical activity needs, interests, and abilities of all students (e.g., walking, hiking and climbing, snowshoeing), including before and after school activities.
2. Promote students walking/biking to school (with proper storage of bicycles), safe routes to school, and "walking" school buses.

3. The setting of extracurricular activity eligibility participation requirements does not constitute withholding opportunities.

III. Nutrition Promotion and Education

The Board believes that nutrition promotion and education is a key component in introducing and reinforcing healthy behaviors in students. Nutrition promotion and education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition promotion and education information shall be offered throughout the school campus including but not limited to school dining areas and classrooms. Staff members who provide nutrition promotion and education shall be appropriately certified and trained. The district's broader Health Education program shall incorporate the appropriate New York State Learning Standards.

The Board's goals for nutrition promotion and education include that the district will:

1. Include nutrition education as part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects.
2. Include enjoyable, developmentally appropriate, culturally relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens.
3. Promote fruits, vegetables, whole grain products, low fat dairy products, safe and healthy food preparation methods, and health enhancing nutrition practices.
4. Emphasize caloric balance between food intake and energy expenditure.
5. Teach media literacy with an emphasis on food marketing.

IV. Other School-Based Activities

The district may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity. Such activities may include but are not limited to health forums or fairs, health newsletters, parent outreach, employee health and wellness activities, limiting the use of food as a reward, reviewing food marketing and advertising in school, hosting or promoting community-wide events, and offering wellness-related courses in the district's adult education program.

V. Implementation

The Board shall designate the District Wellness Coordinator as responsible for ensuring that the provisions of this policy are carried out throughout the district. The Board may also designate one person in each building as School Wellness Coordinator to ensure that the wellness activities and actions are being implemented at the building level.

VI. Monitoring and Review

The District Wellness Coordinator shall report every three years to the Board and the public on the implementation and effectiveness of this policy. Every three years the District Wellness Coordinator in consultation with appropriate personnel and advisory committees shall monitor and review the district's wellness activities to determine the extent that district schools are complying with this policy, how this policy compares to model wellness policies, and the progress made toward attaining the goals of this policy and whether this policy is having a positive effect on increasing student wellness and decreasing childhood

obesity in the district. Based on those results this policy and the specific objectives set to meet its goals may be revised as needed

Parents, students, food service professionals, physical education teachers, school health professionals, school administrators, the general public, and the school board shall be provided with the opportunity to participate in the development, implementation and periodic review and update of this wellness policy. To do this the district shall establish a Wellness Advisory Committee and invite participation via one or more of the following: notices in school publications, staff and student announcements, handbooks and memos, the district website, and outreach to school-associated organizations interested persons and those with valuable expertise.

The district shall inform and update the public (including parents, students and others in the community) about the content and implementation of this wellness policy via one or more of the following: posting this policy (and any updates) on the district website and in each school lunch area referencing the policy and its availability on school publications and notices, and providing information about new and ongoing wellness policy activities to parents, staff and students via established communication channels.

The district shall monitor and review the implementation and effectiveness of this policy by conducting:

1. periodic informal surveys of building principals, classroom staff, and school health personnel to assess the progress of wellness activities and their effects;
2. periodic checks of the nutritional content of food offered in the cafeterias for meals and à la carte items and sales or consumption figures for such foods;
3. periodic checks of the nutritional content of food available in vending machines and sales or consumption figures for such foods;
4. periodic checks of the amount of time students spend in Physical Education classes and the nature of those activities;
5. periodic checks of extracurricular activities of a physical nature in the number of offerings and rates of participation by students;
6. periodic checks of student mastery of the nutrition education curriculum;
7. periodic completion of relevant portions of the CDC School Health Index;
8. periodic review of data currently collected by the district, including:
 - a. attendance data, particularly absences due to illness;
 - b. test scores;
 - c. rates of suspension, discipline, and violent incidents;
 - c. physical education scores on flexibility, endurance, and strength (i.e., fitness test results);
 - d. student BMI (Body Mass Index) statistics as collected in accordance with the State Department of Health efforts; and
 - e. revenues generated from vending machines and a la carte food items;
9. periodic surveys of student/parent opinions of cafeteria offerings and wellness efforts;
10. periodic review of professional staff development offered which focuses on student wellness; and
11. NYSSBA's Student Wellness Assessment Checklist [*every three years*] to review the effectiveness of this policy.

VII. Recordkeeping

The district shall keep records as required by federal regulations including documentation of the following: this policy, the district's community involvement activities described above, that the policy is made available to the public, the assessments done every three years, how the public is informed of the assessment results, and when and how the policy is reviewed and updated.

Student Evaluation

Placement

Placement within the 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 input, standardized test scores, and any other appropriate sources of information, but the final decision shall rest with the school administration. Placement of Students with Disabilities shall be made in accordance with applicable Laws, Rules and Regulations.

Promotion and Retention

The procedures to be followed by the staff regarding promotion and retention will be developed by the Superintendent or designee and will be continually evaluated. Building principals may establish written standards for promotion or retention within the school units to which the students are assigned, subject to the guidelines of the Superintendent and the approval of the Board of Education.

Testing Program

The Board of Education endorses and supports the use of ability, achievement, diagnostic, readiness, interest and guidance tests as part of the total educational process to the degree to which tests help the district to serve its students.

Alternative Testing Procedures

The use of alternative testing procedures shall be limited to:

- a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing accommodations and modifications shall be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and
- b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department Guidelines.

The alternative testing procedures employed shall be based upon a student's individual needs and the type of test administered.

The district shall report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

Reporting to Parents/Guardians

Parents/guardians shall receive an appropriate report of student progress at regular intervals. Parents/guardians will also have access to the district's online parent portal system in grades 3-12.

Report cards shall be used as a standard vehicle for the periodic reporting of student progress and appropriate school related data. Report cards, however, are not intended to exclude other means of reporting progress, such as interim reports, conferences, phone conversations, etc.

When necessary, attempts will be made to provide interpreters for non-English speaking parents/guardians.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Section 1709(3); 8 NYCRR Sections 100.2(g), 117 and 154

Chenango Valley Central School District Code of Conduct

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I. Introduction

The Chenango Valley Central School District’s Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents/guardians and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“Code”).

Unless otherwise indicated, this Code applies to all students, school personnel, parents/guardians, and other visitors when on school property or attending a school function.

II. Definitions

For purposes of this Code, the following definitions apply:

“*Disruptive student*” means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom or interferes with a bus driver’s ability to safely operate a school bus.

“*Parent*” means parent, guardian or person in parental relation to a student.

“*Employee*” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to Title Nine-B of Article Five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such persons involve direct student contact (Education Law §§11[4] and 1125[3]).

“*School property*” means in or within any building, structure, athletic playing field, playground, parking lot

or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus (Education Law § 11[1]).

“*School Bus*” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

“*School function*” means any school-sponsored extracurricular event or activity (Education Law §11[2]).

“*Violent student*” means a student under the age of 21 who:

1. Commits an act of violence upon a school employee or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

“*Weapon*” means a firearm as defined in 18 USC Section 921 as amended for purposes of the Gun-Free Schools Act. It also means any guns, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, pocketknife, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray, or other noxious spray, explosive or incendiary bomb, or other device, instrument, material, or substance that can cause physical injury or death.

“*Disability*” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the

exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[3] and Executive Law §292[21]).

"*Harassment*" and "*bullying*" shall mean the creation of a hostile environment by conduct or by [fig 1] threats, intimidation or abuse, including cyberbullying, that (a) 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 (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. (Education Law §11[7]).

"*Cyberbullying*" shall mean harassment or bullying as defined above, including paragraphs (a), (b), (c) and (d) of such subdivision, where such harassment or bullying occurs through any form of electronic communication. (Education Law §11[8]).

"*Sexual orientation*" means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]). "*Gender*" means actual or perceived sex and shall include a person's gender identity or expression (Education Law §11[6]).

"*Hazing*" is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of or causes emotional, physical, psychological harm to a person, in order for the student to be initiated or affiliated with a student or other organization, or for any other purpose. Consent or acquiescence is no defense to hazing: i.e., the

implied or expressed consent of a person or persons to hazing shall not be a defense to discipline under this policy.

"*Sexting*" refers to an act of sending sexually explicit photos, images, text messages, or e-mails by using a cell phone or other electronic device.

III. Dignity Act Coordinators

At least one (1) employee in every school shall be designated as a Dignity Act coordinator and instructed in the provisions of this subdivision and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

1. The designation of each Dignity Act coordinator shall be approved by the Chenango Valley Central School District Board of Education.
2. The name(s) and contact information for the Dignity Act coordinator(s) shall be shared with all school personnel, students, and persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information of each Dignity Act coordinator by:
 - a. Listing such information in the Code of Conduct and updates posted on the Internet website of the Chenango Valley Central School District. Chenango Valley's Dignity Act coordinators are as follows: Ms. Jessica Carl - Port Dickinson Elementary School Principal, Mrs. Jennifer Yurko - Chenango Bridge Elementary School Principal, Mr. Eric E. Attleson - Middle School Principal, and Mrs. Jennifer Ostrander - High School Principal;
 - b. Including such information in the plain language summary of the Code of Conduct provided to all persons in parental relation to students before the beginning of each school year, pursuant to 8 NYCRR 100.2(L)(2)(iii)(b)(3);
 - c. Include such information in at least one (1) district or school mailing per school year to parents and persons of parental relation and, if such information changes, in at least one (1) subsequent district or school mailing as soon as practicable thereafter;
 - d. Posting such information in highly visible areas of school buildings; and
 - e. Making such information available at the district and school-level administrative offices.
3. In the event a Dignity Act coordinator vacates his or her position, another school employee shall be

immediately designated for an interim appointment as coordinator, pending approval of a successor coordinator by the applicable governing body as set forth in subparagraph (i) of this paragraph within 30 days of the date the position was vacated. In the event a 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 coordinator, pending return of the previous coordinator to his or her duties as coordinator.

IV. Dignity for All Training

Commencing in the 2012-13 school year and continuing in each school year thereafter, the following Dignity for All School Employee Training program regulations have been implemented in an effort to promote a positive school environment that is free from discrimination and harassment and to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function.

1. Training is to be conducted for all instructional and non-instructional employees of the Chenango Valley Central School District.
2. Training is to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students by students or school employees on school property or at school functions including by not limited to discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex.
3. Training is to raise awareness and sensitivity to potential acts of discrimination and harassment through cyberbullying/texting.
4. Training is to enable employees to prevent and respond to incidents of discrimination and harassment.
5. Training is to include guidelines relating to the development of nondiscriminatory instructional and counseling methods.
6. Training is to be conducted as needed and may be implemented and conducted in conjunction with existing professional development.

shall maintain and implement the following policies and guidelines regarding the Dignity Act:

1. School employees who witness harassment, bullying or discrimination or receive an oral or written report of harassment, bullying or discrimination, must promptly orally notify the principal or Superintendent not later than one (1) school day after such school employee witnesses or receives a report of harassment, bullying or discrimination, and file a written report with the principal or Superintendent not later than two (2) school days after making such oral report.
2. The principal or Superintendent shall lead or supervise a thorough investigation of all reports of harassment, bullying and discrimination, and ensure that such investigation is completed promptly after receipt of any written reports made under this section.
3. When an investigation reveals any such verified harassment, bullying or discrimination, the school shall take prompt actions reasonably calculated to end the harassment, bullying or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment, bullying or discrimination was directed. Such actions shall be measured, balanced, and age-appropriate responses to instances of harassment, bullying or discrimination by students, with remedies and procedures following a progressive model that make appropriate use of intervention, discipline and education, vary in method according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors, and are consistent with this Code of Conduct.
4. The principal, Superintendent or the Dignity Act Coordinator(s) shall notify promptly the appropriate local law enforcement agency when there is a belief that any harassment, bullying or discrimination constitutes criminal conduct.
5. Retaliation against any individual who, in good faith, reports, or assists in the investigation of, harassment, bullying or discrimination shall be strictly prohibited.
6. The principal shall make a regular report on data and trends related to harassment, bullying and discrimination to the Superintendent.
7. The school, at least once during each school year, shall provide all school employees, students and

V. Dignity Act Policies and Guidelines

In accordance with Education Law §13, and in addition to the other policies contained in this Code, the district

parents/guardians with a written or electronic copy of the school district's Dignity Act policies, or a plain-language summary thereof, including notification of the process by which students, parents/guardians and school employees may report harassment, bullying and discrimination. Additionally, the school shall maintain current versions of the district's Dignity Act policies on the school district's internet website.

VI. Students Rights and Responsibilities

A. Student Bill of Rights

The district is committed to safeguarding the rights given to all students under state and federal law and to provide students with a safe school climate focused on positive behavior. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and receive an explanation of those rules in an age-appropriate manner on at least an annual basis from school personnel.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress according to the Code of Conduct for school and school functions.

10. Accept responsibility for their actions.
11. Report infractions of the Code of Conduct to a teacher, administrator, or other school personnel, including but not limited to oral or written reports of instances of discrimination, harassment or bullying.
12. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

VII. Essential Partners

A. Parents/Guardians

All parents/guardians are expected to:

1. Recognize that the education of their children is a joint responsibility of the parents/guardians and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with all school personnel, other parents/guardians and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.

B. Cafeteria Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.

Revised: 07/31/13, 06/18/14, 05/20/15, 06/15/16, 06/21/17, 06/20/18, 06/26/19, 09/02/2020, 06/23/21, 07/27/22, 12/21/22, 6/21/23

2. Create and maintain a kitchen/dining area that is clean and safe.
3. Provide a selection of food that will encourage the students to eat a healthy and nutritious meal.
4. Encourage students to conduct themselves in such a manner that will produce an atmosphere that is appropriate for dining.
5. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

C. Transportation/Custodial Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Provide a clean and healthy environment for the entire school community in all buildings, buses and on school property.
3. Maintain and promote safety in all areas of their jurisdiction.
4. Inform supervisors and/or administrators of any area of concern that might jeopardize the health and safety of any student or staff member.
5. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

D. Support Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation,

- gender or sex, which will strengthen students' confidence and promote learning.
2. Assist in maintaining a climate that is conducive to teaching and learning.
3. Provide support and assistance to the staff that will enable them to do their job more efficiently and effectively.
4. Provide support and assistance to the students that will enable them to obtain the maximum benefits from their educational program.
5. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

E. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules and enforce them in a fair and consistent manner.
5. Communicate to students and parents/guardians:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan
6. Communicate regularly with students, parents/guardians and other teachers concerning growth and achievement.
7. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

F. School Counselors/Social Workers/Psychologists

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/guardian/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

H. District Level Administrators

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Review with other administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the Board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Work with other administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

G. Building Level Administrators

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
3. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.

I. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to maintain a Code of Conduct that clearly defines expectations for the

conduct of students, district personnel and visitors on school property and at school functions.

2. Adopt and review at least annually the district's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

J. Coaching Staff

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religious practices, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning.
2. Be prepared to coach.
3. Demonstrate interest in coaching and concern for student achievement and positive performances.
4. Know school policies and rules and enforce them in a fair and consistent manner.
5. Communicate to students and parents/guardians:
 - a. Sport expectations and requirements
 - b. Sportsmanship – NYSPHAAA, Section 4, STAC, and Chenango Valley
 - c. Scheduling – conflicts, reschedules, and updates
 - d. Extracurricular Code of Conduct and team rules
 - e. Duty to Warn, Concussion policy, Health Office procedures
6. Communicate regularly with students, parents/guardians, administration of any concerns, progress, or other related issues.
7. Confront issues of discrimination, harassment, hazing, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Work with administration in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

VIII. Student Dress Code

All students are expected to give proper attention to dress appropriately for school and school functions. Students and their parents/guardians have the primary responsibility for acceptable student dress and

appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress and appearance shall:

1. Be safe, appropriate, and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments and see-through garments will not be tolerated.
3. Ensure that under-garments are completely covered with outer clothing.
4. Include footwear at all times in which they can navigate the building safely.
5. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.
6. Not promote and/or endorse the use of alcohol, tobacco, marijuana, or illegal drugs and/or encourage other illegal or violent activities.

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

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

IX. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Prohibited Conduct

Students may be subject to disciplinary action when they:

1. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
 - a. fighting, assaulting, or behaving violently,
 - b. threatening another with bodily harm,
 - c. harassment, bullying, or intimidating students or school personnel (see also Dignity for All Students and Anti-Sexual Harassment – Students policies),
 - d. making unreasonable noise,
 - e. being untruthful with school personnel or making false reports,
 - f. unauthorized use of electronic devices including, but not limited to, video/audio players & recorders, remote controls, electronic games, beepers, pagers, cellular phones, smart watches, or smart devices during the regular school day,
 - g. obstructing vehicular or pedestrian traffic,
 - h. driving recklessly,
 - i. creating a hazardous or physically offensive condition by an act which serves no legitimate purpose,
 - j. loitering or trespassing,
 - k. being present on or entering into any school property, function or vehicle without authorization,
 - l. other activity that disrupts or is reasonably likely to disrupt the educational process or school operations.
2. Engage in conduct that is insubordinate. This shall include, but is not limited to, failing to comply with the lawful directions of teachers, school administrators or other school employees who have authority over the student, such as bus drivers, bus monitors and bus aides, and law enforcement officers;
3. Engage in any of the following forms of academic misconduct:
 - a. tardiness,
 - b. missing or leaving school or class without permission or being excused,
 - c. cheating, plagiarism, copyright/trademark violations or assisting another in such conduct,
 - d. violation of the Board of Education policies on Student Publications and Computer Usage & Internet Safety,
 - e. improperly altering documents or records.
4. Engage in violent or disruptive behavior. This includes any behavior that endangers the safety, health, morals, or welfare of themselves or others. Examples of violent or disruptive behavior include:
 - a. fighting, assaulting, or behaving violently, threatening another with bodily harm,
 - b. harassment or illegal discrimination, which includes the use of race, color, weight, creed, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation, or disability as a basis for treating another in a negative manner. (Anti-Sexual Harassment – Students and Dignity for All Students policies).
 - c. making unreasonable noise,
 - d. possession, use, distribution, transfer or sale of tobacco or tobacco products, electronic cigarettes (including but not limited to, e-cigarettes, “Juil,” Dab Pen, Vape Box Mods, Vape Liquid), alcohol, marijuana, wax drugs or other controlled substances or drug paraphernalia (see Drug Abuse policy),
 - e. possession, use, or sale of weapons, fireworks, or other dangerous or prohibited objects or contraband. Dangerous objects include, but are not limited to: guns, starter pistols, knives of any kind (including all types of pocket knives), razors, box cutters, clubs, metal knuckles, nun chucks, Kung Fu stars, explosives, and any instrument, article or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or other serious physical injury. Any object that resembles a dangerous object (such as a fake gun) will be considered a prohibited object.
 - f. using obscene, profane, lewd, vulgar or abusive language or behavior,
 - g. possession, sale, distribution, transfer or use of lewd or obscene materials,
 - h. gambling,
 - i. hazing,
 - j. extortion,
 - k. theft,

- l. vandalism, willfully defacing, damaging or destroying school property or vehicles used by entities under contract with the district to provide services for the district. Willfully defacing, vandalizing, damaging or destroying the property of others on school premises, at school functions or on school buses under contract to the district, or
 - m. misuse of school information technology (see Computer Usage & Internet Safety policy) or other school property.
5. Engage in conduct that violates Board's rules and regulations for the maintenance of public order on school property pursuant to the Public Order policy or federal, state or local laws.
 6. Off campus & non-school day misconduct - Students may be disciplined for violations of school district policies and the Code of Conduct when there is a connection to or impact on school students, personnel, activities, functions, or property.

X. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, bus driver, the building principal or his or her designee. Any student aware of a potentially dangerous activity, including but not limited to, a student possessing a weapon, explosive, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the Superintendent.

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

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent/guardian of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

All students are expected to promptly report instances of bullying (verbal, physical, cyber-bullying), harassment, discrimination or hazing on school property or at a school function immediately to proper school personnel.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that may constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and may constitute a crime.

XI. Disciplinary Penalties, Procedures and Referrals

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

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

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

Depending on the nature of the violation, it is the Board's desire that student discipline be progressive, i.e., a student's first violation may merit a lighter penalty than subsequent violations. It is also the Board's desire that staff take into account all other relevant factors in determining an appropriate penalty. The following penalties may be imposed either alone or in combination. Based upon the circumstances, it is at the discretion of school staff to determine the penalty warranted by a particular violation.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior caused by

or had a direct and substantial relationship to the disability or if the conduct was a direct result of the district's failure to implement the IEP. If warranted, as determined by the manifestation determination hearing.

A. Penalties

Students who are found to have violated the district's Code of Conduct may be subject to the following penalties, either alone or in combination.

1. Oral warning
2. Written warning
3. Oral and written notification to parent/guardian
4. Detention
5. Suspension from transportation
6. Suspension from social or extracurricular activities
7. Suspension of other privileges
8. In-school suspension (ISS) or exclusion from a particular class
9. Removal from classroom by teacher or principal
10. Short-term (five [5] days or less) suspension from school
11. Long-term (more than five [5] days) suspension from school
12. Removal from social or extracurricular activities
13. Permanent suspension from school

Disciplinary Responses
Disciplinary responses are decided by the administrator. These consequences are based on a holistic view of the situation and the student involved. Disciplinary responses will be progressive in nature, and dependent on many factors, including past behaviors. Potential responses to the misconduct are listed under Disciplinary Responses below.

Pre-K through 5 th Grade	
Levels of Misconduct	Disciplinary Responses
<p>Level I</p> <ul style="list-style-type: none"> • Does not bring necessary materials to class or school • Does not participate in learning activities or complete assigned work • Does not follow classroom rules, procedures, and directions • Refuses to respond to school staff directives, questions, or requests • Makes excessive, distracting, or disruptive movements or noises • Engages in confrontations, arguing, or talking back to others • Demonstrates difficulty getting along with others: by not working cooperatively, engaging in teasing or name calling. or blurting out 	<p>Verbal warning</p> <p>Time-out in designated location</p> <p>Detention (lunch, after-school, before-school)</p> <p>Notification of the parent/guardian by the teacher/staff member via phone, e-mail, or written communication about the behavior</p> <p>Social consequences/ withdrawal of privileges</p> <p>Restorative Practices</p>
<p>Level II</p> <ul style="list-style-type: none"> • Horseplay, rough-housing, minor physical aggression • Aggressive arguing, refusal, back talk, use of profanity • Emotional outburst - refusal to leave classroom, repeated profanities, screaming or tantrums • Intentional damage to personal or school property • Inappropriate use and misuse of school equipment, materials, and electronic devices 	<p>Notification of the parent/ guardian by the teacher/staff member via phone, e-mail, or written communication about the behavior</p> <p>Conference with administrator and/or teacher, student, and parent/guardian</p> <p>Social consequences/ withdrawal of privileges</p> <p>Temporary removal from classroom or other location</p> <p>Time-out in designated location</p> <p>Detention (lunch, after-school, before-school)</p> <p>Restorative Practices</p> <p>In-school suspension</p>
<p>Level III</p> <ul style="list-style-type: none"> • Stealing or possession of stolen property • Harassment or threat – physical, verbal, sexual. • Destruction of defacement of school property or another’s personal property 	<p>Immediate removal from classroom or location of incident.</p> <p>Notification of the parent/guardian by the administrator</p> <p>Conference with administrator student, and parent/guardian</p>

<ul style="list-style-type: none"> • Possession, distribution, sale, or use of cigarettes, electronic cigarettes or any tobacco products or performing as a “look out” for tobacco or electronic cigarette usage • Fighting: students engaged in hitting, kicking, or punching the other persons involved, and when serious disruption to the operation of the school • Bullying: persistent and repeated incidents targeted at same person or group • Electronic bullying/harassment: used to threaten or emotionally harm another person 	<p>Social consequences/withdrawal of privileges.</p> <p>Extracurricular activities may be suspended indefinitely</p> <p>Restorative Practices</p> <p>Time-out in designated location</p> <p>Detention (lunch, after-school, before-school)</p> <p>In-School Suspension</p> <p>Out of School Suspension</p>
<p>Level IV</p> <ul style="list-style-type: none"> • Possession, distribution, sale, or use of alcoholic beverages, marijuana, other drugs and /or paraphernalia • Sexual offense including assault and sexual harassment • Possession, use, or threat of use of a dangerous weapon • Assault/Battery - Attack on another individual: hitting, kicking, or punching, or intentionally throwing items at an individual and making contact. • Substantial verbal or written threat • Bomb threat or false alarm arson/Fire 	<p>Immediate removal from classroom or location of incident</p> <p>Notification of the parent/guardian by the administrator about the behavior</p> <p>Conference with administrator student, and parent/guardian</p> <p>Restorative Practices</p> <p>Removal from activities</p> <p>Extracurricular activities may be suspended indefinitely</p> <p>In-School Suspension</p> <p>Out-of-School Suspension</p> <p>Potential Superintendent’s Hearing</p> <p>Law enforcement agencies may be contacted</p>

6 th Grade through 12 th Grade	
Levels of Misconduct	Disciplinary Responses
<p>Level I</p> <ul style="list-style-type: none"> • Unexcused tardiness to school, homeroom, and class • Misconduct in the classroom, cafeteria, hallways, school property, and school-related activities • Insubordination (does not follow classroom rules, procedures, and directions) and/or disrespect 	<p>Classroom teacher will inform attendance office and document behavior</p> <p>Verbal warning</p> <p>Referral to alternative designated location</p> <p>Detention (lunch, period of the school day, after-school (10th period))</p>

	<p>Social consequences/ withdrawal of privileges.</p> <p>Restorative Practices</p>
<p>Level II</p> <ul style="list-style-type: none"> • Disorderly conduct • Truant (skipping) school, class or assigned remedial period • Leaving school without permission • Inappropriate display of affection (if warning is ineffective) • Unauthorized use of cell phones (speaking, texting, or taking pictures/movies) or electronic music device or smart device use during school hours • Failure to adhere to parking permit regulation • Cheating and Forgery • Using profane language • Dress code violation • Obstructing vehicular or pedestrian traffic • Loitering or trespassing/being present or entering into any school property, function, or vehicle without authorization • Any other activity that disrupts or is reasonably likely to disrupt the educational process or school operations 	<p>Classroom teacher will inform attendance office and document behavior</p> <p>Teacher/school personnel will inform main office</p> <p>Detention (lunch, period of the school day, after-school (10th period))</p> <p>Notification of the parent/ guardian by the administrator/teacher/staff member</p> <p>Conference with administrator and/or teacher, student, and parent/guardian</p> <p>Social consequences/ withdrawal of privileges</p> <p>Temporary removal from classroom or other location</p> <p>Referral to alternative designated location</p> <p>Restorative Practices</p> <p>In-school suspension</p> <p>Out-of-School suspension</p>
<p>Level III</p> <ul style="list-style-type: none"> • Stealing or possession of stolen property • Harassment – physical, verbal, sexual • Fighting: students engaged in hitting, kicking, or punching the other persons involved, and when serious disruption to the operation of the school • Destruction or defacement of school property or another’s personal property • Bullying: persistent and repeated incidents targeted at same person or group • Being untruthful or making false reports • Electronic bullying/harassment: used to threaten or emotionally harm another person • Possession, sale, distribution, transfer or use of lewd or obscene materials • Creating a hazardous or physically offensive condition that serves no purpose • Possession, distribution, sale, or use of cigarettes, electronic cigarettes or any tobacco 	<p>Classroom teacher/administrator will document and report behavior</p> <p>Immediate removal from classroom or location of incident.</p> <p>Notification of the parent/ guardian by the administrator/teacher/staff member</p> <p>Conference with administrator and/or teacher, student, and parent/guardian</p> <p>Detention (lunch, period of the school day, after-school (10th period))</p> <p>Referral to alternative designated location</p> <p>In School Suspension</p> <p>Out-of-School Suspension</p>

<p>products or performing as a “look out” for tobacco or electronic cigarette usage</p> <ul style="list-style-type: none"> • Violation or computer usage policy • Using a staff member’s computer or electronic files without permission • Improperly altering documents or records • Making false reports 	<p>Potential Superintendent’s Hearing</p> <p>Law enforcement agencies may be contacted</p>
<p>Level IV</p> <ul style="list-style-type: none"> • Possession, distribution, sale, or use of alcoholic beverages, marijuana and paraphernalia • Other drugs or drug paraphernalia • Intentional physical contact/attack on school personnel • Sexual Offense including assault and sexual harassment • Possession, use, or threat of use of a dangerous weapon • Assault/Battery - Attack on another student: hitting, kicking, or punching • Verbal, or written threat against school personnel • Bomb Threat or False Alarm Arson/Fire 	<p>Notification of the parent/guardian by the administrator</p> <p>Conference with administrator student, and parent/guardian</p> <p>Immediate removal from classroom or location of incident</p> <p>Extracurricular activities may be suspended indefinitely, or the student may be removed from activities pending administrative review</p> <p>In School Suspension</p> <p>Out-of-School Suspension</p> <p>Potential Superintendent’s Hearing</p> <p>Law enforcement agencies may be contacted</p>

<p>Procedures</p>
<p>The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.</p> <p>Students who are to be given penalties other than an oral warning, written warning or written notification to their parents/guardians are entitled to additional rights before the penalty is imposed. These additional rights are explained below.</p>
<p>Definitions</p>
<p><i>Detention</i></p> <p>Teachers and administrators may use detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate and may let you know if it’s outside the school day.</p>
<p><i>Suspension from transportation</i></p> <p>If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal’s attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the Superintendent or their designees. In such cases, the student’s parent/guardian will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student’s education.</p> <p>A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law Section 3214. However, the student and the student’s parent/guardian will be provided with a reasonable opportunity for</p>

an informal conference with the building principal or the principal’s designee to discuss the conduct and the penalty involved.

Suspension from athletic participation, extracurricular activities and other privileges

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

In-school suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in “in-school suspension.”

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

Teacher disciplinary removal of disruptive students

A student’s behavior can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. Such practices may include, but are not limited to:

1. short-term “time out” in an elementary classroom or in an administrator’s office;
2. sending a student into the hallway briefly;
3. sending a student to the principal’s office for the remainder of the class time only; or
4. sending a student to a counselor or other district staff member for counseling.

Time-honored classroom management techniques do not constitute disciplinary removals for purposes of this Code.

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

A classroom teacher may remove a disruptive student from class for up to two (2) days. The removal from class applies to the class of the removing teacher only. The student should be remanded to the principal’s office, unless otherwise directed.

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

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

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

Within 24 hours after the student’s removal, the principal or another district administrator designated by the principal must notify the student’s parents/guardians by telephone, followed by a letter stating that the student has been removed from class and why. The notice must also inform the parent/guardian that he or she has the right, upon request to meet informally with the principal or the principal’s designee to discuss the reasons for the removal.

The notification must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to insure receipt of the notice within 24 hours of the student's removal.

The principal may require the teacher who ordered the removal to attend the informal conference.

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

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one (1) of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the district's Code of Conduct.
3. The conduct warrants suspension from school pursuant to Education Law Section 3214 and a suspension will be imposed.

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

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

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

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

Suspension from school

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

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

All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the Code of Conduct. All referrals shall be made in writing unless the conditions underlying the referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member making the referral.

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

a. Short-term (five [5] days or less) suspension from school

When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five (5) days or less pursuant to Education Law Section 3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents/guardians by calling them on the telephone, followed by a written notice within twenty-four (24) hours of the decision to propose suspension.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents/guardians of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/guardians. At the conference, the parents/guardians shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

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

notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents/guardians in writing of his or her decision. The principal shall advise the parents/guardians that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five (5) business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within ten (10) business days of receiving the appeal. If the parents/guardians are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within three (3) business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision.

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

When the Superintendent or building principal determines that a suspension for more than five (5) days may be warranted, he or she shall give reasonable notice to the student and the student's parents/guardians of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent or his/her designee shall personally hear and determine the proceeding or may, in his or her discretion designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within twenty (20) business days of the date of the Superintendent's decision, unless the parents/guardians can show extraordinary circumstances precluding them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision.

c. Permanent suspension

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

A. Minimum Periods of Suspension

1. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for a least one (1) calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law Section 3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

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

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five (5) days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents/guardians will be given the same

notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents/guardians will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five (5) days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law Section 3214(3-a) and this Code on four (4) or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the student's parents/guardians will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents/guardians will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

B. Referrals

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

2. PINS Petitions

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

- a. Being habitually truant and not attending school as required by Part One in Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law Section 221.05. A single violation of Section 221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

The Superintendent is required to refer the following students to the County Attorney for a Juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law Section 1.20(42).

The Superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

Participation in Non-Credit Bearing Extracurricular Activities

1. A student assigned to the alternate learning placement for a first offense is automatically suspended for the next group activity (i.e., game, match, performance, dance, etc.) that takes place in the "season" of the infraction.
2. A student assigned to the alternate learning placement an additional time during the same season, production period, etc., will be dismissed from participation indefinitely pending investigation by the coach, advisor, director, etc., and/or the assistant principal/principal.
3. A student who is on Out of Building Suspension (OBS) shall not participate in or attend any extracurricular activities during the day or days of suspension. In addition, the student will be suspended from additional participation as follows:
 - a. 0-2 days of OBS – 1 week suspension from participation from the student's OBS return date.
 - b. 3+ days of OBS – 2 weeks of suspension from participation from the student's OBS return date.

- c. All suspensions are pending an investigation by the coach, advisor, director, etc., and/or the assistant principal/principal with further suspension from participation and/or removal pending the outcome of the investigation.
4. A student who is found to have violated the Student Tobacco policy or found to be in possession, distributing, selling, using alcoholic beverages or marijuana and/or paraphernalia shall automatically be suspended for 4 weeks from any and all participation in non-credit bearing extracurricular activities; regardless of whether such suspension overlaps into different activities/seasons.
5. A student who is found in possession, distributing, selling or using illegal drugs or drug paraphernalia shall automatically be suspended from all participation in his/her current non-credit bearing extracurricular activities for the remainder of the activities' term or season or shall be suspended for a period of eight (8) weeks from participation in any noncredit bearing extracurricular activities regardless of whether such suspension overlaps into different activities/seasons; whichever term is greater.
6. Students that are forthcoming and honest when interviewed about misconduct, except misconduct described in #5 (Drugs) may be eligible for a "First Time Honesty Reduction." Students shall only be eligible for the "First Time Honesty Reduction" one (1) time while a student is at the district.

Each case will be judged individually before the principal makes the final determination. Exceptions may be made with the recommendation of the administrator and the approval of the Superintendent. Exceptions may include the ability to practice and/or be a part of an activity but be ineligible to play in any activities during the suspension period.

Student Tobacco Policy

1. Students are not to have cigarettes or other tobacco products in school, on school grounds, or on school transportation. Including but not limited to e-cigarettes, "Juul," Vape Box Mods, Vape Liquid, and chewing tobacco.
2. If it is obvious that a student has tobacco products in his/her possession, they will be confiscated and not returned.
3. Students will be considered in violation of this policy if:
 - a. they are seen in the act of smoking (if smoke is coming from mouth, nose),
 - b. they have a cigarette (lighted or unlighted) in their possession,
 - c. they are using chewing tobacco,
 - d. they have or are using an electronic cigarette or a similar device.
4. The professional and support staff will be required to enforce this policy. Any student who interferes with the enforcement of this policy by acting as a "look-out" or "early warning" device will be considered to be insubordinate and will be assigned to the alternative learning placement for one (1) day for the first offense. Multiple offenses will be dealt with at the discretion of the administration.

Disciplinary and Remedial Consequences

The district emphasizes the creation and maintenance of a positive learning environment for all students. Measured, balanced, and age-appropriate responses to the discrimination and harassment of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education is needed to maintain the desired learning climate. Remedial responses which may be utilized include:

1. Peer support groups; corrective instruction or other relevant learning or service experience;
2. Supportive intervention;
3. Behavioral assessment or evaluation;
4. Behavioral management plans, with benchmarks that are closely monitored;
5. Student counseling and parent/guardian conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be an important tool to prevent discrimination and harassment. Environmental remediation strategies may include:

1. Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
2. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
3. Adoption of research-based, systemic harassment prevention programs;

4. Modification of schedules;
5. Adjustment in hallway traffic and other student routes of travel;
6. Targeted use of monitors;
7. Staff professional development;
8. Parent/guardian conferences;
9. Involvement of parent-teacher organizations; and
10. Peer support groups.

XII. Alternative Instruction

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

XIII. Discipline of Students with Disabilities

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

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

A. Authorized Suspensions or Removal of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply:

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

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

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

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. The Board, the district (BOCES) Superintendent of Schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five (5) consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to ten (10) consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

- c. The Superintendent may order additional suspensions of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than forty-five (45) days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - 1) “*Weapon*” means the same definition as “*Weapon*” was previously defined in this Code of Conduct.
 - 2) “*Controlled substance*” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - 3) “*Illegal drugs*” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

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

B. Change of Placement Rule

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

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

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

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

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

If one (1) or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

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

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

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

3. The district shall provide parents/guardians with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.
The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents/guardians of a student with disabilities subject to a suspension of five (5) consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents/guardians of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five (5) school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner’s regulations incorporated into this Code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than ten (10) consecutive days or for a period that would result in a

disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this Code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this Code, if:
 - i. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - ii. The parent/guardian requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - i) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents/guardians and the district agree otherwise.
 - ii). If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within fifteen (15) business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents/guardians within five (5) business days after the last hearing date, and in no event later than forty-five (45) calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

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

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

XIV. Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district Code of Conduct. Students are not entitled to any sort of "Miranda" type warning before being questioned by school officials, nor are school officials required to contact a student's parent/guardian before questioning the student. However, school officials will tell all students why they are being questioned.

Lockers (even if the student owns the lock), desks, cubbyholes, etc., are the property of the school and subject to inspection *without cause*, at any time, *without notice or the student's or parent's/guardian's permission or presence*. Students should take this policy into account when deciding whether to store personal belongings in such places.

In addition, the Board authorizes the Superintendent, building principals, the school nurse and district security officials to conduct searches of students and their belongings, including students' vehicles where appropriate, if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Searches of student's person includes any search that involves physical contact with the student's body, including clothing worn by the student, or the requirement that the student remove clothing, with the exception of outer garments such as coats, jackets, sweatshirts, sweaters, vests, etc. Removal of clothing shall be limited to removal of socks and shoes and articles of clothing that will not expose the student's undergarments and private areas. These searches also include, but are not limited to pat-down searches, handheld metal detectors, alcohol sensing equipment, and the sniffing of a student by police search dogs.

Searches of the student's person should be performed or witnessed by at least one (1) school employee who is the same gender as the student searched.

These searches will only be undertaken if the school Superintendent, building principal, assistant/associate principal or other administrator is present and if the administrator has reasonable grounds for suspecting that the search will uncover evidence that the student has violated or is violating the law or the rules of the school.

Before searching a student or the student's belongings, the authorized school official should request the student to admit that he or she possesses physical evidence that they violated the law or the district Code, or request the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

XV. Visitors to the Schools

In order to avoid disruption of the educational process, visitors are expected to comply with this policy, and other applicable district policies including the Public Order policy.

During the school day, all visitors must report to the security office or other designated location to request a visitor's pass to be allowed further access to the building.

Members of the school district staff will treat parents/guardians and other members of the public with respect and expect the same in return. The district must keep schools and administrative offices free from disruptions and prevent unauthorized persons from entering school/district grounds.

Accordingly, this policy promotes mutual respect, civility, and orderly conduct among the district employees, parents/guardians, and the public. We do not intend this policy to deprive any persons of his or her right to freedom of

expression. Rather, we seek to maintain, to the extent possible and reasonable, a safe, productive and harassment-free environment for our students and staff. In the interest of presenting teachers and other employees as positive role models, we encourage positive communication and discourage volatile, hostile, or aggressive actions. This district seeks public cooperation with this endeavor.

1. **Disruptive Individual Must Leave School Grounds.** Any individual who disrupts or threatens to disrupt school/office operations/events, threatens the health and safety of students or staff, willfully causes property damage, uses loud and/or offensive language that could provoke a violent reaction, or who has otherwise established a continued pattern of unauthorized entry on school district property, will be directed by the school's principal or other person in charge to leave school, school district property, or event promptly. If the person does not comply it will be considered a trespass and law enforcement authorities will be called. Future access to school property or events may be restricted.
2. **Directions to Staff in Dealing with Abusive Individual.** If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely warn the speaker to communicate civilly and that a failure to do so could result in a request to leave or end the contact. If the individual does not stop the abusive behavior, the district employee will verbally notify the individual that the meeting, conference, or telephone conversation is terminated. If the individual is on district premises or at a district event, the administrator, custodian or other person in charge, may request the abusive individual to leave promptly or law enforcement authorities will be called.
3. **Provide Policy and Report Incident.** When a staff member determines that a member of the public is in the process of violating the provisions of this policy, the staff member should direct the person to the building administrator, or other school official in charge, who should provide a written copy of this policy at the time of occurrence. The staff member will provide a written report of the incident to his or her supervisor.

This policy should be posted in each school building main entrance area, main office and other conspicuous places.

XVI. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the Code, "public" shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

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

1. Willfully cause physical injury to any other person or threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do, or do any act which he has a lawful right not to do.
2. Physically restrain or detain any other person or remove such person from any place where he is authorized to remain.
3. Willfully damage or destroy property of the district or of the school personnel or students or remove or use such property without authorization.
4. Without permission, express or implied, enter into any private office of an administrative officer, faculty member or staff member.

5. Other than student or employee, enter a classroom or the building beyond the administrative office without written permission of the Superintendent or his designee.
6. Enter upon and remain in any building or facility for any purpose other than for authorized uses, or in such manner as to obstruct its authorized use by others.
7. Without authorization, remain in any building or facility after it is normally closed.
8. Refuse to leave any building or facility after being requested to do so by an authorized administrator.
9. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, school programs, school activities, lectures and meetings, or deliberately interfere with any person who desires to express his views, including invited speakers.
10. Have in his possession upon any premises to which these rules apply, any knife, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the Superintendent, whether or not a license to possess the same has been issued to such person unless authorized by law.
11. Smoke tobacco, possess, consume or exchange or be under the influence of alcoholic beverages, drugs or narcotics on school properties.
12. Distribute or post any written material, pamphlet or poster without the prior written approval of the Superintendent.
13. Urge or incite others to commit any of the acts herein prohibited.
14. Violate the traffic laws, regulations or other restrictions on vehicles.
15. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

B. Penalties

A person who shall violate any of the provisions of these rules shall:

1. If he is a licensee or invitee, have his authorization to remain upon the district property withdrawn, and shall be directed to leave the premises. In the event of his failure or refusal to do so, he shall be subject to ejection and arrest.
2. If he is a trespasser or visitor without specific license or invitation, be subject to ejection and arrest.
3. If he is a student, be subject to suspension or such lesser disciplinary action as the facts of the case may warrant.
4. If he is a faculty member, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.
5. If he is a staff member entitled to the benefits of Civil Service Law Section 75, be guilty of misconduct and subject to the penalties prescribed in said section.
6. If he is a staff member, not entitled to the benefits of Civil Service Law Section 75, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

C. Procedure

In case of a violation of this section:

1. The Superintendent, building principal or designee shall inform any licensee or invitee, who shall violate any provision of these rules, that his/her license or invitation is withdrawn and shall direct him/her to leave the district grounds. In the event of his/her failure or refusal to do so, the Superintendent or designee shall cause his/her ejection from such property.
2. In the case of any other violator who is neither a student nor faculty nor other staff member, the Superintendent or designee shall inform the violator that he/she is not authorized to remain on the property of the district, and direct him/her to leave such premises. In the event of his/her failure or refusal to do so, the Superintendent or designee shall cause his/her ejection from such property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation, or to affect his/her liability to prosecution for trespassing or loitering as prescribed in the Penal Law.
3. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in Section 3214(3) of the Education Law.
4. In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with Section 3020-a of the Education Law.

5. In the case of a faculty member not having tenure, the Superintendent will attend to the violation as agreed upon within the terms of the collective bargaining agreement.
6. In the case of any staff member who holds a position in the classified Civil Service as described in Section 75 of the Civil Service Law or is covered by Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
7. In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the Superintendent shall attend to the violation as agreed upon within the terms of the collective bargaining agreement.

D. Enforcement Program

The responsibility for enforcement is as follows:

1. The Superintendent shall be responsible for the enforcement of these rules, and he shall designate other administrative officers who are authorized, including but not limited to building principals, to take action in accordance with such rules when required or appropriate.
2. The Superintendent or designee may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules, and he/she may request the school attorney to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules.
3. The Superintendent or his/her designee shall be promptly notified each time civil authorities are called on for this purpose by the person requesting assistance

E. Application of Rules

These rules shall apply to all school property and school functions of the district and shall govern the conduct of students, teachers, staff members, as well as visitors and other licensees and invitees.

XVII. Dissemination and Review

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this Code of Conduct by:

1. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the Code available to all parents/guardians at the beginning of the school year.
3. Mailing a summary of the Code of Conduct written in plain language to all parents/guardians of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
6. Making copies of the Code available for review by students, parents/guardians and other community members via website and at each school office.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Revised: 07/31/13, 06/18/14, 05/20/15, 06/15/16, 06/21/17, 06/20/18, 06/26/19, 09/02/2020, 06/23/21, 07/27/22, 12/21/22, 6/21/23

Before adopting any revisions to the Code, the Board will hold at least one (1) public hearing at which school personnel, parents/guardians, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Concussion Management

The Board recognizes that concussions and head injuries are one of the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The physical and mental well-being of District students is a primary concern. As such, the District supports the proper evaluation and management of concussion injuries.

A concussion is a mild traumatic brain injury (MTBI) that occurs when normal brain functioning is disrupted by a blow or jolt to the head or body that causes the head and brain to move rapidly back and forth. Recovery from concussion and its symptoms will vary. Avoiding re-injury and over-exertion until fully recovered are the cornerstones of proper concussion management.

Concussion Management Team (CMT)

The District is authorized, at its discretion, to establish a Concussion Management Team (CMT) which may be composed of the certified athletic director, a school nurse, the school physician, a coach of an interscholastic team, a certified athletic trainer or such other appropriate personnel as designated by the District. The CMT will oversee and implement the District's concussion policy, including the requirement that all school coaches, physical education teachers, nurses, and certified athletic trainers who work with and/or provide instruction to pupils engaged in school-sponsored athletic activities complete training relating to MTBIs. Furthermore, every CMT may establish and implement a program which provides information on MTBIs to parents and persons in parental relation throughout each school year.

Staff Training/Course of Instruction

Each school coach, physical education teacher, school nurse, and certified athletic trainer who works with and/or provides instruction to students in school-sponsored athletic activities will complete a course of instruction every two years relating to recognizing the symptoms of concussions or MTBIs and monitoring and seeking proper medical treatment for students who suffer from a concussion or MTBI.

Components of the training will include:

- a) The definition of MTBI;
- b) Signs and symptoms of MTBI;
- c) How MTBIs may occur;
- d) Practices regarding prevention; and
- e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The course can be completed by means of instruction approved by New York State Education Department (NYSED) which include, but are not limited to, courses provided online and by teleconference. The CMT will utilize a system to document all required training for District staff. Because concussion symptoms may manifest themselves in any setting, all school staff will be encouraged to take the online training and be alert for students who may display or report concussion symptoms.

Information to Parents

The District will include the following information on MTBIs or concussions in any permission or consent form or similar document that may be required from a parent or person in parental relation for a student's participation in interscholastic sports. Information will include:

- a) The definition of MTBI;
- b) Signs and symptoms of MTBI;
- c) How MTBIs may occur;
- d) Practices regarding prevention; and
- e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The District provides a link on its website to this list of information from the NYSED's and Department of Health's websites.

Identification of Concussion and Removal from Athletic Activities

The District requires the immediate removal from all athletic activities of any student who has sustained, or is believed to have sustained, a MTBI or concussion. Any student demonstrating signs, symptoms, or behaviors consistent with a concussion while participating in a class, extracurricular activity, or interscholastic athletic activity will be removed from the class, game, or activity and must be evaluated as soon as possible by an appropriate health care professional. This removal must occur based on display of symptoms regardless of whether the injury occurred inside or outside of school. If there is any doubt as to whether the student has sustained a concussion, it will be presumed that the student has been injured until proven otherwise. The District will notify the student's parents or guardians and recommend appropriate evaluation and monitoring.

The District may allow credentialed District staff to use validated neurocognitive computerized testing as a concussion assessment tool to obtain baseline and post-concussion performance data. These tools are not a replacement for a medical evaluation to diagnose and treat a concussion.

Return to School Activities and Athletics

The student will not return to physical activity (including athletics, physical education class, and recess) until he or she has been symptom-free for at least 24 hours, and has been evaluated and received written authorization from a licensed physician. In accordance with Commissioner's regulations, the District's Medical Director will give final clearance on a return to activity for extra-class athletics. All authorizations will be kept on file in the student's permanent health record. The standards for return to athletic activity will also apply to injuries that occur outside of school. School staff should be aware that students may exhibit concussion symptoms caused by injuries from outside activities and that these visible symptoms also indicate a removal from play.

The District will follow any directives issued by the student's treating physician with regard to limitations and restrictions on school and athletic activities for the student. The District's Medical Director may also formulate a standard protocol for treatment of students with concussions during the school day.

In accordance with NYSED guidelines, this policy will be reviewed periodically and updated as necessary in accordance with NYSED guidelines. The Superintendent, in consultation with the District's Medical Director and other appropriate staff, may develop regulations and protocols for strategies to prevent concussions, the identification of concussions, and procedures for removal from and return to activities or academics.

Education Law § 305(42)

8 NYCRR §§ 135.4 and 136.5

Guidelines for Concussion Management in the School Setting, NYSED Guidance Document, June 2012

Provision of Interpreter Services to Parents Who Are Hearing Impaired

The Board of Education ensures parents or persons in parental relation who are hearing impaired the right to meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children’s education. School initiated meetings or activities are defined to include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term “hearing impaired” shall include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in school district meetings or activities.

Parents or persons in parental relation shall be notified of the availability of interpreter services to be provided at no charge, provided that a written request is made to the school district within fourteen (14) days of the scheduled event. Exceptions to the time frame request may be made for unanticipated circumstances as determined by the principal/designee. The district shall also notify appropriate school personnel as to the terms and implementation of this policy.

If interpreter services are requested, the district shall appoint an interpreter for the hearing impaired to interpret during the meeting or activity. The district will arrange for interpreters through a district-created list or through an interpreter referral service. The district shall also develop interagency agreements, as appropriate, to ensure that sign language interpreters are provided for eligible parents or persons in parental relation when district students attend out-of-district schools or programs.

In the event that an interpreter is unavailable, the school district shall make other reasonable accommodations which are satisfactory to the parents or persons in parental relation. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include, but are not limited to, the use of:

- a) written communications, transcripts, note takers, etc.; and
- b) technology such as: a decoder or telecommunication device for the deaf, assistive listening devices and closed or open captioning.

Children with Disabilities

A child with a disability means a student under the age of twenty-one (21) who is entitled to attend public schools and who, because of mental, physical or emotional reasons can only receive appropriate educational opportunities from a program of special education. A child is not considered as having a disability if his/her educational needs are due primarily to unfamiliarity with the English language or environmental, cultural or economic factors or lack of appropriate instruction in reading or mathematics.

If the State Education Department finds that the district has inappropriate policies, procedures or practices resulting in a significant disproportionality by race/ethnicity in the suspension, identification, classification and/or placement of students with disabilities, the district will ensure that it publicly reports on the subsequent revisions to those policies, procedures or practices.

The Board of Education recognizes the existence of individual differences in the intellectual, social, emotional and physical development of children attending school in the district. In recognizing these differences the Board supports a system of services offered in the least restrictive environment for children with disabilities which includes:

- a) Not requiring any student to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substances Act as a condition of receiving services;
- b) Education in regular classes with or without support services, education in a resource room, education for part of the day in a special class, full time education in a special class, home instruction and education in a residential setting;
- c) Providing for the education of students with disabilities with non-disabled peers to the extent appropriate; and
- d) Taking the following measurable steps to recruit, hire, train and retain highly qualified personnel to provide special education programs and services:
 1. Utilize established procedures for publication of all potential job openings;
 2. Check credentials and requirements listed on applications;
 3. Provide training sessions for interview committee when deemed necessary;
 4. Special Education teachers are required to have subject matter knowledge appropriate to the level of instruction being provided. When teaching two (2) or more core academic subjects exclusively to children with disabilities, the teacher will meet the requirements of "highly qualified" per the Every Student Succeeds Act (ESSA) and the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) or demonstrate competence in all the core academic subjects taught per state regulations;
 5. Special Education teachers and administrators are required to complete enhanced training in the needs of children with autism when required by applicable State and Federal Laws, Rules and Regulations.

- e) Establishing the following guidelines for the provision of appropriate accommodations necessary to measure the academic achievement and functional performance of the student in the administration of district-wide assessments:
1. Ensure that necessary accommodations are specified on individualized education program (IEP) and implemented in accordance with the IEP;
 2. Review the need for accommodations at Committee on Special Education (CSE) evaluations/re-evaluations;
- f) To the extent feasible, using universal design principles (defined as a concept or philosophy for designing and delivering products and services that are usable by people with the widest range of functional capabilities, which include products and services that are directly usable without requiring assistive technologies and products and services that are made usable with assistive technologies) in developing and administering District-wide assessment programs by:
1. Addressing appropriate universal design principles in IEP;
 2. When appropriate, the Library Media Specialist and/or Curriculum Coordinator keep Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE) apprised of available products and services utilizing universal design principles;
 3. When available, and where appropriate using instructional materials and activities that allow learning goals to be achieved by individuals with wide differences in abilities;
 4. Striving to use flexible curricular materials and activities are built into the instructional design and operating systems;
 5. Striving that instruction is diversified, so that the ultimate goal is to deliver the general education curriculum to every student and diversify ways students may respond to that curriculum.
- g) Consideration of the location of a school program(s) to a student's residence before placement into an educational program;
- h) Adoption of written policies and procedures so that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with Commissioner's Regulations and other applicable Laws, Rules and Regulations.
- i) Allocation of appropriate space within the district for special education programs that meet the needs of students with disabilities.
- j) Striving to have appropriate space continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by Boards of Cooperative Educational Services;

Provision of Special Education Services to Nonpublic School Students with Disabilities who are Parentally Placed

The **district of location** is responsible for Child Find (including individual evaluations), Committee on Special Education (CSE) meetings, provision of special education services and due process to parentally placed nonpublic school students attending nonpublic schools located in the geographic region of the public school district.

These requirements only pertain to students with disabilities parentally/guardian placed in elementary and secondary nonpublic schools, not to parental placements of preschool children with disabilities in private day care or preschool programs; or to CSE placements of students with disabilities in approved private schools, Special Act School Districts, state-supported or state-operated schools or to charter schools.

The actual cost for Committee on Special Education (CSE) administration, evaluations and special education services provided to a student with a disability who is a resident of New York State, but a non-resident to the district of location may be recovered from the student's school district of residence. Because federal regulations require parental/guardian consent before any personally identifiable information about the student relating to special education is shared between officials in the public school district of location and officials in the public school district of residence, parent consent to share special education information between the two public school districts is required before billing a district of residence for the cost of special education services provided to the student by the district of location.

Parental/guardian consent must be obtained by the school district of location before any personally identifiable information about the student is shared between officials in the public school district of residence and officials in the public school district of location.

The school district of location must consult with nonpublic school representatives and representatives of parents/guardians of parentally/guardian placed nonpublic school students with disabilities enrolled in nonpublic elementary and secondary schools located within the boundaries of the school district. The school district must engage in consultation regarding the Child Find process and services generally; consultation is not specific to individual students. Individual services are determined by the CSE.

The consultation process must be timely and meaningful and include discussion of:

The school district of location must provide, as appropriate, special education services to an eligible student who legally resides in another state and who is parentally/guardian placed in a non-public school located in New York State. The services to be provided to out-of-state students must be documented on a services plan that is developed by the CSE of the district of location. The services plan is the written plan that describes the specific special education and related service that the district of location will provide to the student consistent with the services that the school district of location has determined through the consultation process and in relation to the proportionate shares of federal IDEA Part B dollars to be provided to the student.

Tuition Reimbursement Claims for Disabled Nonpublic School Students

The parent/guardian must comply with the IDEA's pre-hearing notice requirement for tuition reimbursement claims. Specifically, the IDEA directs that at least ten (10) business days before submitting a request for an impartial due process hearing for tuition reimbursement, the parent/guardian must give the district written notice of intent to enroll the child in private school at public expense. The purpose of this requirement is to give the public school district's CSE the opportunity to meet and develop a new IEP for the student that addresses the parent's/guardian's concerns. *A parent/guardian who does not provide such written notice within ten (10) days may have his request for reimbursement reduced or denied. In most cases a parent's/guardian's failure to satisfy these notice requirements is a complete bar to recovery.*

Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 Sections 612 and 614

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.

20 USC Section 9101(23), 21 USC Section 812(c), 34 CFR Part 300

Education Law Sections 3004(4), 3004(5), 3208, 3242, 3602-c, 4401-4407 and 4410-6

8 NYCRR Sections 52.21, 57-3, 100.5, 100.9, 177.2, 200.2(b), 200.2(c)(2)(v), 200.4(e)(9) and 200.6(a)(1)

Special Education: District Plan

A district plan has been developed and will be reviewed every two (2) years describing the Special Education program in the Chenango Valley Central School District. The district plan includes the following:

- a) A description of the nature and scope of special education programs and services currently available to students (including preschool students) residing in the district including but not limited to descriptions of a district's resource room programs and each special class program provided by the district in terms of group size and composition.
- b) Ongoing or continuous identification of the number and age span of students (school age and preschool) to be served by type of disability and recommended setting.
- c) The method to be used to evaluate the extent to which the objectives of the programs have been achieved.
- d) A description of the policies and practices of the Board of Education to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities.
- e) A description of the policies and practices of the Board of Education to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by Boards of Cooperative Educational Services.
- f) A description of how the district intends to ensure that all instructional materials to be used in the schools of the district will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to non-disabled students. The alternative format must meet the National Instructional Materials Accessibility Standard defined in federal law.
- g) The estimated budget to support such plan.
- h) The date on which such plan was adopted by the Board of Education.
- i) A description of how the district plan is in alignment with New York State Education Department special education space requirements is included in the plan.

The district plan, with personally identifiable student information deleted, shall be filed and available for public inspection and review by the Commissioner.

Animals in the School (Instructional Purposes)

Observation and experimentation with living organisms and animals gives students unique perspectives of life processes. Animals and animal materials should be used respectfully and for the purpose of meeting course objectives.

The Board of Education, in recognizing the educational uses of animals in the classroom, requires that permission be obtained from the building principal before animals are brought into the school or classrooms. It is the principal's responsibility to ensure that there is an appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses with the exception of animals certified to assist persons with disabilities.

Study and Care of Live Animals

It shall be the responsibility of the principal or his/her designee to develop a plan of care for those animals housed in school in the event of an emergency school closing or in the event the animals remain in the classroom on days when school is not in session.

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 approved by the student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or guardian. An alternate activity clearly related to and of comparable rigor will be assigned in lieu of laboratory dissection. Some examples of alternate activities include the use of computer simulations or research. Students who perform alternative projects shall not be penalized.

Effective July 1, 2011, the district will give reasonable notice to all students enrolled in a course that includes the dissection of an animal and students' parent(s)/guardian(s) about their rights to seek an alternate project to dissection. Such notice shall be made available upon request at the school and distributed to parents/guardians and students enrolled in a course that includes dissection at least once at the beginning of the school year.

Instruction in the Humane Treatment of Animals

Students in elementary school must receive instruction in the humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals that are subsequently abandoned and caused to suffer extreme cruelty. Such instruction shall be for a period of time as specified by the Board of Regents and may be joined with work in literature, reading, language, nature study, or ethnology.

Americans with Disabilities Act, 42 United States Code (USC) Section 12101 et. seq.

Education Law Section 809

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(c)(8)

Impartial Due Process Hearings/Selection of Impartial Hearing Officers

The parent/person in parental relation of a student with a disability may file a written request with the Board for an impartial due process hearing with respect to any matter relating to the identification, evaluation, educational placement, provision of a free appropriate public education, manifestation determination or other matter relating to discipline. The Board may also initiate such hearing.

The school district is committed to making every effort to amicably resolve differences involving the educational programs for students with disabilities. Mediation will be available to resolve disputes involving any matter, including matters arising prior to the filing of a request for an impartial due process hearing. In addition, the district may establish procedures providing the opportunity to meet with a disinterested party from a community dispute resolution center for an explanation of the benefits of the mediation process.

For those exceptional circumstances where a more formal method is required, the impartial hearing process will be utilized. The Impartial Hearing Officer (IHO) renders a written decision after the parties present and refute evidence before him/her. The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

Impartial Due Process Hearing Process

The request for an impartial due process hearing must be submitted within two (2) years of the date the parent/guardian or the district knew or should have known about the alleged action forming the basis of the complaint. However, the two (2) year timeline does not apply if the parent/guardian was prevented from requesting the hearing due to specific misrepresentations by the district that it had resolved the problem or the district's withholding of information from the parent that is required by Commissioner's Regulations.

The following is an overview of the impartial due process hearing process/prehearing conference:

Due Process Complaint Notification

- a) The parent/guardian or the school district may request an impartial due process hearing by first submitting a due process complaint notice.

A hearing may not be held until a due process complaint notice is filed. Either the parent/guardian, the district, or the attorney representing either party may present a complaint with respect to any matter relating to the identification, evaluation or educational placement of a student with a disability or a student suspected of having a disability, or the provision of a free appropriate public education to such student.

This written due process complaint notice must include:

- 1) The name of the student;
- 2) The address of the student's residence or, in the case of a homeless student, available contact information;

- 3) The name of the school the child is attending;
 - 4) A description of the nature of the problem of the student relating to the proposed or refused initiation or change, including facts relating to the problem; and
 - 5) A proposed resolution of the problem to the extent known and available to the party at the time.
- b) The due process complaint notice will be deemed sufficient unless the party receiving the notice notifies the other party and the IHO in writing within fifteen (15) days of receiving the notice that they believe the notice requirements have not been met.
 - c) Within five (5) days of the receipt of the notice of insufficiency, the IHO shall make a determination on the face of the notice of whether the notification meets the notice requirements and shall immediately notify the parties in writing of the determination.
 - d) If the district has not sent a prior written notice (notice of recommendation) to the parent/guardian regarding the subject matter of the complaint notice, the district will send a response to the parent/guardian within ten (10) days of receiving the complaint which includes:
 - 1) An explanation of why the district proposed or refused to take the action raised in the complaint;
 - 2) A description of other options the Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE) considered and why those options were rejected;
 - 3) A description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action; and
 - 4) A description of the factors relevant to the district's proposal or refusal.
 - e) Upon receipt or filing of the due process complaint notice, the district will provide the procedural safeguards notice to the parents/guardians. The district will also inform parents/guardians in writing of the availability of mediation and of any free or low-cost legal and other relevant services available in the area.
 - f) Within ten (10) days of receiving the complaint notice, the non-complaining party must send a response specifically addressing the issues raised in the notice.
 - g) A party may amend its due process complaint notice only if:
 - 1) The other party consents in writing and is given the opportunity to resolve the complaint through a resolution process;
 - 2) The IHO grants permission, but not later than five (5) days before the impartial due process hearing commences.

Applicable timelines for the impartial due process hearing will recommence at the time of the filing of the amended notice.

- h) No issues may be raised at the impartial due process hearing that were not raised in the due process complaint notice.

Resolution Process

- a) Within fifteen (15) days of receiving the due process complaint notice from the parent/guardian and prior to the due process hearing itself, the district shall convene a meeting with the parents/guardians and relevant members of the CSE/CPSE, as determined by the district and the parent/guardian, who have specific knowledge of the facts identified in the complaint. A representative of the district who has decision-making authority must attend. The attorney for the district may not attend unless the parent/guardian is accompanied by an attorney. At this resolution meeting, the district has the opportunity to resolve the complaint after the parents/guardians discuss their complaint and the facts forming its basis.

The district will take steps to ensure that one or both of the parents/guardians of the student with a disability are present at the resolution meeting, including notifying parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the resolution meeting at a mutually agreed on time and place and in a location that is physically accessible to the parents.

- b) When conducting meetings and carrying out administrative matters (such as scheduling), the parent/guardian and district may agree to use alternative means of meeting participation such as video conferences or conference calls.
- c) The parent/guardian and district may agree in writing to waive the resolution process or agree to use the mediation process to resolve the dispute.
- d) If a settlement is reached, the parties shall execute a legally binding agreement signed by the parent/guardian and the representative of the district who has authority to bind the district. This agreement is enforceable in court. However, either party may void the agreement within three (3) business days of the agreement's execution.
- e) If the district has not resolved the due process complaint to the satisfaction of the parents/guardians within thirty (30) days of receipt of the complaint notice, the impartial hearing process may begin.
- f) Except where the parties have jointly agreed to waive the resolution process or use mediation, the failure of a parent/guardian filing a due process complaint to participate in the resolution meeting will delay the timeline for the resolution process and due process hearing until the meeting is held:
 - 1) If the district is unable to obtain the participation of the parent/guardian in the resolution meeting after reasonable efforts have been made (and documented), the district may, at the conclusion of the thirty-day period, request that an IHO dismiss the parents'/guardians' due process complaint.
 - 2) If the district fails to hold the resolution meeting within fifteen (15) days of receipt of the parent's/guardian's due process complaint or fails to participate in the resolution meeting, the parent/guardian may seek the intervention of the IHO to begin the due process hearing timeline.

Pre-Hearing Conference

A pre-hearing conference (which may take place via telephone) may be scheduled by the IHO to simplify or clarify issues; establish dates for the completion of the hearing; identify evidence to be entered into the record; identify witnesses expected to provide testimony; and/or address other administrative issues. A transcript or written summary shall be entered into record by the IHO.

Impartial Due Process Hearing

In the event the complaint is not resolved in a resolution process, the Board will arrange for an impartial due process hearing to be conducted. When carrying out administrative matters relating to an impartial due process hearing, such as scheduling, exchange of witness lists and status conferences, the parent/guardian and district may agree to use alternative means of meeting participation such as video conferences or conference calls.

- a) The district must immediately (but not later than two (2) business days after receipt of the due process complaint notice or mailing of the due process complaint notice to the parent/guardian) initiate the process to select an IHO. The district selects the IHO through a rotational selection process in accordance with regulatory timelines. The Superintendent's Secretary/District Clerk will be responsible for contacting IHOs and maintaining appropriate records.
- b) The IHO must be certified by the Commissioner of Education, be independent and have access to the support and equipment necessary to perform the duties of an IHO. When the selected IHO indicates availability, the Board of Education must immediately appoint him/her. To expedite this process, the Board may designate one (1) or more of its members to appoint the IHO on behalf of the Board.
- c) The IHO may not accept appointment unless he/she is available to make a determination of sufficiency of a due process complaint notice within five (5) days of receiving such a request and (unless an extension is granted) to initiate the hearing in a timely fashion.
 - 1) When the district files the due process complaint notice, the hearing or pre-hearing conference must commence within the first fourteen (14) days after the date the IHO is appointed;
 - 2) When a parent/guardian files the due process complaint notice, the hearing or pre-hearing conference must commence within the first fourteen (14) days after whichever of the following occurs first:
 - a) The date the IHO receives the parties' written waiver of the resolution meeting; or
 - b) The IHO receives the parties' written confirmation that a mediation or resolution meeting was held but no agreement could be reached; or
 - c) The expiration of the 30-day resolution period unless the parties agree in writing to continue mediation at the end of the 30-day resolution period. In such case, the hearing or pre-hearing conference will commence within the first 14 (fourteen) days after the IHO is notified in writing that either party withdrew from mediation.
- d) The hearing, or a prehearing conference, shall commence within the timeframe specified in c) above, unless an extension is granted pursuant to Commissioner's Regulations. The parties to the proceeding may be accompanied and advised by legal counsel and by individuals with special

knowledge or training with respect to the problems of students with disabilities. Notably, if a parent/guardian prevails at an impartial due process hearing, he or she is entitled to reasonable attorney's fees, but not fees for his/her non-attorney advocate. Such fees are considered "expert fees" and are not recoverable under the current IDEA.

- e) Each party must disclose to all parties all evaluations completed by that date and recommendations based on the offering party's evaluation that they intend to use at the hearing not less than five (5) days prior to the hearing. The IHO may bar any party that fails to comply with this requirement from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.
- f) In New York State, a party to an impartial due process hearing may be "represented" by a non-attorney. Commissioner's Regulation directs that parents/guardians, school authorities, and their respective counsel or "representative" shall have an opportunity to present evidence, compel the attendance of witnesses and to confront and question all witnesses at the hearing. Each party shall have the right to prohibit the introduction of any evidence, the substance of which has not been disclosed to all parties at least five (5) business days prior to the due process hearing.
- g) The hearing will be conducted at a time and location that is reasonable and convenient to the parent/guardian and the student involved. The hearing shall be closed to the public unless the parent/guardian requests an open hearing.
- h) The role and responsibilities of the IHO will be as enumerated in Commissioner's Regulations. At all stages of the proceeding, the IHO may assist an unrepresented party by providing information relating only to the hearing process. However, nothing shall impair or limit the authority of the IHO to ask questions of counsel or witnesses for the purpose of clarification or completeness of the record.
- i) The student shall remain in his/her current placement during the pendency of the impartial due process hearing unless both parties agree or accept as otherwise provided for expedited impartial due process hearings for certain disciplinary suspensions or removals of a student. For a preschool child not currently receiving special education services and programs, he/she may, during any impartial due process hearings or appeals, receive special education services and programs if the parent/person in parental/guardian relation and the district agree. However, during the pendency of an appeal for a preschool child who is transitioning from an Early Intervention (EI) program and is no longer eligible for the EI program due to age, the district is not required to provide the services the child had been receiving under EI. If found eligible for special education as a preschool student with a disability, and if the parent consents to the initial provision of services, the district will provide those programs and services that are not in dispute.
- j) The IHO renders and forwards the finding of fact and decision to the parties and to the State Education Department in accordance with regulatory timelines but not later than forty-five (45) days from the date required for commencement of the impartial due process hearing specified in c) above. For expedited hearings the deadline is within ten (10) school days after the hearing; for preschool hearings the timeframe is thirty (30) days after the receipt by the Board of a request for a hearing or after the initiation of such hearing by the Board.
- k) The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

Burden of Proof

In accordance with New York State law, the burden of proof and persuasion in an impartial due process hearing dispute relative to a student's special education placement rests upon the school district. However, a parent/person in parental relation seeking tuition reimbursement for a unilateral parental/guardian placement shall have the burden of persuasion as to the appropriateness of the placement.

Recordkeeping and Reporting

The district will utilize the New York State Education Department's Impartial Hearing Reporting System (IHRS) to access the alphabetical list of the names of each IHO who is certified in New York State and available to serve in the district. The district will record and report to the State Education Department required information relating to the selection of IHOs and the conduct of impartial due process hearings according to the manner and schedule specified by the Department. The Superintendent shall designate a staff member(s) who will be responsible for reporting such information as required relating to the impartial hearing process into the State Education Department's web-based reporting system.

Compensation of Impartial Hearing Officers

The district will be responsible for compensating the IHO for prehearing, hearing and post-hearing activities at the rate agreed upon at the time of the IHO's appointment. The rate of compensation may not exceed the maximum rate approved by the Director of the Division of the Budget. The district will also reimburse the IHO for travel and other hearing-related expenses (e.g., duplication and telephone costs) pursuant to an annually determined schedule. On an annual basis, the district will forward a copy of its compensation rates to each IHO on the district's rotational list.

At the completion of the impartial due process hearing, the IHO shall submit an itemized bill of hourly charges and expenses, which will be promptly paid by the district.

Mediation

The district will inform the parent/guardian in writing of the availability of mediation and any free or low-cost legal and other relevant services available in the area at the request of the parent/guardian or when an impartial due process hearing is requested.

Mediation is voluntary and does not deny or delay a parent's/guardian's right to an impartial due process hearing. If mediation is initiated after a request for an impartial due process hearing has been received, the impartial due process hearing must continue unless the request for the impartial due process hearing is withdrawn. However, a party may request an extension to an impartial due process hearing in order to pursue mediation.

Guardians ad Litem at Impartial Due Process Hearings

Unless a surrogate parent/guardian has been previously appointed, the IHO must appoint a guardian ad litem when he/she determines that the interests of the parent(s) are opposed to or are inconsistent with those of the student or whenever the interests of the student would be best protected by such appointment.

Confidentiality

All issues relating to a request for and conduct of an impartial due process hearing must be kept confidential by all district staff.

CHENANGO VALLEY CENTRAL SCHOOL DISTRICT
SECTION IV – Policy No. 38 – Impartial Due Process Hearings/Selection of Impartial Hearing Officers

Adopted: 02/20/13

Reviewed: 11/19/14, 04/26/17, 02/27/19, 02/24/21

Revised: 02/15/23

Administrative Procedures

Administrative procedures will be developed for the selection and appointment of an IHO consistent with regulatory requirements.

Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Section 1400 et seq., 34 Code of Federal Regulations (CFR) Part 300 Education Law Sections 4005, 4202, 4404(1) and 4410(78) New York Code of Rules and Regulations (NYCRR) Sections 200.1, 200.2, 200.5, 200.16, 200.21 and 201.11

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/guardians in the task of ensuring that 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 has developed and, if necessary, will revise this Comprehensive Student Attendance Policy (“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.

A. 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) Develop and maintain this Policy based upon the recommendations of a multifaceted district policy development team that may include representation from the Board of Education, administrators, teachers, students, parents/guardians and the community. The district will hold at least one public hearing prior to the revision of this Policy.
- c) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness or early departure of each student.
- d) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- e) Develop early intervention strategies to improve school attendance for all students.

B. Definitions and Determinations

Whenever used within the Comprehensive Attendance Policy, the following terms shall mean:

1. Scheduled instruction: Every period that a pupil is scheduled to attend instructional or supervised study activities during the course of a school day during the school year.
2. Absent: For middle school/high school students the pupil misses 20 minutes or more of the pupil’s scheduled instruction. The teachers’ attendance register shall be the official record.

3. Tardy: The pupil arrives later than the starting time of the pupil's scheduled instruction.
4. Early departure: The pupil leaves prior to the end of the pupil's scheduled instruction.
5. Excused: Any absence, tardiness or early departure for which the pupil has a valid school approved excuse. Such excused non-appearance shall include: personal illness, illness or death in the family, religious observance, quarantine, required court appearances, attendance at health clinics or other medical visits, field trips, approved college visits, military obligations, absences approved in advance by the principal, school field trips or outings, suspensions, school sporting events and other reasons as may be approved by the Board of Education and/or Commissioner of Education.
6. Unexcused: Any absence, tardiness or early departure for which the pupil has no valid school approved excuse. Such unexcused non-appearance shall include shopping trips to the local mall, family vacation, oversleeping, skipping class, hunting, babysitting, haircuts, obtaining a learner's permit, road test, boy/girl scouting events and any other absence that is not excused.

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 5 (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 6 through 12 each student's presence or absence shall be recorded after the taking of attendance in each period of scheduled instruction except that where students do not change classrooms for 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 grades K through 12 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.

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).

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.

Student Attendance/Course Credit

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. Classroom participation, student absences, tardiness and early departures may affect a student's grade, including credit for classroom participation, for the marking period.

For summer school and courses meeting 1/2 year or 1/4 year the same policy will apply and a calculation of the absences will be prorated accordingly.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

Students will be considered in attendance if the student is:

- a) physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time and misses less than 20 minutes of class whether through tardiness or early departure unless accounted for by an authorized person; or
- b) working pursuant to an approved independent study program; or
- c) receiving approved alternative instruction.

Students who are absent from class due to their participation in a school sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school sponsored events where instruction is substantially equivalent to the instruction which was missed shall be counted as the equivalent of regular attendance in class.

Upon returning to school following any absence, tardiness or early departure, or prior to such absence, if possible, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher. The student may request additional time to complete missed work upon written request to the principal which shall detail the reasons for the request. The principal may provide additional time if it is reasonable based on the circumstances.

Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents/guardians and students are informed of the district's Policy regarding minimum attendance and course credit and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines shall be followed:

- a) Copies of the district's Comprehensive Student Attendance Policy will be provided to parents/guardians and distributed to students at the beginning of each school year or at the time of enrollment in the district.
- b) School newsletters and publications will include periodic reminders of the components of the district's Comprehensive Student Attendance Policy. Copies of the Attendance Policy will also be included in parent/guardian/student handbooks.
- c) At periodic intervals a designated staff member(s) will notify by telephone and/or email the parent/guardian of the student's absence, tardiness or early departure and explain the relationship of the student's attendance to his/her ability to receive course credit. If the parent/guardian cannot be reached by telephone, a letter shall be sent detailing this information.
- d) A designated staff member will review the district's Attendance Policy with students who have excessive and/or unexcused absences, tardiness or early departures. The principal will work with student prior to decision.

Notice

In order to avoid loss of credit for failure to attend, the district will take the following steps:

A designated staff member shall notify by telephone the parent/guardian to a student who is absent, tardy or departs early without proper excuse. The staff member shall explain the Policy, the district's/building level intervention procedures and, if appropriate, the relationship between student attendance and course credit. If the parent/guardian cannot be reached by telephone, the staff member will provide such notification by mail. Further, the Policy will be mailed to the parent/guardian to promote awareness and help ensure compliance.

If deemed necessary by appropriate school officials or if requested by the parent/guardian, a school conference shall be scheduled between the parent/guardian 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.

Notwithstanding the above, when the student reaches the seven (7), fourteen (14), and twenty-one (21) absences for a full year course or the prorated number for other classes, the parents/guardians will be sent a written notification warning about the potential effect of absences on the loss of credit. If the student exceeds the limit, the parents/guardians will again be sent a written notification. The parents/guardians may review the dates with the teacher and the principal.

Attendance Incentives

In order to encourage student attendance the district may develop and implement grade appropriate/building-level strategies and programs such as:

- Classroom acknowledgment of the importance of good attendance (e.g., individual certificates, recognition chart, bulletin boards);
- Annual poster/essay contest on importance of good attendance;
- Assemblies collaboratively developed and promoted by student council, administration, PTA/PTO and other community groups to promote good attendance.

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, detention and denial of participation in interscholastic and extracurricular activities. Parents/guardians 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/guardian.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occur, designated district personnel will pursue the following:

- a) identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of unexcused absences, tardiness or early departures);
- b) contact the district staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent/guardian will be contacted;
- c) discuss strategies to directly intervene with specific element; and
- d) recommend intervention to Superintendent or his/her designee if it relates to change in district policy or procedure.

Implement changes as approved by appropriate administration, and

- a) utilize appropriate district and/or community resources to address and help remediate student unexcused absences, tardiness or early departures; and
- b) monitor and report short and long term effects of intervention.

Appeal Process

A parent/guardian may request a building level review of their child's attendance record.

Building Review of Attendance Records

The building principal will work in conjunction with 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.

Annual Review by the Board of Education

The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to the Policy and plan deemed necessary to improve student attendance.

Community Awareness

The Board of Education shall promote necessary community awareness of this Policy by:

- a) providing a plain language summary of the Policy to parents/guardians and to students at the beginning of each school year and promoting the understanding of such a Policy to students and their parents/guardians;
- 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.

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

Extracurricular Activity: Non-Credit Bearing

Introduction and Purpose

The Chenango Valley Central School District provides interscholastic athletic, intramural and extracurricular activities for the benefit of its students. This policy will apply to all students participating in any club or organization that meets during or outside of the regular school day as well as intramural or interscholastic activities in all grades. All such non-credit bearing activities shall be deemed “extracurricular activities” as used in this policy. In return for the privilege of participation in extracurricular activities, students will accept the responsibilities outlined in this policy.

The purpose of this policy is to encourage positive, personal growth and to support academic achievement of all students who are involved with extracurricular activities. Participants will contribute to their school and community and are expected to act as role models for the district. This policy stresses the importance of students, teachers, coaches, advisors and parents working together.

Students participating in extracurricular activities and their parents/guardians will be required to sign all forms pertaining to student participation in extracurricular activities. This policy is intended to supplement the district’s Code of Conduct. In the event this policy conflicts with the Code of Conduct, the Code of Conduct shall control.

General Provisions

All academic responsibilities must take precedence over practice or contests. During the remedial period all students participating in extracurricular activities are expected to be in Sports Study Hall or with a faculty member. Failure to comply with this expectation may result in the student missing that day’s extracurricular activity.

Students identified as performing at a level below an average of 65 in any one or more courses will be required to seek assistance involving the advisor/coach, the academic teachers and the pupil personnel staff. Parents will be notified in writing of the school district’s concern regarding student’s academic performance and advised of those remedial measures that exist for the student to raise his/her course average to an acceptable level. Students identified as performing at a level below an average of 65 in any one or more courses will be required to seek remediation during the remedial period until a performance level is achieved. For students who do not take advantage of remedial opportunities or make satisfactory progress toward an acceptable course average, it will be assumed they no longer wish to participate in that extracurricular activity. Ultimately, the student must accept responsibility for his/her academic progress.

All student athletes are expected to participate in their scheduled Physical Education classes unless medically excused. Students must change for Physical Education class. Students that do not change for class will be marked unprepared and will not participate in class. Students who do not participate in Physical Education, either excused or unexcused, will not be eligible to participate in any athletic practice or scheduled extracurricular activities unless they have permission from the building principal.

Student athletes who drive to school must keep their vehicles parked in the student parking lot; this includes Saturdays. Student athletes will not be able to park behind the stadium as this is reserved for faculty and staff. This regulation takes effect on the first day of the sports season. Failure of a student to abide by this regulation may result in losing their privilege to drive on the middle school/high school campus.

The head coach or activity advisor will determine the end of the “season” for the sport or the extracurricular activity for each participant. For athletes this will likely be when the team has completed its last post-season contest. For some athletes this may be sooner than the last completed contest. An athlete that is training and practicing with the team is considered a member of the team. Each athlete should verify their status with their respective coach.

Each coach or advisor, at their discretion and with the approval of the administration, may have additional standards pertinent to their teams or organizations/groups which shall not conflict with this policy or the district Code of Conduct. Participants are expected to adhere to those additional guidelines.

Students for who there are extenuating circumstances may appeal this policy upon application to the Superintendent of Schools and/or his/her designee.

Attendance

All students participating in extracurricular activities are expected to maintain attendance in all of their classes and must at minimum be in school prior to 8:00 a.m. on the days that extracurricular activities including practice sessions, rehearsals, presentations, concerts, competitions, games, matches or meets will occur. The only exception to this rule is if the late arrival is deemed “excused” under the district’s Attendance Policy and proof of the excused absence is presented to the student’s advisor or coach prior to participation in the extracurricular activity that day.

Participation

Any student who participates in an extracurricular activity is expected to remain a member of the activity until its completion. Students are expected to attend all activities of the group or team including practices, rehearsals, presentations, concerts, competitions, games, matches or meets unless excused by the coach or advisor. Participation could include, but is not limited to practices or contests during holidays, school vacation periods, evenings or weekends. Non-attendance at these activities, even during vacation periods, may have a negative impact on future participation, which includes for athletics playing time being affected. Failure to participate in these activities may result in corrective and/or disciplinary action by the coach or advisor, including possible exclusion from one or more activities or dismissal from the team or group.

It is the responsibility of the student to notify the coach or advisor in advance of his/her anticipated absence from any activity. If a student is detained for academic or disciplinary reasons, he/she must bring a note signed by the person by whom he/she was detained stating the time he/she was released. On non-school days it is the obligation of the student to notify (directly, if possible) the coach/advisor if he/she will be absent from practice, rehearsal, performance, contest or activity.

Travel and Early Dismissal

It is the policy of the Chenango Valley Central School District to provide round trip transportation for students engaged in school activities that are conducted away from Chenango Valley. Such activities include certain BOCES programs, interscholastic athletic contests, music activities and tournaments. The transportation services provided both originate and terminate at a designated Chenango Valley Central School District building. As part of the educational process, it is expected and encouraged that students engaged in such activities will travel to and from these events as a group while under the direct supervision of a designated Chenango Valley staff member. Under extenuating circumstances the supervising staff member may permit a student having prior written parental permission to be driven by a parent or guardian, or drive him or herself to and from any and all school-sponsored activities, events or clubs held away from Chenango Valley but must have approval by the appropriate administrator (i.e. Building Principal, Athletic Director, and/or designee). It is a frequent occurrence that parents, guardians, family members and neighbors attend such school activities as spectators and wish to provide transportation for the student. Arrangements for transportation alternatives for the student must be arranged to the satisfaction of the appropriate supervisor or designee and the parent or guardian. Any such parental permission must be in writing. A parent/guardian signature would constitute adequate permission. Under extenuating circumstances and upon approval of Superintendent or designee, some school sponsored activities, events or clubs may not have student transportation provided.

Respect for Property

Students are required to be responsible for all equipment issued to them. They should not expect managers, coaches, advisors or others to assume that obligation. Such equipment is not to be used in classes or in any other way unless specific permission is granted in advance by the coach, athletic director and/or activity advisor.

Students are not to willfully damage or remove property belonging to the district or any other school. A student will not be permitted to retain any article of property taken without authorization. In such cases, the student shall return it personally and make an appropriate apology.

Students must return all equipment or materials issued for an activity within ten (10) school days after the end of the activity. Any student who fails to return such equipment or materials will not be eligible for another extracurricular activity until the student pays for such equipment or materials. Students or their parents/guardian shall pay for all equipment or materials not returned or returned in damaged condition, excepting normal wear and tear.

Violations/Penalties

1. A student assigned to the alternate learning placement for a first offense is automatically suspended for the next group activity (i.e., game, match, performance, dance, etc.) that takes place in the “season” of the infraction.
2. A student assigned to the alternate learning placement an additional time during the same season, production period, etc., will be dismissed from participation indefinitely pending investigation by the coach, advisor, director, etc., and/or the assistant principal/principal.

3. A student who is on Out of Building Suspension (OBS) shall not participate in or attend any extracurricular activities during the day or days of suspension. In addition, the student will be suspended from additional participation as follows:
 - a. 0-2 days of OBS – 1 week suspension from participation from the student’s OBS return date.
 - b. 3+ days of OBS – 2 weeks of suspension from participation from the student’s OBS return date.
 - c. All suspensions are pending an investigation by the coach, advisor, director, etc., and/or the assistant principal/principal with further suspension from participation and/or removal pending the outcome of the investigation.
4. A student who is found to have violated the Student Tobacco policy or found to be in possession, distributing, selling, using alcoholic beverages or marijuana and/or paraphernalia shall automatically be suspended for 4 weeks from any and all participation in non-credit bearing extracurricular activities; regardless of whether such suspension overlaps into different activities/seasons.
5. A student who is found in possession, distributing, selling or using illegal drugs or drug paraphernalia shall automatically be suspended from all participation in his/her current non-credit bearing extracurricular activities for the remainder of the activities’ term or season or shall be suspended for a period of eight (8) weeks from participation in any noncredit bearing extracurricular activities regardless of whether such suspension overlaps into different activities/seasons; whichever term is greater.
6. Students that are forthcoming and honest when interviewed about misconduct, except misconduct described in #5 (Drugs) may be eligible for a “First Time Honesty Reduction.” Students shall only be eligible for the “First Time Honesty Reduction” one (1) time while a student is at the district.

Each case will be judged individually before the principal makes the final determination. Exceptions may be made with the recommendation of the administrator and the approval of the Superintendent. Exceptions may include the ability to practice and/or be a part of an activity, but be ineligible to play in any activities during the suspension period.

Acknowledgements

I acknowledge that I have read the regulations for participation in Chenango Valley Central School District extracurricular activities and agree to comply in letter and spirit.

Student's Signature: _____

Date: _____

I acknowledge that I have read and that I will support the regulations for my son/daughter's participation in Chenango Valley Central School District extracurricular activities.

Parent/ Guardian's Signature: _____

Date: _____

Home Instruction (Home Schooling)

The school district will communicate with parents/guardians who wish to provide home instruction for their children. The child who is educated at home should receive an education in a manner consistent with an educational plan and at least substantially equivalent to that given to students of like age and attainments in the local public schools. The required subjects should be taught in a competent, systematic, and sequential manner, specifically in relation to the required courses as enumerated in Commissioner's Regulation Section 100.10.

Primary responsibility for determining compliance with Commissioner's Regulations addressing home instruction rests with the Superintendent of Schools of the school district in which a home-instructed student resides.

Provision of Services to Home-Instructed Students

They are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents, the school or the district.

a) Extracurricular Participation

Students instructed at home are not eligible to participate in interscholastic sports. Commissioner's Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic sports. Further, the district does not permit home-instructed students to participate in any extracurricular activities.

b) Textbooks and Materials

The district is not required to loan available textbooks and other materials (e.g., library materials, microscopes, computer software, movie projectors) to home-instructed students. The district shall not provide home-instructed students with such textbooks and materials.

c) Health Services

The district is not required to furnish health services.

d) Remedial Programs

The district is not responsible for providing remedial programs.

e) Career and Technical/Gifted Education

The district is not authorized to provide occupational and vocational education programs (career and technical education) nor programs for the gifted to home-instructed students.

Education Law Sections 3204, 3205, 3210(2), 3212(2), 3240-42, 3602-c, 3602-c(2-c), and 4402
8 New York Code of Rules and Regulations (NYCRR) Sections 100.10, 135.4(c)(7)(ii)(b)(2) and 200.2(a)

Student Records: Access and Challenge

The school district shall comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Under its provisions, "parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, have a right to inspect and review any and all education records maintained by the school district."

Education Records

The term "education records" is defined as all records, files, documents and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for such agency or institution (34 Code of Federal Regulations (CFR) Section 99.3). This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provided under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA. As such, they are subject to the confidentiality provisions of both Acts.

Personal notes made by teachers or other staff, on the other hand, are not considered education records if they are:

- a) Kept in the sole possession of the maker;
- b) Not accessible or revealed to any other person except a temporary substitute; and
- c) Used only as a memory aid.

Additionally FERPA does not prohibit a school official from disclosing information about a student if the information is obtained through the school official's personal knowledge or observation and not from the student's education records.

Records created and maintained by a law enforcement unit for law enforcement purposes are also excluded.

Access to Student Records

The Board directs that administrative procedures be formulated in compliance with the provisions of federal law relating to the availability of student records. The purpose of such 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 or who are attending an institution of post-secondary education, student records, and files on students, and to ensure the confidentiality of such records with respect to third parties.

Under FERPA, unless otherwise exempted in accordance with law and regulation, the district may release personally identifiable information contained in student records only if it has received a "signed and dated written consent" from a parent or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that such signature:

- a) Identifies and authenticates a particular person as the source of the electronic consent; and
- b) Indicates such person's approval of the information contained in the electronic consent.

Exceptions

Without the consent of a parent or eligible student, the District may release a student's information or records when it is in accordance with state or federal law, including but not limited to:

- a) Health and Safety Emergency Exception

School districts must balance the need to protect students' personally identifiable information with the need to address issues of school safety and emergency preparedness. Under FERPA, if an educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records, without consent, to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals during the period of the health or safety emergency. School districts may release information from records to appropriate parties including, but not limited to, parents, law enforcement officials and medical personnel. A school district's determination that there is an articulable and significant threat to the health or safety of a student or other individuals shall be based upon a totality of the circumstances, including the information available, at the time the determination is made. The school district must record the articulable and significant threat that formed the basis for the disclosure and maintain this record for as long as the student's education records are maintained.

- b) To Parents of a Dependent Student

Even when a student turns 18 years of age or older the District may disclose education records to that student's parents, without the student's consent, if the student is claimed as a dependent for federal income tax purposes by either parent.

- c) Release of Information to Another Educational Institution

The district may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, upon request, to another school or postsecondary institution at which the student seeks or intends to enroll, or after the student has enrolled or transferred, so long as the disclosure is for purposes related to the student's enrollment or transfer. Parental consent is not required for transferring education records if the school's annual FERPA notification indicates that such disclosures may be made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify

the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, schools must provide a copy of the information disclosed and an opportunity for a hearing.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232g
34 Code of Federal Regulations (CFR) Part 99

d) Student Directory Information

The district shall publish an annual public notice informing parents or eligible students (i.e., a student eighteen (18) years of age or older or who is attending an institution of post-secondary education) of the district's definition of directory information, the parent/eligible student's right to refuse the release of student directory information and indication of the time period for their response. (Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.) Following such public notice and a reasonable response period, the district may release such information to an outside group without individual consent.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the district defines student directory information as the following: name; address; telephone listing; date of birth; grade level; participation in officially recognized activities and sports; weight and height (if members of athletic teams); honors, degrees and awards received; and the name of the educational agency or institution most recently previously attended by the student.

Directory information **does not** include:

- a) A student's social security number; or
- b) A student's identification (ID) number, except as provided below.

Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

The release of student directory information is not to be confused with the release of names, addresses and telephone listings of eligible students (i.e., a student seventeen (17) years of age or older or in the eleventh grade (or its equivalent) or higher) to Military Recruiters. In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, and the National Defense Authorization Act, as amended by the Every Student Succeeds Act (ESSA) of 2015, the school district shall notify parents that by law it routinely releases this information to military recruiters upon request subject to a parents'/eligible students' request not to disclose such information with written parental verification of such request.

Challenge and Access to Student Records

Parents/guardians of a student under the age of eighteen (18), or a student who is eighteen (18)

years of age or older or who is attending an institution of post-secondary education, shall have an opportunity to review the content of school records by requesting an appointment through the district office. Furthermore, parents or eligible students shall have an opportunity for a hearing to challenge the content of the school records, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Release of Information to the Noncustodial Parent

The district may presume that the noncustodial parent has the authority to request information concerning his/her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his/her responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information.

Parents' Bill of Rights

The District posts a parents' bill of rights for data privacy and security on this website, and it includes this bill of rights with every contract it enters into with a third-party contractor that receives student, teacher, or principal data. The bill of rights informs parents of the legal requirements regarding privacy, security, and use of student data.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)
34 Code of Federal Regulations (CFR) Part 99

Diploma or Credential Options for Students with Disabilities

The District will provide students with disabilities appropriate opportunities to earn a diploma or non-diploma high school exiting credential in accordance with Commissioner's regulations. Students with disabilities may be eligible for one or more of the following:

Diploma Options

- a) Regents Diploma
- b) Regents Diploma with Advanced Designation
- c) Local Diploma, including with any endorsement as may be available.

Exiting Credentials Options

- a) Career Development and Occupational Studies (CDOS) Commencement Credential, which may be earned as a supplement to a Regents or local diploma or as a student's only exiting credential.
- b) Skills and Achievement Commencement Credential.

Specific requirements and detailed information for each diploma and non-diploma high school exiting credential are specified in the Commissioner's regulations and various guidance materials issued by the New York State Department of Education.

8 NYCRR §§ 100.1, 100.2, 100.5, and 100.6

Dignity for All Students

The District seeks to create an environment free of harassment, bullying, and discrimination, to foster civility in its schools, and to prevent conduct which is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school sponsored activities and events that take place at locations off school property. In addition, other acts of harassment, bullying, and/or discrimination which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

Dignity Act Coordinator

In each of its schools, the District will designate at least one employee holding such licenses and/or certifications as required by the Commissioner to serve as the Dignity Act Coordinator(s) (DAC). Each DAC will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), and sex. Training will also be provided for DACs which addresses: the social patterns of harassment, bullying, and discrimination, including, but not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex; the identification and mitigation of harassment, bullying, and discrimination; strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. All DAC appointments will be approved by the Board.

The District will share the name, designated school, and contact information of each DAC with all school personnel, students, and parents or persons in parental relation. This information will be provided by:

- a) Listing this information in the *Code of Conduct*, with updates posted on the District's website; and
- b) Including this information in the plain language summary of the *Code of Conduct* provided to all persons in parental relation to students before the beginning of each school year; and
- c) Providing this information to parents and persons in parental relation in at least one District or school mailing or other method of distribution, including, but not limited to, electronic communication and/or sending information home with each student. If this information changes, parents and persons in parental relation will be notified of the changes in at least one subsequent District or school mailing, or other method of distribution as soon as practicable thereafter; and
- d) Posting this information in highly visible areas of school buildings; and
- e) Making this information available at the District and school-level administrative offices.

If a DAC vacates his or her position, another school employee will immediately be designated for an interim appointment as DAC, pending approval from the Board, within 30 days of the date the position was vacated. In the event a DAC is unable to perform the duties of the position for an extended period of time, another school employee will immediately be designated for an interim appointment as DAC, pending return of the previous individual to the position.

Training and Awareness

Each year, employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and/or discrimination, and to discourage and respond to incidents of harassment, bullying, and/or discrimination. This training may be provided in conjunction with existing professional development, will be conducted consistent with guidelines approved by the Board, and will:

- a) Raise awareness and sensitivity to potential acts of harassment, bullying, and/or discrimination;
- b) Address social patterns of harassment, bullying, and/or discrimination and the effects on students;
- c) Inform employees on the identification and mitigation of such acts;
- d) Enable employees to prevent and respond to incidents of harassment, bullying, and/or discrimination;
- e) Make school employees aware of the effects of harassment, bullying, cyberbullying, and/or discrimination on students;
- f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;
- g) Include safe and supportive school climate concepts in curriculum and classroom management; and
- h) Ensure the effective implementation of school policy on conduct and discipline.

Rules against bullying, discrimination, and/or harassment will be included in the *Code of Conduct*, publicized district-wide, and disseminated to all staff and parents. Any amendments to the *Code of Conduct* will be disseminated as soon as practicable following their adoption. New teachers will be provided a complete copy of the current *Code of Conduct* upon their employment, and an age-appropriate summary will be reviewed with all students at the beginning of each school year.

Reports and Investigations of Harassment, Bullying, and/or Discrimination

Students who have been subjected to harassment, bullying, and/or discrimination, persons in parental relation whose children have been subjected to such behavior, or other students who observe or are told of such behavior, are encouraged and expected to make verbal and/or written reports to the principal, Superintendent, DAC, and/or other school personnel. All District staff who are aware of harassment, bullying, and/or discrimination, are required to orally report the incident(s) within one school day to the principal, Superintendent, or designee and report it in writing within two school days after making an oral report.

The principal, Superintendent, or designee will lead and/or supervise a thorough investigation of all reports of harassment, bullying, and/or discrimination, and ensure that these investigations are completed promptly after receipt of any such reports. All investigations will be conducted in accordance with law, the District's *Code of Conduct*, and applicable District policy and procedure. In the event allegations involve harassment, bullying, and/or discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Section IV, Policy 25 - Non-Discrimination and Anti-Harassment, and its implementing regulations. Where appropriate, the DAC or other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints of harassment, bullying, and/or discrimination.

In the event any investigation reveals harassment, bullying, and/or discrimination, the District will take prompt action reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom the harassment, bullying, and/or discrimination was directed. These actions will be taken consistent with applicable laws and regulations, District policies and administrative regulations, and collective bargaining agreements, as well as the District's *Code of Conduct* and any and all applicable guidelines approved by the Board.

The Superintendent, principal, or designee will notify the appropriate local law enforcement agency when it is believed that any incident of harassment, bullying, and/or discrimination constitutes criminal conduct.

The principal of each primary and secondary school will provide a regular report (at least once during each school year) on data and trends related to harassment, bullying, and/or discrimination to the Superintendent and the Board of Education. This report will be submitted in a manner prescribed by the District.

The District will annually report material incidents of harassment, bullying, and/or discrimination which occurred during the school year to the State Education Department. This report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline, or other date as determined by the Commissioner.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

Any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, or discrimination by an employee or student on school grounds or at a school function, who acts reasonably and in good faith and reports this information to school officials, the Commissioner of Education, or law enforcement authorities, or otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. Furthermore, the Board prohibits any retaliatory action against any person who, acting reasonably and in good faith, makes a report of harassment, bullying, or discrimination, or who otherwise initiates, testifies, participates, or assists in the investigation of a complaint of harassment, bullying, or discrimination.

Publication of District Policy

At least once during each school year, all school employees, students, and parents will be provided with a written or electronic copy of this policy, or a plain-language summary thereof, including notification of the process by which students, parents, and school employees may report harassment, bullying, and/or discrimination. Additionally, the District will strive to maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

Least Restrictive Environment

The District has an obligation, in accordance with law and regulation, to educate students with disabilities in the least restrictive environment (LRE). LRE means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with use of supplementary aids and services, education in regular classes cannot be satisfactorily achieved. Supplementary aids and services refers to aids, services, and other supports that are provided in regular education classes and extracurricular and nonacademic settings to enable children with disabilities to be educated to the maximum extent appropriate.

The District will ensure that:

- a) Placement is based on the student's individualized education program (IEP) and determined at least annually;
- b) Placement is as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student will be educated in the school he or she would have attended if not disabled;
- c) In selecting the LRE, consideration will be given to any potential harmful effect on the student or on the quality of services that he or she needs; and
- d) A student with a disability will not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

The placement of an individual student with a disability in the LRE will:

- a) Provide the special education and related services, as well as supplementary aids and services, needed by the student. The term "related services" does not include a medical device that is surgically implanted, the optimization of the device's functioning (e.g., mapping), maintenance of, or the replacement of the device; and
- b) Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities.

The District will ensure that a continuum of alternative placements, in accordance with law and/or regulation, will be available to meet the needs of students with disabilities. To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may also be provided in the regular class including, as appropriate, related services, consultant teacher services, paraprofessional support, resource room services, integrated co-teaching, and special class programs within the general education classroom.

Individuals with Disabilities Education Act (IDEA) 20 USC § 1400, et seq.
34 CFR Part 300
Education Law §§ 4401-4410-a
8 NYCRR §§ 100.5, 100.9, 200.1(cc), 200.1(qq), 200.2(b), 200.4, and 200.6

Graduation Options/Early Graduation/Accelerated Programs

To graduate from the District, a student must meet or exceed the requirements set forth in Part 100 of the Commissioner's regulations. The Board may establish graduation requirements that exceed the minimum standards set by the Board of Regents. The District will award the appropriate diploma, credential, or both to students.

Pathways to Graduation

Students must pass the required number of Regents examinations or approved alternative exams and meet any further graduation requirements; these requirements may include passing an approved pathways assessment, other assessment, or an additional exam that measures an equivalent level of knowledge and skill. Students who fail certain Regents examinations may appeal the result in accordance with Commissioner's regulations.

Early Graduation

A student may be eligible for early graduation (fewer than eight semesters) if the student completes all requirements for graduation, excluding physical education. The District will consult with appropriate personnel, the student, and persons in parental relation, and consider factors such as the student's grades, performance in school, future plans, and benefits to graduation early in making its decision.

Accelerated Programs

Eighth Grade Acceleration for Diploma Credits

Eighth grade students may take appropriate high school courses. The Superintendent or designee will determine whether an eighth grade student is eligible to take high school courses using criteria that examines each student's readiness. By the end of seventh grade, accelerated students must receive instruction designed to facilitate their attainment of the state intermediate learning standards in each subject area in which they are accelerated.

Advanced Placement (AP)

Advanced Placement examinations afford students the opportunity to earn credit or advanced standing in many colleges and universities. The College Board administers a variety of AP examinations.

Dual Credit for College Courses

Students who have demonstrated intellectual and social maturity may choose to matriculate at any one of the colleges that have a cooperative agreement with the District. Students who wish to enroll in college-level coursework must meet all academic, grade level, and coursework requirements. These opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. The administration will review and approve any college courses before they are taken during the school day. The Board will not pay tuition and other related costs for those high school students enrolled in college courses.

Online Coursework

The District may offer students the ability to complete general education and diploma requirements for a specific subject through online instruction or blended coursework that combines online and classroom-based instruction.

To receive credit for online coursework, students must successfully complete an online or blended course and demonstrate mastery of the learning outcomes for the subject by passing the Regents exam or other assessment in the subject area.

8 NYCRR §§ 100.1(i), 100.2(f), 100.4(d), 100.5, 100.6, and 200.5

Instruction for English Language Learners

The Board recognizes its responsibility to ensure that students of foreign birth or ancestry who are identified as English Language Learners (ELLs) are provided with an appropriate bilingual education or English as a New Language (ENL) program.

The District has developed a comprehensive plan to meet the educational needs of ELLs. The plan will be kept on file in the District and submitted to the Commissioner of Education annually. The plan includes:

- a) The District's philosophy regarding the education of ELLs;
- b) The District's administrative practices and procedures to screen, identify, and place ELLs in appropriate programs;
- c) The District's plan to provide parents and other persons in parental and guardian relation with information about all bilingual education and ENL programs available in the District and notices regarding program placement and the rights of parents or persons in parental and guardian relation in a language they best understand;
- d) The District's system to annually measure and track the academic progress and English language proficiency of ELLs and use of data to drive instruction;
- e) A description of the District's curricular and extracurricular services provided to ELLs;
- f) The District's administrative practices to annually evaluate ELLs;
- g) The District's procedure to identify support services for ELLs;
- h) The District's policies and procedures regarding ELLs who are students with disabilities;
- i) The District's procedures to exit ELLs including those students with inconsistent/interrupted formal education;
- j) The District's services to support former ELLs.

Additionally, the District will provide professional development to all teachers, level III teaching assistants, and administrators that specifically addresses the needs of ELLs.

The Superintendent will ensure that all data, including plans, assurances, and reports as required by the Commissioner's regulations, is submitted to the State Education Department in a timely manner.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015

Education Law § 3204

8 NYCRR § 100.2(g), Parts 117 and 154

Education of Students in Temporary Housing

The Board recognizes the unique challenges that face students in temporary housing and will provide these students with access to the same free, appropriate public education, including public preschool education, as other children and youth and access to educational and other services necessary to be successful in school and will ensure that they are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, or success of homeless students.

As defined in the Commissioner's Regulations, a "homeless child" is defined as:

1. A child or youth who lacks a fixed, regular and adequate nighttime residence, including a child who is:
 - a. sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason;
 - b. living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
 - c. abandoned in hospitals; or
 - d. 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;
 - e. 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:
 - a. a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including but not limited to shelters operated or approved by the state or local department of social services and residential programs for runaway and homeless youth established in accordance with Executive Law Article 19-H; or
 - b. a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.

An "unaccompanied youth" means a homeless youth not in the physical custody of a parent or legal guardian. This term does not include a child or youth who is residing with someone other than a parent or legal guardian for the sole reason of taking advantage of the schools of the district.

A designator will decide which school district a student in temporary housing will attend. A designator is:

- a) the parent or person in parental relation (guardian) to a student in temporary housing; or
- b) the student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or
- c) 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.

The designator may select either the school district of current location, the school district of origin or a school district participating in a regional placement plan as the district the homeless child will attend. However, the designated school district must determine whether the designation made by the parent, guardian, or youth in the case of an unaccompanied youth, is consistent with the best interest of the child by considering certain student-centered factors, such as the effect of mobility on student achievement, education, health and safety for the child giving while giving priority to the wishes of the child's parent or guardian (or the youth if a homeless unaccompanied youth). A homeless child is entitled to attend the school district of origin for the duration of his or her homelessness and also through the remainder of the school year in which he or she

locates permanent housing. 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.

The term "school district of origin" includes preschool and feeder schools as defined by applicable law.

Enrollment, Retention, and Participation in the Educational Program

The district will immediately enroll children and youth who are homeless even if the child missed any relevant application or enrollment deadlines during any period of homelessness. The ability of a homeless child or youth to continue or participate in the educational program will similarly not be restricted due to issues such as:

- a) transportation;
- b) immunization requirements;
- c) residency requirements;
- d) birth certificates, medical records, individualized education programs (IEPs), school records and other documentation;
- e) guardianship issues;
- f) comprehensive assessment and advocacy referral processes;
- g) resolution of disputes regarding school selection;
- h) proof of social security numbers;
- i) attendance requirements;
- j) sports participation rules;
- k) inability to pay fees associated with extracurricular activities such as club dues and sports uniforms; or
- l) other enrollment issues.

Educational Programs and Services

The 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. Consequently, the district will ensure that students in temporary housing are not segregated in a separate school or in a separate program within the school based on their status as homeless and to the extent feasible consistent with the requirements of Commissioner's Regulations keep a homeless child or youth in the school of origin except when doing so is contrary to the wishes of the child's or youth's parent or guardian. Further, the district will review and revise policies and practices, including transportation guidelines as well as those related to outstanding fees, fines or absences that may act as barriers to the enrollment, attendance, school success and retention of students in temporary housing in the district.

Transportation

- 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 Chenango Valley Central School District (CVCSD) provide or arrange for transportation for a student in temporary housing in the circumstances above, CVCSD 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.
- If CVCSD is the designated school district of attendance, CVCSD 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 CVCSD provides transportation for a student living in a Runaway and Homeless Youth (“RHY”) facility, the district will promptly request reimbursement using the Runaway and Homeless Youth Act Transportation Form.

- CVCSD 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.
- When CVCSD 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, CVCSD 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.
- If the student in temporary housing designates CVCSD 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.
- Where CVCSD 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.
- Where CVCSD is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities when:
 - The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school; and
 - The student meets the eligibility criteria for the activity; and
 - The lack of transportation poses a barrier to the student’s participation in the activity.
- Where CVCSD 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, CVCSD 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.
- Where a student in temporary housing must cross state-lines to attend a school of origin CVCSD will coordinate with the LEA in the neighboring state to provide transportation services when:
 - The student is temporarily living in New York State and continues to attend school in a neighboring state; or,
 - The student is temporarily living in a neighboring state and continues to attend school in New York State.

District Liaison for McKinney-Vento

The district will designate an appropriate staff person who may also be a coordinator for other federal programs as the local educational agency liaison for McKinney-Vento at the annual reorganization meeting of the Board of Education. The McKinney-Vento liaison will carry out the duties as described in law, Commissioner’s Regulations and applicable guidance issued by the U.S. and New York State Education Departments. The district will inform school personnel, local service providers and advocates of the office and duties of the local McKinney-Vento liaison.

Training

All school enrollment staff, school counselors, school social workers and principals will be trained on the requirements for enrollment of homeless students. Other staff members including school nutrition staff, school registered professional nurses, teachers and bus drivers will receive training on awareness of school processes specific to their role.

Outreach

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

Dispute Resolution

The CVCSD has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

- CVCSD 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 the CVCSD determines that the CVCSD 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.
- CVCSD 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.

Record and Reporting Requirements

If the district as the school district of origin receives a request to forward student records to a receiving district, the records must be forwarded within five days of receipt of the request.

The district will maintain documentation regarding all aspects of the district's contact with and services provided to homeless students and youth for possible on-site monitoring by the State Education Department.

The district will collect and transmit to the Commissioner of Education at such time and in the manner as the Commissioner may require, a report containing information as the Commissioner determines is necessary to assess the educational needs of homeless children and youths within the state.

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.

McKinney-Vento Homeless Education Assistance Act, as reauthorized by the Every Student Succeeds Act (ESSA), 42 USC § 11431 et seq.

Education Law §§ 3209

Executive Law Article 19-H

8 NYCRR § 100.2(x)

Chenango Valley Central School District Charge Meal Policy

I. Purpose

The goal of the Chenango Valley CSD is to provide student access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid school meal fees is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal fees.

Unpaid charges place a large financial burden on our school. The purpose of this policy is to comply with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure the student is not stigmatized, distressed or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the Chenango Valley CSD in a way that does not stigmatize, distress or embarrass students. The provisions of this policy pertain to regular and reduced price school lunch meals only. All Chenango Valley CSD students are entitled to a free breakfast. The Chenango Valley CSD provides this policy as a courtesy to those students in the event that they forget or lose their money. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

II. Policy

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

Reduced Meal Benefit - Reduced eligible students will be allowed to receive lunch of their choice for \$0.00 cents each day. A student will be allowed to charge a maximum of 5 meals to their account after a zero balance is reached. The charged meals offered to students will be the same reimbursable meals that are available to all students, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Full Pay Students - Students will pay for meals at the district's published paid meal rate each day. A student will be allowed to charge a maximum of 5 meals to their account after a zero balance is reached. The charged meals offered to students will be the same reimbursable meals that are available to all students, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal. A la carte items or other similar items must be paid/prepaid.

ONGOING STAFF TRAINING:

- Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the NYSED Webinar or the school's training program.
- Staff training includes ongoing eligibility certification for free or reduced price meals.

PARENT/GUARDIAN NOTIFICATION:

- Parents/guardians will be notified that a student has accrued meal charges within a week after they have reached the charge meal limit of 5 meals and every 2 weeks thereafter.

PARENT/GUARDIAN OUTREACH:

- Staff will communicate with parents/guardians with five or more meal charges to determine eligibility for free or reduced price meals.
- Staff will make two documented attempts to reach out to parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment packet.
- Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the child to have insufficient funds, offering any other assistance that is appropriate.

MINIMIZING STUDENT DISTRESS:

- Staff will not publicly identify or stigmatize any student on the line or discuss any outstanding meal debt in the presence of any other students.
- Schools will not take any action directed at a pupil to collect unpaid school meal fees.
- Schools will deal directly with parents/guardians regarding unpaid school meal fees.

ONGOING ELIGIBILITY CERTIFICATION:

- The district will conduct a daily direct certification search with NYSSIS for all new students. Four times a year, the district will conduct a direct certification by utilizing a district drop through NYSED to maximize free eligibility.
- The district will provide parents/guardians with free/reduced price application and instructions at the beginning of each school year in school enrollment packet. The information can also be found on the districts website: www.cvcasd.stier.org, Departments Tab (Food Services).
- Schools will provide at least two additional free/reduced price applications throughout the school year to families identified as owing meal charges.
- Schools will use administrative prerogative judiciously, only after using exhaustive efforts to obtain a completed application from the parent/guardian only with available information on family size and income that falls within approvable guidelines.
- Schools will coordinate with the district's homeless coordinators at least monthly to certify eligible students.

Students/Parents/Guardians may pay for meals in advance via EZ Meal Pay, with cash or with a check payable to Chenango Valley Food Service Dept. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student may/will be carried over to the next school year.

Refunds for withdrawn, and graduating students; a written or e-mailed request for a refund of any money remaining in their account must be submitted. Students who are graduating at the end of the year will be given the option to transfer to a sibling's account with a written request.

Requests for unclaimed funds received after one year may not be able to be accommodated. Unclaimed funds will become the property of the Chenango Valley CSD Food Service Program.

Participation in Graduation Ceremonies and Activities

Any student who has satisfactorily completed all graduation requirements will be permitted to participate in the graduation ceremony and all related graduation activities.

The District permits any student to participate in the graduation ceremony and all related graduation activities of his or her high school graduating class, if the student has been awarded a Skills and Achievement Commencement Credential or a Career Development and Occupational Studies (CDOS) Commencement Credential, but has not otherwise qualified to receive a Regents or local diploma. While permitted to participate, these students are not required to participate in the graduation ceremony or related graduation activities of his or her high school graduating class. For purposes of this policy, a student's high school graduating class is the twelfth grade class with which he or she entered into ninth grade, or at the time a credential or diploma is completed.

The District will provide annual written notice of this policy and any related procedures to all student and their parents or guardians.

Education Law § 3204(4-b)

Student Voter Registration and Pre-Registration

The District recognizes the importance of voting and civic engagement. As such, the District seeks to encourage student voter registration and pre-registration. A person who is at least sixteen years of age and who is otherwise qualified to register to vote may pre-register to vote, and will then be automatically registered to vote upon reaching the age of eligibility as provided by law.

* The District promotes student voter registration and pre-registration through the following means:

- a) Collaborating with county boards of elections to conduct voter registration and pre-registration in the District's high school(s); and
- b) Encouraging voter registration and pre-registration at various student events throughout the year.

The completion and submission of voter registration or pre-registration forms will not be a course requirement or graded assignment for District students.

Election Law § 5-507