

Section 8000 — Operations

Table of Contents

8000	Operations
8100	Information Security Breach and Notification
8200	Computer Network System Use.....
8201	Computer Energy Conservation.....
8210	School Calendar
8220	School Day
8310	Public Access to Records
8311	Records Retention and Disposition.....
8312	Litigation Hold.....
8320	Personnel Records.....
8330	Student Records/Regulation.....
8331	School District Website
8332	Student Photographs/Digital Images on Web Sites
8340	Student Privacy Rights.....
8350	Copying Copyrighted Materials
8400	Recommended Board Policy
8410	Emergency Closing of School
8420	Emergency Evacuation
8431	Preparedness for Toxic Hazard
8440	Accident and Illness
8450	Control of Communicable Diseases
8451	Acquired Immune Deficiency Syndrome.....
8453	Infection Control Program/Regulation
8454	Use of Automated External Defibrillators
8460	Use of Telephone
8461	Child Abuse In An Educational Setting.....
8462	Child Abuse In A Domestic Setting/Regulation
8463	Public Conduct on School Property
8464	Use of Electronic Devices.....
8530	Lunch Program

8540 Free and Reduced Rate Meals

8550 Meal Charge/Procedure.....

8550 Meal Charge *Spanish Version*.....

8560 Cafeteria Funds and Cash Receipts.....

8600 Transportation

8605 Vehicle Idling/Regulation

8610 Routes and Schedules

8611 Bus Stops

8620 Bus Accidents

8630 Pupil Conduct

8640 Nonpublic School Transportation

8652 Special Trips

8653 Field Trip and Extracurricular Activity Transportation.....

8700 Insurance

8820 Opening Exercises

Information Security Breach and Notification

NOTE: Recognizing the rise in identify theft and the need for state residents to be notified of security breaches which have or may have resulted in the release of personal, private information, the State enacted the Information Security Breach and Notification Act.

This Act, which added a new section 208 to the State Technology Law, requires municipalities and other local agencies, including school districts and BOCES, to adopt a notification policy consistent with the requirements of law. The following policy and attendant regulations are meant to fulfill those notice requirements.

The Board of Education acknowledges the State's concern regarding the rise in identity theft and the need for prompt notification when security breaches occur. To this end, the Board directs the Superintendent of Schools, in accordance with appropriate business and technology personnel, to establish regulations which:

- Identify and/or define the types of private information that is to be kept secure. For purposes of this policy, "private information" does not include information that can lawfully be made available to the general public pursuant to federal or state law or regulation;
- Include procedures to identify any breaches of security that result in the release of private information; and
- Include procedures to notify persons affected by the security breach as required by law.

NOTE: Although not required by law, it may be appropriate for both the Superintendent and the Board to be notified when security breaches occur. It should be noted, however, that good faith acquisition of personal information by an officer or employee or agent of the district for the purposes of the district is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

Any breach of the district's computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the district shall be promptly reported to the Superintendent and the Board of Education.

Computer Network System Use

The Board of Education of the Newburgh Enlarged City School District is committed to the goal of improved student learning and effective teaching. The Board believes that access to computer networks, including the Internet and other technologies, can be an effective and valuable educational and research tool. The Board further believes that the computer network system, through software applications, online databases, bulletin boards and the Internet, and emerging features and uses of an electronic network, will significantly enhance student learning, as well as provide local, statewide, national and global communications opportunities for staff and students. Therefore, it is the policy of the Board to support and encourage the use of computers and computer-related technology in order to support open research and education in the District. The use of the computer network system for other purposes, including but not limited to for-profit or commercial activity, personal business or illegal activity is prohibited.

All users of the District's computer network system, including but not limited to electronic equipment, electronic mail and the Internet, must understand that use is a privilege, not a right, and that such use entails responsibility on the part of the user. Computer access will be provided by the District for each student and staff member who completes and submits the appropriate permission form and agreement. In order to assure the integrity of the computer network system in the District, each account holder must agree to act responsibly and to comply with this Policy and its implementing Regulations. Therefore, prior to the establishment of a user account by the District, each student member and staff member must sign a user agreement. In the case of students, the student's parent or guardian must also sign the user agreement.

The Superintendent of Schools shall develop rules and regulations governing the use and security of the District's computer network system.

Teacher Web Pages

All web pages residing on or pointing to a District-supported server or service are the property of the Newburgh Enlarged City School District. Commercial use, use for the pursuit of personal or financial gain, advertising, soliciting, as well as use for any personal purpose are prohibited. The Superintendent of Schools and/or the Executive Director of Instructional Technology may suspend webpage access at any time if an individual fails to adhere to the protocol or requirements stated herein. Each teacher/staff is responsible for the content posted on his/her webpage hosted on the District-supported servers/services and will follow all District procedures. Teacher web pages may link only to sites that are of educational significance and sites relating to the curriculum and activities of the District.

Internet Safety

Internet access is provided with the understanding that the District cannot control the content available on the Internet. While the vast majority of sites available provide a wealth of useful information to staff and students, some sites may contain information that is inaccurate, offensive, defamatory or otherwise inappropriate for students. The District does not condone or permit the use of such materials in the school environment and makes good faith efforts to limit access by students to such inappropriate materials.

The School District, in accordance with the Children's Internet Protection Act (CIPA), requires all District computers with access to the Internet and World Wide Web to be equipped with filtering or blocking technology that blocks access by adults to visual depictions that are obscene or child pornography⁸ and be minor to visual depictions that are obscene, child pornography, or harmful to minors⁹. All current and new computers that connect to the Internet and World Wide Web with Internet access for students will do so after passing through a filtering or blocking mechanism. This shall be documented by the District in accordance with CIPA. The District, however, does not guarantee that students will be prevented from accessing all inappropriate locations and proper supervision will be provided to students in school to further ensure appropriate usage. Under certain supervised circumstances, authorized personnel may override the filtering/blocking technology for a limited, prescribed period of time to assist students with special projects or research. District guidelines will be developed to implement this component of the policy.

All use of the District's computer network, including access to the Internet and World Wide Web, is a privilege and not a right, and that any such use entails responsibility. Parents, staff members and students must be aware that it is the responsibility of the user to monitor his/her own access and to use sound judgment. However, the School District, through its staff members, technology and systems reviews, shall monitor online activities of students while in school, including but not limited to use of e-mail, chat rooms and other forms of direct electronic communication, "hacking" and other unlawful activities by minors and access to materials harmful to minors.

Privacy

Users acknowledge that the network administrator may periodically need to review on-line activities in the course of performing routine maintenance of the system. Users further acknowledge that if there is reasonable suspicion of a user having violated this Policy or its implementing regulations, or any applicable law, the network administrator and/or appropriate school official may require access to his/her files, including private correspondence and private files, to review on-line activities. Any administrator reviewing such files in accordance with this Policy shall not be subject to any claims arising out of such review.

The Board prohibits the unauthorized disclosure, use and dissemination of personal information regarding students; unauthorized online access by students, including hacking and other unlawful activities; and access by students to inappropriate matter on the Internet and

⁸ Child pornography means: any visual depiction, including any photograph, film, video, picture or computer or computer generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct. It also includes any such visual depiction that (a) is, or appears to be, of a minor engaging in sexually explicit conduct; or (b) has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (c) is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.

⁹ Harmful to Minors means: any picture, image, graphic image file or other visual depiction that (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (b) depicts, describes or represents, in patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (c) taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

World Wide Web. The Superintendent or designee shall establish and implement procedures that enforce these restrictions.

Failure by any user to comply with District policy or regulations regarding the use of the computer network system may result in suspension and/or revocation of computer access and/or related privileges. Further, a breach in the terms of this Policy and Regulations may be considered an act of insubordination, which may result in disciplinary action in accordance with law, and applicable collectively negotiated agreements and legal action where appropriate.

Computer Energy Conservation

In an effort to conserve both energy and the District's fiscal resources, the Board of Education encourages and supports a computer energy conservation program. To this end, it is the District's policy that all computers and monitors, as well as accessories, are shut down during all extended periods of inactivity, such as weeknights, weekends, holidays and recesses. In addition, to the extent feasible, the District will enable power management settings on computers such as "standby" or "hibernate" in order to reduce electricity consumption and costs.

Building level administrators are charged with the responsibility of monitoring and periodically testing computers in their buildings to ensure compliance with this policy.

School Calendar

The Superintendent shall be responsible for the preparation, in consultation with appropriate staff organizations, of a school calendar to be presented to the Board for adoption no later than the public meeting of the Board in April preceding the school year of its implementation.

The calendar shall indicate the dates for opening and closing of the school year and when the schools are closed for legal or religious holidays, vacations, etc. It shall in any case meet but not be limited to, the requirements of the State Education Law for the minimum number of days when schools must be in session, where possible.

The Board reserves the right to alter the school calendar when feasible and advisable in the best interests of the children of the District and in consultation with the staff.

School Day

Elementary and secondary schools shall be in session for not less than 180 days each year. The Commissioner may disregard a deficiency of the 180-day requirement of up to five days on account of extra-ordinary adverse weather conditions, impairment of heating facilities, insufficiency of water supply, fuel shortages, or the destruction of a school if the Commissioner determines the District cannot make up such instruction during the balance of the school year. (Ed. Law 3604)

The minimum length of the school day which is required to offer the State programs of studies is as follows (exclusive of time allowed for lunch):

Kindergarten

Full-day session	5 hours
Half-day session	2-1/2 hours

Grades 1 through 6 5 hours

Grades 7 through 12 5-1/2 hours

Where a school is on double or overlapping sessions, the school day shall be no less than 4-1/2 hours in the secondary grades and 4 hours in the elementary grades. Written approval of the Commissioner must be obtained in writing prior to scheduling such sessions for any school year.

Included in this regulation is a provision for certain exceptions which may be granted by the Commissioner.

A summer elementary school must provide a program of at least 15 but not more than 30 days of instruction with class periods of at least 45 minutes. (8 NYCRR 110.1)

A summer secondary school must comprise the summer session of a registered secondary school and provide a secondary school program with class periods of at least 90 minutes. (8 NYCRR 110.2) A summer school session that provides 30 sessions of 90 minutes instruction each shall be considered the equivalent of one semester of work for each subject. (8 NYCRR 110.4)

The Evening High School consists of courses that are offered on the basis of one subject per night for three hours, either once or twice a week for 15 weeks. Those courses that meet twice a week earn one hour of credit; those that meet only once a week for a total of 15 hours earn 1/2 unit of credit.

Public Access to Records

It is the policy of the Newburgh Enlarged City School District to make available to the public School District records required to be made public pursuant to the New York State Freedom of Information Law (Article 6, Public Officers Law).

1. Records Available

All records kept, held, filed, produced or reproduced by, with or for the School District, except those which may be exempted by law, shall be available for inspection and/or copying and/or electronic transmission as available.

2. Times and Places Available

The records shall be available for inspection or copying at the Board of Education Office, 124 Grand Street, Newburgh, New York, by appointment, on any day when school is in session between the hours of 9:00 a.m. and 3:30 p.m. Records may also be available for electronic transmission or in a specific media storage format, if requested.

A. Designation

The Records Access Officer and the Records Appeal Officer shall be designated annually at the annual organizational meeting.

- The Records Access Officer shall be the District Clerk and, in his/her absence, the Deputy Superintendent of Schools.
- The Records Appeal Officer shall be the Assistant Superintendent for Student Intervention and Support Services.
- The Records Management Officer shall be the District Clerk.

B. Duties

- To maintain and update not less than twice per year a reasonably detailed list by subject matter of all records in the possession of the School District, whether or not they are available pursuant to the Freedom of Information Law (FOIL). The list of records is available at the Office of the District Clerk.
- To maintain a record, setting forth the name, public office address, title and gross salary of every officer and employee of the School District.
- To perform other duties required by FOIL.

3. Records available for public inspection and/or copying include:

- Statements of policy and interpretation which have been adopted by the Board of Education and any documents, memoranda, data or other material constituting statistical or factual tabulations which led to the formulation thereof;

- Minutes of meetings and of public hearings;
- Internal or external audits and statistical or factual information made by or for the Board of Education;
- Administrative staff manuals and instructions to staff that affect members of the public;
- Itemized record setting forth the name, public office address, title and gross salary of every officer and employee of the School District;
- Final determinations of the Board of Education;
- Any other files, records, papers or documents required by any other provision of law to be made available for public inspection, copying and transmission.

4. Unwarranted Invasion of Personal Privacy

In order to prevent an unwarranted invasion of personal privacy, the Records Access Officer may delete identifying details when records are made available. An unwarranted invasion of personal privacy includes, but is not limited to:

- Disclosure of confidential personal matters reported to the District which are not relevant to the ordinary work of the District;
- Disclosure of employment, medical or credit histories or personal references of applicants for employment, unless the applicant has provided a written release permitting such disclosures;
- Sale or release of lists of names and addresses in possession of the District, if such lists would be used for solicitation or fund raising purposes;
- Disclosure of items of a personal nature when disclosure would result in economic hardship for the subject party and such records are not relevant or essential to the ordinary work of the District;
- Disclosure of information of a personal nature contained in a workers' compensation record, except as provided by Section 110-a of the Workers' Compensation Law.

5. Procedures

A. Applying to inspect and/or receive a copy of a record

- A request for records shall be in writing, addressed to the Records Access Officer or by electronic mail to the e-mail address designated by the School District for that purpose. The e-mail address for receipt of requests electronically is rao@newburgh.k12.ny.us. Forms prescribed by the School District are available at the Office of the Records Access Officer and on the School District website. Requests may be made in person, by mail, by facsimile or by e-mail.

- A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records should supply information regarding dates, file designations or other information that may help to describe the records sought. The Records Access Officer shall assist the individual in identifying a requested record or records, if necessary, and may request clarification.
- The Records Access Officer shall review each request and determine whether the records specified in the request are available for inspection and/or copying and/or electronic transmission.
 - Within five (5) business days of receipt of a written request, the Records Access Officer may grant such request, in whole or in part, deny such request, in whole or in part, or furnish written acknowledgment of the receipt of such request, together with a statement of the approximate date when such request will be granted or denied, which shall be reasonable under the circumstances of the request and which shall be a date within twenty (20) business days of the date of the acknowledgment. The Records Access Officer may also ask for clarification of any FOIL request.
 - If the Records Access Officer determines that a request is granted, in whole or in part, and such records cannot be provided within twenty (20) business days from the date of the acknowledgment of the receipt of the request, the Records Access Officer shall provide, in writing, both the reason for the inability to grant such request within the twenty (20) business day period and a specific date, within a reasonable period under the circumstances, when the request will be granted, in whole or in part.
- If records are determined to be available, the Records Access Officer will notify the requestor of the time and place where the requested records may be inspected and/or will arrange for the preparation of copies in the requested format upon receipt of the required fee and/or will arrange for electronic transmission of records if available in such format.
 - All records must be examined at the Office of the Records Access Officer or other location designated by the Records Access Officer within the School District and may not be removed from such building.
 - Upon request, copies of the requested records will be certified.
 - To prevent the unwarranted invasion of personal privacy, certain identifying details may be deleted when records are made available.
- If records are determined not to be available, the Records Access Officer will provide the denial of access in writing, stating the reason(s) therefor and advising the requester of the right to appeal the denial to the Records Appeal Officer, including his/her name, title, business address and business telephone and facsimile number, within thirty (30) days of the denial.

- If the records cannot be located, the Records Access Officer shall notify the requester either that the School District is not the custodian of such record or that the record cannot be found after diligent search.
- If a request to inspect a record has been made and it is determined by the Records Access Officer that the record is only available in part, the requester may be required to accept and pay for a copy of such record, with certain information redacted from the record.
- Fees
 - The fee for the District providing a photocopy of a record shall be 25 cents per page, up to 9 by 14 inches. The fee for other records shall be the actual cost of reproduction and/or the cost of the storage medium.
 - In those instances where records are maintained electronically and at least two hours of an employee's time is needed to prepare a copy, the fee will include the cost of the storage medium as well as the hourly salary of the lowest paid employee who has the skill needed to prepare the copy. In such event, the requester must be informed of the estimated fee in advance.
 - In those instances in which the District's information technology equipment is incapable of preparing a copy, the District may charge the actual cost of engaging a private professional service to prepare the copy including postage, transportation and similar expenses. In such event, the requester must be informed of the estimated fee in advance.
 - No fee shall be charged for a search of records, for inspection of records or for certification of records
 - If the record is copied by the applicant by his/her hand or on his/her personal computer, there shall be no charge.

B. Denial of Access

- A denial of access must be made in writing, stating the reason for the denial and the right to appeal the denial to the Records Appeal Officer within thirty (30) days of the denial.
- If the Records Access Officer fails to respond to a request for records within five (5) business days of its receipt, or within twenty (20) business days or other reasonable time frame provided after the date of acknowledgment of receipt of a written request, such failure shall be deemed a denial of access that may be appealed.

C. Appeals

- The person designated to receive and respond to appeals is the Assistant Superintendent for Student Intervention and Support Services.

- Form of Appeal
 - An appeal shall be in writing and shall state the date and location of the request for records, the records that were denied and the name and return address of the appellant.

D. Action by Records Appeal Officer

- The Records Appeal Officer shall render a determination on the appeal within ten (10) business days of receipt of an appeal. The Records Appeal Officer shall either provide access to the records sought or explain, in writing, the reasons for further denial of access to the requested records.
- A copy of each appeal and the determination thereon shall be sent to:

New York State Department of State
Committee on Open Government
41 State Street
Albany, New York 12231

E. Appeal from action by Records Appeal Officer

- A denial of access by the Records Appeal Officer shall be subject to court review, as provided in Article 78 of the Civil Practice Law and Rules.

F. Public Notice

A copy of this Policy shall be available in the District Office and each school of the District. Copies shall be made available to the public on request.

Types and Locations of Education Records

The following is a list of the types of records that the School District maintains and their locations. All requests to inspect or for copies of records must be made through the Records Access Officer.

Type	Location
Cumulative School Record	School Office
Cumulative School Records (Former Students)	Student Records Office
Health Reports	School Nurse's Office
Speech Therapy Records	Special Services Office
Psychological Records	Special Services Office
Transportation Records	Transportation Office
Occupational & Physical Therapy Records	Special Services Office
District Standardized Testing	School Office
Educational Evaluations	Special Services Office
Guidance Files	Guidance Offices
Occasional Records (student educational records not identified above)	School Office
Fiscal Records	Business Office
Legal Notices, Notices of Meetings, Minutes, other District records	District Clerk's Office

Records Retention and Disposition

The Board of Education adopts the Records Retention and Disposition Schedule ED-1, as periodically updated by the New York State Education Department, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, that contains the legal minimum retention periods for school district records. In accordance with such law:

- only those records will be disposed of that are described in Records Retention and Disposition Schedule ED-1 after they have met the minimum retention periods described therein.; and
- only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

Litigation Hold

The Superintendent will communicate with applicable parties, including the school attorney and the records management officer, to ensure that, when a litigation is commenced, a “litigation hold” is properly implemented. The litigation hold is intended to prevent the destruction or disposal of records that the School District may need to produce as part of discovery. It is the intention of the Board of Education to comply with applicable rules and regulations regarding the production of necessary documents, data, files, etc.

In the event that litigation is commenced, the Superintendent will designate a “discovery team” comprised of the school attorney or insurance designated counsel, Chief Information Officer, the Records Access Officer and Records Management Officer and other personnel as needed, to respond to a request for records. The Superintendent, with assistance from the Chief Information Officer, the Records Access Officer and Records Management Officer, will ensure that measures are put in place to preserve applicable records.

Personnel Records

The Board feels that it has an obligation to check the fitness of any applicant for employment in this District and to maintain any information and data acquired with regard to the fitness of employees in a confidential file restricted to supervisory and official use only. The Board reserves this right not to deny information to an employee, but to protect the sources upon which it depends for assistance in evaluating its employees.

Personnel folders containing data, reports, and information on the work experience of staff members in this School District shall be kept in the office of the Associate Superintendent.

Principals shall have access to folders of members of their staff, but any review of, or additions to, material contained in the record shall take place in the office of the Associate Superintendent. Board members shall have access to employee records as required in the performance of their responsibilities and in the manner prescribed by the Commissioner of Education.

Student Records

The Board of Education recognizes that the confidentiality of student records must be maintained and, therefore, establishes procedures for the confidentiality of student records consistent with federal and state statutes and regulations. The Superintendent shall be responsible for ensuring that the requirements under all federal and state statutes and regulations shall be carried out by the School District.

Student Directory Information

The Board designates the following items as Student Directory Information: student's name, parents'/guardians' name(s), address, telephone number (for high school students only), school of attendance, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and photographs created in conjunction with school sponsored activities for use in school district publications. The School District shall publish an annual public notice informing parents/guardians or eligible students of their right to refuse the release of Student Directory Information and indicating their time period for response. The School District may disclose any of these items without prior written consent, unless notified to the contrary, in writing, by the parent or eligible student by end of the first thirty (30) days of the school year or within thirty (30) days of receipt of the notice.

The School District's policy regarding release of Student Directory Information shall apply equally to military recruiters, the media, colleges and universities, and prospective employers.

Student Records Regulation

Definitions

For the purposes of this Regulation, the School District has used the following definitions of terms:

Student – any person who attends or has attended the School District.

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

Parent – either natural parent of a student, a guardian or an individual designated to act as a parent or guardian in the absence of the student’s parent or guardian.

Education Records – any record (in handwriting, print, tapes, film or other medium) maintained by the School District or an agent of the School District, which is directly related to a student, except:

1. A personal record kept by a school staff member if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker’s temporary substitute.
2. An employment record which is used only in relation to a student’s employment by the School District and which is maintained in the normal course of business.
3. Alumni records, which contain information about a student after he or she is no longer in attendance at the School District and the records do not relate to the person as a student.

In addition, an eligible student may be refused access to psychiatric or treatment records; however, an eligible student may designate a physician or other appropriate professional who the school must permit to inspect the records.

FERPA – Family Educational Rights and Privacy Act of 1974, as amended.

Annual Notification

Parents and eligible students in attendance at the School District will be notified of their FERPA rights and the District’s policy and procedures governing access to records, annually, by publication in their child’s student handbook. In addition, the School District shall send home a bulletin listing these rights, which will be included with a packet of material provided parents or an eligible student when the student enrolls during the school year. This notice shall include:

1. The right of the student's parent or eligible student to inspect and review the student's education records within 45 days from the date of the District's receipt of the request;
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading;
3. The right to receive notice of any decision by the School District not to amend a student's education records, as requested by the parent or eligible student, and the right to a hearing regarding the School District's denial of a request for an amendment;
4. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent (e.g., directory information, upon request to another school district in which a student seeks or intends to enroll);
5. The information that has been designated by the District as Student Directory Information and the parent's right to refuse such disclosure, in writing, within a reasonable response period;
6. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA;
7. The right to obtain a copy of this policy and the locations where they may be obtained.

This notice may also inform parents of high school students and students over the age of 18 that student names, addresses and telephone numbers will be provided to military recruiters and institutions of higher learning, upon request, unless the parent or eligible student submits a written request to the District not to release such information.

Upon request, this notice shall be provided to non-English speaking parents in their native language.

Inspection of Education Records

Parents of students or eligible students may inspect and review the student's education records upon request. Such request shall be in writing, to the Superintendent of Schools or designee, identifying as precisely as possible, the record or records which s/he wishes to inspect. The student's records will be made available for review promptly, and in any event within 45 days of such written request. The parent or eligible student will be notified of the time and place where the records may be inspected. The School District may require that an official be present during such inspection. No documents may be removed from school premises.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record, which pertains to other students.

Refusal to Provide Copies

The School District will not provide a parent or eligible student with a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student the right to inspect and review the records.

If the record involves answers to a standardized test, the School District will not provide a parent or eligible student a copy of standardized test questions.

Copies of student education records shall be provided, upon a parent's request, when:

1. Records are transferred to another school;
2. Information is released to a third party designated by the parent or eligible student;
3. Failure to do so would effectively deny the right of inspection.

A parent or eligible student may permit any third person to inspect the student's educational records. Such consent must be in writing, signed and dated, and must specify:

1. Which records are to be disclosed?
2. The purpose or purposes of disclosure; and
3. The individual(s) or group(s) to whom disclosure should be made.

Any third party to whom such records have been made available shall sign a written statement that s/he will not further release such records without the consent of the parent or eligible student.

Fees for Copies of Records

The fee for copies will be 25 cents per page (or actual cost of reproduction), and postage, if any.

Disclosure of Education Records

The School District shall disclose information from a student's education records only with the written consent of the parent or eligible student, except:

1. To school personnel (including administrators, teachers, support staff, board members and persons employed by or under contract with the School District to perform a special task, such as school attorney, auditor, medical consultant, therapist) within the School District who have a legitimate educational interest in the records. A legitimate educational interest shall include performing a task which is specified in his or her job description or by contract, performing a task related to a student's education or the

discipline of a student, or providing a service or benefit related to the student or student's family, such as health care, counseling or job placement.

2. To school officials of another school in which a student seeks or intends to enroll, upon request of such school official.
3. To certain officials of the U.S. Department of Education, the U.S. Comptroller General, and the State and local educational authorities, in connection with certain state or federally supported education programs.
4. In connection with a student's request for or receipt of financial aid, as necessary, to determine the eligibility, amount or conditions of the financial aid, or to enforce and terms and conditions of aid.
5. If required by a State law requiring disclosure that was adopted prior to November 19, 1974.
6. To organizations conducting certain studies for or on behalf of the School District for the purpose of developing, validating or administering predictive tests, student aid programs and instruction.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student who claim the student as a dependent for income tax purposes.
9. To comply with a judicial order or a lawfully issued subpoena, provided that a reasonable effort is made to notify the parent or eligible student prior to compliance.
10. To appropriate parties in a health or safety emergency.

Record of Requests for Disclosure

The School District shall maintain a record of all requests for and/or disclosure of information from a student's education records, excluding requests of school officials and requests for student directory information. The record will indicate the name of the party making the request, any additional parties to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parent or eligible student.

Correction of Education Records

A parent or eligible student has the right to challenge the contents of the student's education records and to ask to have the records corrected:

1. The parent or eligible student shall submit a request to the Superintendent of Schools, in writing, to amend the record. The record or part of record sought to be amended shall be

identified and the reason why s/he believes the record is inaccurate, misleading or violates the privacy or other rights of the student, shall be specified.

2. The School District may comply with the request or decide not to comply. The Superintendent shall provide a written response within ten (10) working days of receipt of the written challenge, indicating whether or not the challenged material will be corrected or deleted. If the request is denied, the Superintendent shall advise the parent or eligible student of their right to a hearing to challenge the decision.
3. Upon request, the School District will arrange for a hearing before an impartial hearing officer and notify the parent or eligible student, reasonably in advance, of the date, place and time of the hearing. The hearing officer may be an official of the School District.
4. The parent or eligible student will be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The parent or eligible student may be assisted by one or more individuals, including an attorney.
5. The hearing officer will prepare a written decision based solely on the evidence presented at the hearing, summarizing the evidence presented and stating the reasons for the decision.
6. If the hearing officer decides that the challenged information is inaccurate, misleading or in violation of the student's right of privacy, the School District will amend the record and notify the parent or eligible student, in writing, that the record has been amended.
7. If the hearing officer decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, the School District will notify the parent or eligible student of his/her right to place a statement in the student's education record explaining the challenged information and/or setting forth reasons for disagreeing with the decision. This statement shall be maintained as part of the student's education records as long as the contested portion is maintained. If the School District discloses the contested portion of the records, it will also disclose the statement.

Complaint Procedure

A person may file a complaint with the U.S. Department of Education if s/he feels that the School District has violated FERPA, by sending a written complaint to:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, S.W.
Washington, D.C. 20202-4605

School District Website

In order to support the vision and mission of the Newburgh Enlarged City School District, the District maintains a website for the following purposes:

1. showcasing innovative student and staff educational projects, presentations and learning experiences.
2. providing a gateway to District and community resources, as well as to educational websites;
3. providing a means for the community to access District information; and
4. providing a means for encouraging communications among students, District personnel, the community and associated organizations.

The School District website may not be used for any commercial promotional activity, financial gain or personal use.

The Superintendent of Schools shall promulgate regulations for the use of the School District website.

Student Photographs/Digital Images On Web Sites

In recognition of the potential dangers inherent in using student photographs on the District's websites, it is the policy of the Board of Education to prohibit the use of student photographs on the District's websites and in the District's e-newsletter unless it is a distant group photograph and no student is identifiable. Notwithstanding the above, a student's photograph/digital image may be used on the District's website and in the District's e-newsletter with the parent's/guardian's written permission.

It is the further policy of the Board of Education that only students' first names will be used on the website and that no student names will be used in conjunction with photographs, artwork and written work, unless specific written permission is received from the student's parent/guardian to do so.

Student Privacy Rights

1. Student Surveys

In accordance with the Protection of Pupil Rights Amendment (PPRA) of the No Child Left Behind Act, the School District is committed to protecting the rights and privacy interests of parents/guardians and students with regard to administering surveys to students, which include one or more of the following items:

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

U.S. Department of Education Funded Surveys

The District shall make instructional materials available for inspection by parents/guardians if the materials will be used in connection with a U.S. Department of Education funded survey, analysis or evaluation in which their children participate and it addresses one or more of the above issues. In addition, the School District shall obtain prior written parent/guardian consent before minor students are required to participate in any such survey, analysis or evaluation.

Surveys Funded by Other Sources

The parent/guardian has a right to inspect, upon request, a survey created by a third party (other than the U.S. Department of Education) which addresses one or more of the above issues before the survey is administered or distributed by the School to the student. Such request must be submitted by the parent/guardian to the building principal at least 10 days prior to the administration or distribution of any survey.

2. Instructional Materials

Parents/guardians shall be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within a reasonable period of time after such request is received by the District. Requests shall be submitted by the parent/guardian, in writing, to the building principal. "Instructional Materials" is defined as instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

3. Physical Examinations or Screenings

The School District shall provide parents/guardians with the opportunity to opt their child out of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the School and scheduled by the School in advance and that is not necessary to protect the immediate health and safety of the student and/or other students. The term "Invasive Physical Examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection in the body, but does not include any physical examination or screening that is permitted or required by law (e.g., hearing, vision or scoliosis screening).

4. Collection, Disclosure or Use of Personal Information

Unless required or authorized by federal or state law and/or regulation, it is the policy of the Board of Education to not permit the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information for that purpose, unless otherwise exempted pursuant to law. "Personal Information" is defined as individually identifiable information including a student's or parent/guardian's first and last name, home address, telephone number or Social Security number).

This provision shall not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions such as:

- A. College or other post-secondary education recruitment or military recruitment;
- B. Books, clubs, magazines and programs providing access to low cost literary products;
- C. Curriculum and instructional materials used by elementary and secondary Schools;
- D. Tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

- E. The sale by students of products or services to raise funds for school-related or education-related activities;
- F. Student recognition programs.

5. Notification to Parents

The School District shall provide parents with a copy of this policy at the beginning of each school year, and within a reasonable period of time after adoption or substantive change in this policy.

The School District shall provide parents/guardians with notification, at least annually, at the beginning of school year, of the specific or approximate dates during the school year when the above activities are scheduled or expected to be scheduled.

The School District shall provide notification to parents/guardians and offer them the opportunity to opt their child out of participation in the following activities:

- A. Activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information;
- B. The administration of any survey containing one or more of the items listed above.
- C. Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the School and scheduled by the School in advance, and not necessary to protect the immediate health and safety of the student and/or other students.

6. Miscellaneous

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

The rights provided to parents/guardians under PPRA transfer to the student when he/she turns 18 years of age or is an emancipated minor under applicable state law.

Copying Copyrighted Materials

The Board of Education encourages teachers to make judicious use of appropriate printed materials, sound recordings, and televised programs in the curriculum but recognizes that federal law, applicable to public school districts, protects authors and composers from the unauthorized use of their copyrighted work.

In order to define the fair and reasonable use that teachers may make of copyrighted works for educational purposes without the permission of the copyright owner and to reduce the risk of copyright infringement, regulations shall be promulgated regarding the copying and distribution of copyrighted materials for instructional purposes.

Recommended Board Policy

It is hereby resolved that the Board of Education directs the Superintendent of Schools to require the development of school emergency management plans for each school building in compliance with Commissioner of Education Regulation Section 155.13. In accordance with Section 155.13, the plans will provide identification of and responses to emergencies including: sheltering, evacuation, early dismissal, school cancellation, drills at least once annually, procedures for obtaining assistance from local government officials and coordination with appropriate local and county agencies. These plans will be submitted to the District Emergency Planning Committee for approval and incorporation into the overall Emergency Management Plan. Written information about the adopted emergency procedures will be provided to students and staff in accordance with the Commissioner's Regulation.

Emergency Closing of School

The Board of Education delegates to the Superintendent of Schools the decision to close the schools, delay the opening hour or dismiss students/staff early when hazardous weather or other emergencies threaten the health or safety of students and personnel. The Superintendent may delegate this authority to another staff member in the event of his/her absence.

Schools will not be closed merely to avoid inconvenience. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the Superintendent has the responsibility to ensure that administrative, supervisory, and operational activity is continued to the extent possible. School closings, delayed starting times and early dismissals will be announced over local radio and television stations and on the District's website. If no communication is made, it can be assumed the schools are in session, and are opening on time.

In making the decision to close schools, the Superintendent may consider many factors, including the following, which relate to the safety and health of children:

1. weather conditions, both existing and predicted;
2. driving, traffic, and parking conditions affecting public and private transportation facilities;
3. actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous; and
4. inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent will, whenever possible, consult with weather forecasting agencies, staff members of the District's Office of Transportation and Office of Operations and Facilities, and appropriate staff from the City and Towns regarding road conditions. The Superintendent will also communicate with the bus contractors, the BOCES District Superintendent and the Superintendents of neighboring school districts.

All building principals will be contacted by a central office staff member informing them that schools will be closed or delayed. The building principal will then contact his/her building staff with this information.

Students, parents, and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closing.

Emergency Evacuation of Schools and Utilization of Schools for Nuclear Disaster

The Board authorizes the Superintendent to prepare a plan for the operation of the schools in the event of an emergency. An emergency is here defined as a disruption of the educational program, or a threat to the safety or security of the students or staff as a result of man-made or natural occurrences.

The Board requires that the system of emergency preparedness insure that:

1. the health and safety of students and staff are safeguarded;
2. the time necessary for instructional purposes is not unduly diverted;
3. minimum disruption to the educational program occurs; and
4. students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

All threats to the safety of the schools shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

The principal of a building is authorized to use his/her discretion whether to evacuate a building when a bomb threat is received.

Every classroom, unless it has a direct exit to the outside, must be equipped with at least one window of such size and design to permit egress by pupils or adults to the outside in case of emergency.

Preparedness for Toxic Hazard

The Board of Education is concerned for the safety of the pupils and staff members assigned to District schools and will take reasonable steps to protect pupils and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event pupils and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, also appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by the Board will be disseminated to the public. Staff members will be instructed in the specific measures to be taken when a toxic hazard is present and in the recognition of toxic hazards in the environment. A staff member who detects a toxic hazard in school shall immediately notify the school principal and the school nurse or, in the absence of either, the person authorized to perform that office.

Accident and Illness

When a student becomes ill or is injured at school, the supervising staff member shall refer the student to the School Nurse for evaluation and the administration of first aid or emergency treatment as appropriate. If the nature or severity of the student's illness or injury indicates that he/she should not be in school, the parent/guardian or emergency contact person shall be called immediately and asked to pick-up the child at school. No student shall be sent home until the parent/guardian or emergency contact person has been contacted and the child has been signed out by an authorized adult (18 years or older). If medical attention is indicated, the family physician or, if he/she is not available, the School Medical Officer may be called. In the event of an emergency requiring immediate medical attention, in the discretion of the School Nurse and/or Building Administrator, an ambulance may be summoned to transport the student to a hospital.

It is important that each accident be reported promptly to the School Nurse by the staff member in charge of the activity in which the student was engaged at the time of the accident or injury. A copy of the accident report will be forwarded to the District Clerk, who shall be responsible for informing the insurance carrier.

Control of Communicable Diseases

The Board of Education recognizes that control of the spread of contagious and communicable disease is essential to the well-being of the school community and to the efficient operation of the schools. For purposes of this policy, "contagious disease" shall include smallpox, diphtheria, scarlet fever and other strep infections, whooping cough, mumps, typhoid fever, measles and rubella, and pediculosis.

The Board shall observe statutes and rules of the State for the exclusion and readmission of students who have contracted a contagious or communicable disease and all teachers and students who have been exposed to a contagious or communicable disease, and the instruction of teachers in health and prevention of disease.

School personnel shall be authorized to exclude ill or diseased pupils and staff from the building in accordance with a protocol established by the School Physician.

Acquired Immune Deficiency Syndrome

Introduction

The Newburgh Enlarged City School District recognizes the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). The Newburgh Enlarged City School District also recognizes, based upon the current state of medical knowledge, that there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in an open school setting.

The Newburgh Enlarged City School District acknowledges the right of those individuals diagnosed as having AIDS or HIV infection, whether students or staff, to continue their education or employment, as well as the interests of all students and employees of the School District to learn or work without being subjected to significant risks to their health. It also takes notice that under the current law and regulations, the disclosure of confidential AIDS and/or HIV-related information must be strictly limited.

Accordingly, it is the policy of the Newburgh Enlarged City School District that no student shall be denied the opportunity to attend school or continue his or her education, nor shall any district employee be prevented from continuing his or her employment, solely on the basis of such information. It is also the policy of the District to prevent any student or employee from being subjected to adverse or discriminatory treatment or stigma solely because he or she has been diagnosed as having AIDS or as being infected with the HIV virus.

Students with HIV-Related Illnesses

A. Confidentiality

Pursuant to New York State law, school officials and employees are required to keep HIV-related information confidential. The information cannot be disclosed to any person except under the following circumstances:

1. the protected individual¹ or a person with the capacity to consent² has completed and signed a Health Department Authorization for Release form;
2. a court order has been issued; or
3. the person to whom the information has been furnished is authorized under the state law to receive the information without a release form (e.g., physicians providing care to the individual, agencies monitoring care, insurance companies for reimbursement purposes).

¹A protected individual is defined as a person who is the subject of an HIV related test or who has been diagnosed as having HIV infection, AIDS or an HIV-related illness.

²A person has the capacity to consent if he/she has the ability to understand and appreciate the nature and consequences of a proposed health care service, treatment, or procedure, and to make an informed decision concerning such service, treatment, or procedure. An individual's capacity to consent is determined without regard to the person's age.

B. Procedures

Release forms must list the names of individuals entitled to receive the HIV-related information, state the reason for disclosure, and be signed by the protected individual or the person authorized pursuant to law to consent to health care for the individual. The HIV-related information can only be disclosed to those individuals on the form (or in a court order) and solely for the purpose stated on the form (or court order). Redisclosure to individuals not identified on a release form is prohibited. Therefore, disclosure of HIV-related information to school personnel is prohibited in the absence of a release or court order. Release forms can be obtained in the Superintendent's Office.

Any faculty member who believes that a student may be infected with the HIV virus and that it is necessary to obtain disclosure about the student's condition to ensure appropriateness of the current mode of instruction and classroom setting for the student or who believes that a person has AIDS and may present a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the person, should express this concern to the Superintendent of Schools, who may attempt to obtain a signed release or court order from the individual or person with the capacity to consent in order to render appropriate action, if he/she believes an imminent danger exists.

A court order requiring disclosure can be issued upon the submission of an application to the appropriate court establishing that there is a clear and imminent danger to an individual whose life or health may unknowingly be at significant risk as a result of contact with the individual to whom the information pertains. If the Superintendent of Schools is unsuccessful in obtaining a release form and the above prerequisites are met, he/she may apply to the court for a court order, if he/she believes an imminent danger exists.

1. Information Not Obtained by a Release or Court Order

In the event the Superintendent of Schools received HIV-related information not obtained by a release or court order, he/she may request a conference with the parent/guardian and/or the student to discuss the student's condition, concerns and educational alternatives, if necessary. The parent/guardian and/or student may be asked to sign a release form allowing disclosure to individuals whose consultation is needed for the delivery of appropriate educational services (e.g., school health personnel, the student's personal physician, administrators, the student's teachers, members of the local district Committee on Special Education).

2. Information Obtained by a Release or Court Order

Once the Superintendent of Schools obtains a release enabling him to address the student's condition with necessary personnel, the Superintendent of Schools shall convene a meeting with these personnel to review all of the medical information pertinent to the individual situation and render a preliminary evaluation as to the appropriateness of the current mode of instruction and classroom setting for the infected student. The result of this meeting shall be relayed to the parent/guardian of the student. If the parent/guardian agrees to an alternative method of instruction for the student, no reference to the CSE will be made.

If after consultation with school personnel and the student's physician it is determined by the Superintendent of Schools that a student's current instructional placement appears to be no longer appropriate, the student's case will be referred to the local district CSE to determine an alternative educational program. The CSE shall review on a case-by-case basis all of the medical information as to whether the current mode of instruction and classroom setting for the student meets his or her current and ongoing needs or if it is appropriate. In making its determination the CSE shall consider the following factors: the physical condition of the student; behavior or neurological developments which might increase the risk of transmission of the virus; the expected type of interaction with others in the school setting; the risks to others in the school setting; and any other relevant information.

If it is determined that the student's current mode of education is not appropriate, the CSE shall recommend to the Board of Education an alternative educational program to ensure the delivery of appropriate educational services. A parent who disagrees with the CSE recommendation is entitled to due process under 8 NYCRR S 200.5.

In the event of the presence of any contagious or communicable disease in the school population which may constitute a risk to an infected individual (e.g. chicken pox, measles) the Superintendent of Schools or school nurse with authorized knowledge about the infected student's condition shall inform the student, the student's parents or legal guardian about such risk. Any temporary decision or recommendation in such circumstances should be made by the individual's personal physician and the student's parents in consultation with the Superintendent of Schools, school physician and nurse.

Employees with HIV-Related Illnesses

A. Confidentiality

Pursuant to New York State law school officials and employees are required to keep HIV-related information confidential. The information cannot be disclosed to any person except under the following circumstances:

1. the protected individual³ or a person with the capacity to consent⁴ has completed and signed a Health Department Authorization for Release form;
2. a court order has been issued; or
3. the person to whom the information has been furnished is authorized under the state law to receive the information without a release form (e.g., physicians providing care to the individual, agencies monitoring care, insurance companies for reimbursement purposes).

³ A protected individual is defined as a person who is the subject of an HIV-related test or who has been diagnosed as having HIV infection, AIDS or an HIV-related illness.

⁴ A person has the capacity to consent if he/she has the ability to understand and appreciate the nature and consequences of a proposed health care service, treatment, or procedure, and to make an informed decision concerning such service.

B. Procedures

No disciplinary action shall be taken against an employee solely because he/she has AIDS or HIV infection. Action may be taken against an employee only if he/she is disabled and the disability interferes with his/her ability to perform in a reasonable manner the activities involved in the job or occupation.

The district shall make such reasonable accommodation to enable the employee to perform employment duties as may be required by federal or state law.

Testing

No HIV-related testing of any student or employee will be conducted without the receipt of a written informed consent form signed by the subject of the test (if he/she has the capacity to consent) or a person authorized pursuant to law to consent to health care for the individual unless otherwise authorized or required by a state or federal law.

Additional Matters

The Superintendent of Schools shall establish and implement, and all school personnel shall comply with, guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other bodily fluids in or on school premises and grounds.

The Superintendent of Schools shall also develop and immediately implement in-service education and training for all school personnel concerning AIDS and HIV infection and the routine sanitary hygiene procedures to be followed in the case of all spills of blood and other bodily fluids.

Infection Control Program

Consistent with the Public Employee Safety Health Act, Right-To-Know and Occupational Safety and Health Administration compliance programs, the policy of the Newburgh Enlarged City School District shall be to furnish its employees with employment and a place of employment which are free from recognized hazards that are likely to cause death or serious physical harm. Consistent with this intent, the District shall maintain an infection control program.

1. The Superintendent shall develop and all school personnel shall comply with guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other bodily fluids in or on school premises and grounds and at school-sponsored events (Universal precautions). All school personnel will be notified regarding the location of necessary equipment and materials, as well as the routine sanitary hygiene procedures to be utilized. The Superintendent should consult with the School Physician and public health officials, as appropriate, for the most current methods and information pertaining to such procedures.
2. All school nurses and other health care professionals employed by the School District shall be offered Hepatitis B series vaccinations, consistent with standard medical practice, at no cost. The Superintendent should consult with the School Physician and public health officials, as appropriate, regarding such vaccinations.
3. All school nurses and other health care professionals employed by the School District shall be given education on precautionary measures, epidemiology, modes of transmission and prevention of HIV infection/AIDS and Hepatitis B virus (HBV) infection. This shall include counseling regarding possible harm to the fetus from contracting HIV/HBV and associated infectious agents. These employees shall also receive training regarding proper work practices and the routine sanitary hygiene procedures for dealing with spills of blood and other bodily fluids (Universal precautions, including the location of necessary equipment and materials).
4. The District shall provide protective equipment to school nurses and other health care professionals employed by the School District, such as eye goggles, face masks and full face shield, as necessary, for protection against blood or blood-containing fluids.
5. The Superintendent shall develop procedures to be utilized for the disposal and transportation of putrescible solid or liquid waste (e.g., materials contaminated with potentially infectious material, such as blood) and the District shall provide appropriate receptacles for the disposal of such waste.

Infection Control Program Regulation

A. Policy Reference

The Newburgh Enlarged City School District Policy mandates the development of an “Exposure Control Plan” in accordance with OSHA Standard 29 CFR 910.1030, Occupational Exposure to Blood-borne Pathogens. Such a plan is designed to minimize or eliminate an employee’s risk of exposure to Blood-borne Pathogens in the work place. This plan outlines the steps that the Newburgh Enlarged City School District shall take to comply with the OSHA standard. The plan shall be available for review by all employees and the Assistant Secretary of Labor for Occupational Safety and Health upon request.

B. Exposure Determination

1. Group 1 Employees

All regularly appointed employees in the following job classifications (Group 1) are considered to have routine occupational exposure to blood, body fluids or other potentially infectious materials. Accordingly, all employees in Group 1 shall receive appropriate training and be offered the Hepatitis B (HBV) vaccine.

- a. Job Classification (Group 1)
 - i. School nurse(s), school nurse teachers, and school nurse practitioners.
 - ii. Health office aide(s) and assistants.
 - iii. School cleaners assigned to activities, which may require contact with body fluids.
 - iv. Teachers, teaching assistants and aides in special subjects working **in close proximity on a daily basis** with multiply disabled students.
 - v. Teachers, teaching assistants and aides working with students requiring assistance toileting, feeding, or with other body functions, or who exhibit behavior management needs which may require physical restraint or are manifested in biting, spitting, or other activities which lead to the exchange of bodily fluids.
 - vi. Teachers, teaching assistants and aides in special education working with students who are age 12 and below.
 - vii. **Elementary inclusion classroom teachers having students age 12 or under.**
 - viii. Staff members involved in the coaching and supervision of activities which may involve injury leading to exposure to body fluids, such as basketball, football, soccer, baseball, hockey, lacrosse, diving, and similar sports involving body contact.
 - ix. Physical education teachers and staff members supervising physical education classes.
 - x. Security monitors and senior monitors.
 - xi. Pre-K and Kindergarten teachers and staff members working with Pre-K and Kindergarten students.
 - xii. School site administrators.

2. Group 2 Employees

All other regularly appointed employees, including long-term substitutes and substitutes for school nurses of the Newburgh Enlarged City School District are classified as Group 2 for the purposes of this policy. Group 2 employees are not considered to have routine occupational exposure to blood, body fluids or other potentially infectious materials. However, Group 2 employees may be required to perform unplanned tasks relating to blood, body fluids or other potentially infectious materials. Accordingly, all employees in Group 2 shall receive appropriate training and will **not** be offered the Hepatitis B (HBV) vaccine unless exposed.

b. Job Classification (Group 2)

- i. All other regularly appointed employees of the Newburgh Enlarged City School District not listed under Group 1

3. Group 3 Employees

All non-regularly appointed personnel whose tasks do not involve exposure to blood, body fluids or other potentially infectious materials are considered to be Group 3. Exposure to blood, body fluids, potentially infectious materials and related tasks are not a condition of employment for Group 3 employees. Training will be provided for employees in Group 3. Hepatitis B (HBV) vaccine will **not** be offered to Group 3 personnel unless exposed.

c. Job Classification (Group 3)

- i. Substitute teachers
- ii. Substitute clerical personnel
- iii. Part time adult education instructors
- iv. Other substitute personnel

Newburgh Enlarged City School District
124 Grand Street
Newburgh, New York 12550

Memorandum

To: Group 1 Employees
From: Human Resource Office
Re: Hepatitis B Infectious Control Letter

Hepatitis B Virus (HBV) infection is a preventable occupational hazard. Strategies for prevention include the use of appropriate barrier precautions in circumstances where blood contact is likely; taking care to avoid needle stick and puncture wound injuries, and immunization with Hepatitis B vaccine.

The Newburgh Enlarged City School District is interested in assuring that our workers are protected from infection with Hepatitis B. In addition to the personal protective equipment and safety advice we provide, the Newburgh Enlarged City Schools is offering Group 1 employees to receive the Hepatitis B vaccine.

Information about HBV and the vaccine is being provided with this letter. Once you have reviewed this material and had the opportunity to have your questions answered, and have had an opportunity to discuss the benefits and risks of Hepatitis B vaccination with your personal physician, please complete the attached form to indicate your choice of receiving or declining the vaccine.

Employees, who wish to receive the vaccine, should see the building School Nurse or Nurse Practitioner who will provide a Request, Consent and Authorization form for completion.

The Hepatitis B vaccination program is voluntary. The offer of vaccination will remain open to employees who choose not to receive the vaccine at this time and have indicated the same on declination forms obtained from the school nurse or nurse practitioner.

Participation or non-participation in this program will not affect your employment status or the protections normally afforded you as a Newburgh Enlarged City School District employee.

There will be no personal cost for Hepatitis B vaccination when administered by the School Physician or a District designated medical program. The Newburgh Enlarged City School District ***will not*** pay for Hepatitis B vaccinations administered by medical personnel or programs, which have not received written authorization from the District.

Newburgh Enlarged City School District

Hepatitis B Request, Consent and Authorization Form

I have read the enclosed statement(s) about Hepatitis B and the Hepatitis B vaccine. I have had an opportunity to ask questions and understand the benefits and risks of Hepatitis B vaccination. I have had an opportunity to discuss the benefits and risks of Hepatitis B vaccination with my personal physician. I understand that I must have 3 doses of vaccine to confer immunity. However, there is no guarantee that I will become immune or that I will not experience any adverse side effects from the vaccine. I have read the enclosed page entitled "Information about Hepatitis B Vaccine (Recombinant)" including the information entitled "Possible Side Effects" and still wish to receive the Hepatitis B vaccine. I request that it be given to me.

Date of Request and Consent _____

Name of Person _____ School _____ Position _____
(Please Print) **Person to Receive Hepatitis B Vaccine**

Signature of Person to Receive Hepatitis B Vaccine _____
(Return Signed Form to Health Services)

Authorization for Hepatitis B Vaccine

The Newburgh Enlarged City School District hereby authorizes **Omni Medical** to provide the Hepatitis B Vaccination series for the above named employee.

Authorization Signature _____ Date _____
(Human Resources, Health Services)

Proof of Hepatitis B Vaccination

1 _____	_____	_____
Date Vaccinated	Lot #	Administered By (Name & Title)
2 _____	_____	_____
Date Vaccinated	Lot #	Administered By (Name & Title)
3 _____	_____	_____
Date Vaccinated	Lot #	Administered By (Name & Title)

Pre-Exposure – Mail to Human Resources or Health Services for Authorization. If received at Human Resources, forward to Health Services.

Post-Exposure – Fax immediately to Health Services for immediate authorization.

When completed, return a copy to Newburgh Enlarged City School District Health Services.

Newburgh Enlarged City School District
Group 1 Mandatory
Hepatitis B Declination Form

I understand that due to my occupational exposure to blood, body fluids or other potentially infectious substances I may be at risk of acquiring Hepatitis B (HBV) Infection. I have been given the opportunity to be vaccinated with the Hepatitis B vaccine at no charge to myself, and I have had an opportunity to discuss the benefits and risks of Hepatitis B vaccination with my personal physician. I decline the Hepatitis B vaccine at this time. I understand that by declining the vaccine I continue to have occupational exposure to blood, body fluids and other potentially infectious substances. I understand that if I request the Hepatitis B vaccine at a later date I can receive the vaccine series at no cost to myself.

Name: _____ School: _____ Position: _____
(Print)

Signature: _____ Date: _____

Newburgh Enlarged City School District
Group 2 and 3
Hepatitis B Declination Form

I acknowledge that my job classification is considered group 2 or 3. My job tasks do not involve routine exposure to blood, body fluid or other potentially infectious substances. I have been informed of the risk of acquiring Hepatitis B infection and I have been given information regarding the Hepatitis B vaccine. I have been exposed to blood, body fluids and/or other potentially infectious substances. I have had the opportunity to discuss the risks and benefits of the Hepatitis B vaccine with my personal physician and I do not wish to receive the Hepatitis B vaccine at this time. I understand that I may request to have the vaccine series in the future at no cost to myself.

Name: _____ **School:** _____ **Position:** _____
(Print)

Signature: _____ **Date:** _____

NEWBURGH ENLARGED CITY SCHOOL DISTRICT
Health Services
Blood and Body Fluid Post Exposure Plan
Distribute Plan to all District Employees Annually

In the case of blood and/or bodily fluid exposure, employees of the Newburgh Enlarged City School District should, as quickly as possible, report to the health office in the building in which they work. Central Office and Annex personnel should contact Health Services.

Employees having exposure should thoroughly wash contaminated exposed body areas with soap and water as soon as possible.

The building School Nurse/Nurse Practitioner will have the employee complete the following forms:

1. Blood and Body Fluids Incident
2. Consent/Authorization form for Hepatitis B Vaccine (Consent Name and Signature Only)
3. District Release
4. Release of Information

The School Nurse/ Nurse Practitioner should immediately contact Health Services by telephone and fax all forms upon completion.

The authorization for HBV vaccine will be returned to the sender by fax from Health Services. The form should be given to the employee and he/she should be immediately directed to **Omni Medical Care** keeping in mind the 2-hour window for treatment as recommended by CDC. Health Services will alert **Omni Medical**.

If the case of exposure is the result of a student incident, please make every attempt to secure a signed release of information form from the parent regarding immunizations so that **Omni Medical** might be notified of the HBV status of the student. This is *not* mandatory; however, it would be helpful and applies only to HBV.

Employees working in the District at times other than the regular school day should be directed to **Omni Medical Care's** after hour's telephone, **845-566-6664**. They should use the **Omni 911** prompt. The employee will receive an initial assessment and directions for appropriate treatment. Following the initial after hour's treatment, the employee will be directed to call **Omni Medical Care** the next business day for follow up.

A clinician will complete treatment and give any additional instructions. The **Omni** clinician will also communicate any work related instructions to Health Services as well as written documentation regarding the case.

All medical documents will be maintained at **Omni Medical** with a copy being forwarded to Health Services if a release of information form has been signed.

Treatment by **Omni Medical Care** is confidential. A counseling component offers reassurance during this unsettling experience. Employees may contact **Omni Medical Care** for questions regarding their exposure and/or treatment.

Authorized post exposure treatment is at no cost to district employees.

Newburgh Enlarged City School District
Expanded School Health Program

Infection Control

Staff Education

All staff are required to have yearly in service training regarding Blood Bourne Pathogens and Infection Control. This is done at the beginning of the school year. **All staff** must view the Blood Bourne Pathogens video and sign the specified attendance document which must be kept by the building Principal and produced for viewing upon the request of N.Y.S., Division of Health and Safety (PESH).

Personal Protective Equipment

All staff members must have a personal protective equipment kit. The school nurse and/ or nurse practitioner should survey building personnel at the beginning of the school year regarding replenishment. All kits should be kept in the right hand corner of the upper desk drawer. The kit (a plastic baggie) should include the following:

- 1 pair of gloves
- 2 gauze pads
- 2 Band Aids
- 2 disposable wash clothes
- 2 alcohol prep pads

Newburgh Enlarged City School District
Infection Control/Universal Precautions
Staff In-service Training Attendance

School: _____

Program Title: **Blood Borne Pathogens**

Date: _____

Presenter: _____

Length: _____

Employee Name	1st Initial of last name and District ID #	Position
Print		Specify
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____
19. _____	_____	_____
20. _____	_____	_____
21. _____	_____	_____
22. _____	_____	_____
23. _____	_____	_____
24. _____	_____	_____
25. _____	_____	_____

Use of Automated External Defibrillators

The Board of Education of the Newburgh Enlarged City School District recognizes the desirability of making automated external defibrillators (AED's) available in its buildings and at school sponsored activities based upon the reported success of AED's in enhancing survival from incidents of sudden cardiac arrest.

Therefore, it is the policy of the Board of Education that the use of AED's is authorized in the buildings of the Newburgh Enlarged City School District pursuant to a collaborative agreement with an emergency health care provider in accordance with the Public Access Defibrillation Law (Section 3000-b, Public Health Law). A copy of the collaborative agreement shall be filed with the Department of Health and the appropriate regional council prior to use of the AED's.

No individual may operate an AED device unless the individual has current training and certification in CPR and has successfully completed a training course in operation of the AED from a nationally recognized training agency or the state emergency medical services council. A physician shall be appointed to provide medical oversight for the use of the AED's. The Regional Emergency Services Council and the State Department of Health, as well as the local emergency services providers, shall be notified of the location of the AED's within the District and each use of an AED on a patient.

The Superintendent, in consultation with the District Medical Director and the emergency health care provider, shall develop regulations and protocols governing the use of the AED's within the District. These regulations and protocols shall be incorporated in the District's School Emergency Management Plan and shall be reviewed periodically by the District's Medical Director and the emergency health care provider.

Use of Telephone

The Board of Education requires that no employee make a long-distance telephone call on a school telephone without the prior approval of the principal.

The principal may approve only such emergency personal telephone calls on a school telephone that are charged to a telephone outside the school district.

The business office shall review monthly the telephone calls made from each school building and from the central office.

Child Abuse In An Educational Setting

The Board of Education, its officers and employees, shall endeavor to maintain an educational environment that is free from child abuse in an educational setting in accordance with the requirements of Article 23-B of the Education Law and Section 100.2(hh) of the Regulations of the Commissioner of Education. Child abuse in an educational setting by school personnel and school volunteers is strictly prohibited. Required reporters shall promptly report any and all written or oral allegations of child abuse in an educational setting, as required by law and regulations implementing this policy. Such report shall be received by the Building Principal, who shall thoroughly and promptly investigate the allegations to determine whether or not reasonable suspicion exists that an act of child abuse in an educational setting has occurred. The police authorities shall be immediately notified in any case where reasonable suspicion of child abuse in an educational setting by school personnel or volunteers has occurred. The Building Principal shall notify the Superintendent immediately where there is a finding of reasonable suspicion that an act of child abuse in an educational setting has occurred. The Superintendent of Schools or designee shall send all requisite notices to parents and the State Education Department when there is a finding of such reasonable suspicion.

For purposes of this policy, “required reporter” is defined as any:

1. school board member
2. teacher
3. school nurse
4. school guidance counselor
5. school psychologist
6. school social worker
7. school administrator
8. other school personnel required to hold a teaching or administrative license or certificate.

“Educational setting” is defined as the buildings and grounds of the district, the vehicles provided by the district to transport students to and from school buildings, field trips, co-curricular and extra-curricular activity sites and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

The Superintendent of Schools shall develop regulations consistent with the requirements of Article 23-B of the Education Law and Section 100.2(hh) of the Commissioner’s Regulations for the purpose of implementing this policy and to assure the notification and annual training of school district officials and employees.

Child Abuse In A Domestic Setting

The Board of Education recognizes the duty of school officials, as mandated reporters, to report suspected incidents of domestic child abuse or maltreatment to the Statewide Central Register for Child Abuse and Maltreatment orally or by facsimile, on an immediate basis and with a follow-up report in writing, within 48 hours to the County Department of Child Protective Services.

Mandated Reporters

Pursuant to law, school officials who are mandated reporters include all administrators, teachers, teaching assistants, guidance counselors, social workers, psychologists, school nurses and any other school personnel required to hold a teaching or administrative license or certificate. Such individuals are under a duty to report as set forth below in this policy.

Other Reporters

The Board expects employees other than the mandated reporters to report suspected incidents of child abuse and maltreatment as set forth in this policy.

Reporting

Mandated and other reporters shall call the Statewide Central Register telephone number to report an incident of suspected child abuse. They shall ask for the call identification number, the name of the person to whom reporting and the time the report is logged to keep in the School District's record. The mandated reporter will immediately inform the Building Principal of such reporting and, also, complete the LDSS-2221-A form and provide the completed and signed form to the Building Principal. The Building Principal is responsible for ensuring that any follow-up administrative activities as a result of the report are performed, and shall notify the Superintendent of Schools or Acting Superintendent of the report in writing.

Within 48 hours of the report, the Building Principal will provide the completed and signed LDSS-2221-A form to the School Nurse and/or Nurse Practitioner. Upon receipt the School Nurse/Nurse Practitioner shall place a copy of the report in the student's accumulated health record and immediately forward the original LDSS-2221-A form to the Director of School Health Services. The Director of School Health Services will transmit the form to the County Department of Social Services, Office of Child Protective Services and provide notice of the transmittal to the Building Principal.

School personnel may request that individual identifying information be withheld if documenting such information might prove detrimental to the safety or interest of that individual.

In instances when the Building Principal receives information that constitutes reportable child abuse or maltreatment from any non-mandated reporter, he or she shall become responsible to report and follow the process described above for incident reporting and follow-up administrative action.

Only one report per incident is required from the school district.

Suspecting Child Abuse or Maltreatment

Mandated reporters shall and other reporters are expected to report suspected incidents of child abuse or maltreatment as described in Regulations that accompany this policy. It is not the duty of mandated or other reporters to conduct an investigation once evidence of suspected child abuse or maltreatment is presented or is apparent. The district will cooperate, consistent with privacy laws, to the extent possible, with authorized child protective services workers and law enforcement officials in investigations of alleged child abuse.

No Family Contact

School employees and officials will not contact the child's family or any other person to determine the cause of the suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has been abused or maltreated.

Incidents Involving Death

Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner.

Penalty for Failure to Report

In accordance with the law, any employee who fails to report an instance of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be held liable for the damages caused by the failure to report. The law grants employees and other persons who report instances of child abuse immunity in good faith from any liability that might otherwise be incurred.

Training

The school district shall conduct on an on-going basis training programs for the identification and reporting of child abuse and mistreatment. Attendance at sessions of this training program shall be required of all district employees who come in contact with students. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance.

The Superintendent shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all personnel who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy.

Policy Dissemination

A copy of this policy, along with the administrative regulations explaining the reporting requirements, shall be distributed to all members of the professional staff.

Child Abuse In A Domestic Setting Regulation

New York State Law (Child Protective Service Act of 1973, as amended) provides for reporting of suspected cases of child abuse by school personnel. These regulations are designed to implement this law within the District and to help protect students from the harmful effects of child abuse.

Definitions

The definition of child abuse and maltreatment is established by law as follows:

1. An Abused Child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his/her care:
 - a. inflicts or allows to be inflicted upon such 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
 - b. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause 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
 - c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

2. A Neglected or Maltreated Child, according to the Family Court Act, is a child less than 18 years of age:
 - a. whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his/her parents or other person legally responsible for his/her care to exercise a minimum degree of care:
 - (1) in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometric or surgical care though financially able to do so or offered financial or other reasonable means to do so; or
 - (2) a. 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 using a drug or drugs; or by using 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 aid of the court; or
 - b. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

3. A Person Legally Responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person

continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

4. Impairment of Emotional Health and Impairment of Mental or Emotional Condition includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

Reporting procedures and related information:

1. All district employees, including district-wide administrators, building level administrators, teachers, teaching assistants, registered nurses, psychologists, guidance counselors, social workers, therapists licensed by the New York State Education Department, and coaches and considered mandated reporters and shall report as described in Paragraph 2, below. All other employees who are not mandated reporters shall report all cases of suspected child abuse or maltreatment to the Building Principal. Reports shall be made when the mandated or other reporter suspects child abuse or maltreatment based upon criteria including those set forth in Exhibit "1", annexed to these regulations. The reporter will not conduct an investigation but will cooperate with the Child Protective Services workers who will be conducting any investigation.
2. The Building Principal and all mandated reporters as described in this Board Policy are required to:
 - a. **either:**
 - (1) call the Statewide Central Register for Child Abuse and Maltreatment (800-635-1522) and inform them verbally of the problem; or
 - (2) contact the above agency by telephone facsimile machine on a form supplied by the Commissioner of Social Services; **and**
receive a call ID number or facsimile confirmation for retention in school district records and as a personal copy.
 - b. file a written report on form LDSS-2221-A with the local child protective services agency and the statewide central registry of child abuse and maltreatment within 48 hours after the above report.
 - c. in the case of the Building Principal, inform the Superintendent of Schools of the information received.
3. The Building Principal may take photographs or cause photographs to be taken of the areas of visible trauma on the child and/or, if medically indicated, cause an examination to be performed. Such actions may be performed at public expense if they will provide appropriate documentation when filing the report. A camera and film shall be kept at the school and be available for this purpose.

4. The written report that must be filed shall include:
 - a. the name and address of the child and his/her parent(s) or guardian(s);
 - b. if applicable, the name and address of the residential care facility or program in which the child resides or is receiving care;
 - c. the child's age, sex, and race;
 - d. the nature of the child's injuries, abuse or maltreatment, including evidence of prior injuries, abuse or maltreatment to the child and his/her siblings;
 - e. if known, the name of the person(s) alleged to be responsible for causing the injury(ies), abuse or maltreatment;
 - f. the members of the family/family composition (e.g., father, mother, 2 sisters, grandmother, etc.);
 - g. the source of the report;
 - h. the person making the report and where he/she can be reached.
 - i. the actions taken by the reporting source, including the taking of photographs and/or x-rays, removal or retaining of the child, and/or notifying the medical examiner or coroner; and
 - j. any other information which the Commissioner of Social Services may require.
5. The school physician shall notify the appropriate police authorities or the local child protective service to take custody of any child the physician is treating, whether or not additional medical treatment is required, if he/she believes the child is in danger.
6. If it should be necessary for Child Protective Services to interview a child at school to ascertain whether he/she has been abused or maltreated, or to obtain documentation of such acts, the interview should be conducted in the presence of a school official, unless circumstances require otherwise. The school official shall examine and verify the credentials of Child Protective Services worker(s) before allowing such worker(s) to either interview the child or to examine the child's records.

If sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate.
7. The Superintendent can request a summary report of an investigation of a case referred to Child Protective Services. The adult subject of a case of suspected child abuse or maltreatment has a right to a copy of all information in the State Central Register. Personnel have the right to request that information which would identify the individual making the report be withheld if furnishing such data might prove detrimental to the safety or interest of that individual.
8. All district employees who are required to report suspected child abuse shall be required to attend ongoing training sessions regarding identification and reporting of all cases of suspected child abuse.
9. All district employees who are required to report suspected child abuse shall be provided with a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
10. Only one report of any suspected abuse is required.

11. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any civil or criminal liability. The good faith of any person required to report cases of child abuse or maltreatment is presumed.
12. School personnel who have reasonable cause to suspect that a child has died as a result of child abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner.
13. Any person required to report suspected cases of child abuse or maltreatment and who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for the damages caused by this failure.
14. If a report of child abuse or maltreatment has been determined to be unfounded, all records, both in the State Central Register and in school files, shall be expunged.

Public Conduct on School Property

In accordance with Education Law 2801, the Board of Education adopts the following policy to maintain public order on school property.

Prohibited Conduct

The Board prohibits the following conduct or acts on school property by students, teachers, staff members, licensees, or invitees:

1. The willful physical injury of any person or the threat to use force which would result in such injury.
2. The harassment or coercion of any person.
3. The willful damage to, or destruction of, property.
4. The willful disruption of the orderly conduct of classes or of any other school program or activity.
5. The entry of any school building or upon any portion of the school premises unless such entry is made in connection with official business with the District or to attend an activity or function authorized thereby.
6. The willful interference with the lawful and authorized activities of others.
7. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs, or narcotics on school property.
8. The possession or use of a knife, razor, ice pick, explosives, loaded cane, sword cane, machete, pistol, rifle, shotgun, pellet gun or any other object that reasonably can be considered a weapon, on property of the School District.
9. The violation of any federal or state statute, local ordinance or Board policy.
10. The refusal or failure of any person to comply with a lawful order or direction of an official of the School District in the performance of his or her duties.
11. The distribution or posting of any written material, pamphlets or posters without the prior written approval of the Superintendent.

Enforcement and Penalties

Any violation of the above shall be reported immediately to the building principal, who shall investigate the case thoroughly and make a written report to the Superintendent.

The principal or the Superintendent have the following options as to what penalty to impose:

1. Violators will be reprimanded.
2. Violators will be ordered to leave the school property immediately.
3. Police will be called and specific charge made under the proper penal code.
4. Any penalty authorized by Section 3214 of the Education Law or Board policies, if the violator is a student, provided the provisions pertaining to notice and hearing have been met.
5. Any penalty authorized under Section 3020-a of the Education Law, if the violator is a tenured teacher, provided the provisions pertaining to charges, notices, hearings, and findings have been complied with.

These regulations and the penalties are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

Filing of This Policy

The Superintendent shall file this policy and any amendments hereto with the Board of Regents and the Commissioner of Education within ten days after the adoption date.

Use of Electronic Devices

Students

Students are permitted to bring certain electronic devices such as cell phones and personal digital assistants (PDAs) to school; however, they must be kept out of sight and turned-off during the hours of the student instructional day. A student who uses a cell phone, PDA or other similar electronic device in violation of this policy will be subject to discipline in accordance with law and the District Code of Conduct. In addition, the electronic device may be confiscated pending a meeting with the student and his/her parent.

The Board of Education prohibits the use of electronic devices that may distract from or disrupt the educational process and/or that may be used as weapons (including but not limited to laser pointers, light pointers, pagers, ipods, MP3 players, walkmen, boom boxes). The Board of Education also prohibits the possession and/or use of electronic devices with recording capabilities by students on school property, except for the purpose of photographing or videotaping public events (e.g., athletic events, plays, concerts, awards ceremonies). A student who uses any such device in violation of this policy will be subject to discipline in accordance with law and the District Code of Conduct. In addition, the electronic device may be confiscated pending a meeting with the student and his/her parent.

In order to ensure examination security, except as specifically permitted by an individual classroom teacher, the possession and/or use of any such electronic device is prohibited during any test, examination, quiz, etc. In addition to being subject to discipline and confiscation of the device, a student determined to have cheated on a quiz, test or examination through the use of an electronic device shall be given a grade of zero in that quiz, test or examination.

Students may not possess or use a cell phone, other electronic communication device or technology or wear headphones during Regents Examinations either in the room where the test is administered or while on a supervised break and until the examination has been completed, handed in and the student has left the examination room. If any such communication device or related technology is used for any reason and under any circumstances in violation of this Policy, the examination will be invalidated and no score will be calculated for the student.¹

Employees

Employees must keep cell phones, PDAs, ipods and similar devices turned off during student instructional time, except when using a PDA for the purpose of calendaring and calculating. Failure to do so may subject the employee to discipline in accordance with law and any applicable collectively negotiated agreement.

Emergencies

During health and safety emergencies, such as fire drills, bomb threats and evacuations, no electronic devices may be used by students, staff or any third party, for the safety of students and staff.

¹ Section 225 of the Education Law makes fraud in examinations, such as obtaining aid from or giving aid to another person during a Regents Examination, a misdemeanor.

Privacy

The Board of Education prohibits any form of photography, tape recording or video recording of any individual on school property or in school facilities without that individual's knowledge, as well as the dissemination of any photograph or recording without the individual's permission. In no event shall any individual photograph or record in a zone where an individual has a reasonable expectation of privacy, including but not limited to locker rooms, lavatories, Nurse's office. In addition, the Board prohibits possessing, viewing, sending or sharing pictures or text having sexual content ("sexting") in school or at school activities, or from off-campus and which are received at school or school activities. A student who violates this policy shall be subject to discipline in accordance with law and the District Code of Conduct. An employee who violates this policy shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.

Enforcement

It shall be the responsibility of District staff members (including but not limited to teachers, teaching assistants, teacher aides and security guards) to strictly enforce the provisions of this policy and to report violations to the building administration.

Responsibility

The decision to bring electronic devices to school or school sponsored events rests with the individual student and his/her parents/guardians or the individual employee, respectively, and therefore the responsibility for such devices rests solely with the individual student or employee. The School District discourages bringing electronic devices to school. The School District assumes no responsibility or liability whatsoever in the event that an electronic device is damaged, misplaced or stolen during the school day, when on school property or when in attendance at a school sponsored event, whether on or off of school property. The School District further assumes no responsibility or liability for any communication bill associated with the authorized or unauthorized use of said devices.

Lunch Program

The Board recognizes the midday meal as an important part of each school child's day. The food program shall be used to its fullest advantage in school and community educational programs, by teaching good food habits, good table manners, and proper nutritional habits, and how to apply these habits throughout life.

The Board shall provide cafeteria facilities or food services in all the schools of this District for the purchase and consumption of lunch and, in the high school, snacks as well. Unless they have been excused by the principal, all students are expected to remain at school for lunch. Food sold by the school may be purchased only by students and staff members and visitors.

No foods or liquids may be sold on school premises in competition with the school lunch program by any group between the hours of midnight and the end of the last lunch period. This includes bake sales and the sale of any food such as ice cream, candy, potato chips, etc. Vending machines owned or operated by any organization other than the school lunch program cannot be operated during the above time periods.

The operation and supervision of the food services program shall be the responsibility of the Assistant Superintendent. The cafeterias are to be operated on a non-profit basis. A periodic review of the cafeteria accounts shall be made by the Assistant Superintendent. Surplus funds shall be used to reduce the cost of the service to the students or to purchase cafeteria equipment. The District shall participate in the Federal School Lunch Program.

Free and Reduced Rate Meals

It is the policy of the Newburgh Board of Education to provide reasonably priced lunches to students in the District whenever possible. In furtherance of that policy, and in recognition of the principle that all children are entitled to receive nourishing lunches regardless of family financial ability, the Board shall accept State and Federal assistance for school lunch programs in order to provide needy children with regular school lunches for free or on a reduced price basis.

Every effort shall be made to protect the anonymity of pupils receiving free or reduced price lunches, and assure that such pupils shall not be discriminated against or separated from other pupils in the process of procuring and consuming their lunches. All pupils shall be fed the same meal, at the same time as their classmates.

Eligibility for participation in the free or reduced price lunch program shall be determined by the reviewing official(s) by reference to the most recently published schedule entitled "New York State Family Eligibility Criteria for Free and Reduced Price Meals and Free Milk," issued by the Bureau of School Food Management.

Where a parent or legal guardian believes that the reviewing official's determination of ineligibility is not warranted, an appeal may be taken to the school official designated as Appeals Officer - School Lunch Program either orally or in writing. Whenever possible, a conference may be convened to attempt the settlement of the disputed matter prior to proceeding with the appeal.

The Board of Education shall insure that the District's school lunch program is operated in such a manner that no pupil shall be discriminated against on the basis of age, religion, race, creed, color, national origin, sex, disability, marital status, military status, sexual orientation, genetic predisposition or carrier status.

The Superintendent shall implement the provisions of this policy and shall be authorized to establish administrative regulations in furtherance thereof. He/She shall recommend, and the Board approves, the pricing of all meals at the several schools of the District, provided, however, that the pricing of lunches shall conform to Federal and State guidelines, if any, and be periodically determined as described above.

Meal Charge

The Newburgh Enlarged City School District is committed to providing the opportunity for all students to access nutritious meals in a cost-effective manner. In recognition of the fact that students may occasionally forget lunch money, this policy sets forth the procedures for handling meal charges, while being both sensitive to students' needs and mindful of the fiscal responsibilities of the cafeteria program.

It is the responsibility of the parents/guardians to ensure that money is deposited in their child's individual meal account and that a positive balance is maintained so that the student can purchase meals in school. Families that are eligible for participation in the free/reduced price meal program are strongly encouraged to apply for this program. Students receiving free/reduced meals will not be identifiable. All students will access their individual meal account upon entering their PIN and the cost of the meal will be debited from the student's individual meal account.

If parents/guardians make deposits by check and the check is returned for non-payment, the District may require that all future payments be made either in cash, or by money order or certified check. The parents/guardians will be responsible for reimbursing the District for any bank charges related to a returned check.

Only students in pre-kindergarten through grade 6 will be permitted to charge meals. No charges will be permitted for breakfast or a la carte offerings. Students in grades 7 through 12 and adults will not be permitted to charge meals or snacks.

- When a student charges a meal, the date, student's name and amount charged will be noted in a meal charge register book for a maximum of three (3) charges.
- It is expected that meal charges will be paid on the following school day.
- If a student accumulates three (3) charges, the student's name and the amount charged will be provided to the Principal's Office. The Principal or designee will send a letter home to the parents requesting that payment be made to the cafeteria. The letter will encourage parents to notify the school if the family has emergency circumstances that might require further consideration.
- A maximum of three (3) lunches may be charged by any individual student. Until the three (3) charges are paid in full, no new meals may be charged. Once the charges have been paid, a student may charge meals again.
- Until the charges are paid in full, the student will receive a full meal alternate, consisting of a peanut butter or cheese sandwich, beverage, fruit/vegetable. The full cost of the meal will be added to the outstanding charges. Snacks may not be purchased until all charges have been paid.
- No charges will be allowed after June 1st of each year.

Parents will be notified, in writing, at least annually, prior to the start of school, on the school website and in the school calendar, of the District's meal charge policy.

Procedure for Meal Charge

Prior to the beginning of the school year, parents/guardians will be sent a copy of the Meal Charge Policy as part of the Required Notices to Parents packet.

The Director of Food Services will post to the district website the Meal Charge Policy, by July 1 of every year. The Director will also ensure that the policy is included in the annual district calendar. Notifications will be in both English and Spanish.

When a child charges a meal the first time, a letter from the Director of Food Services stating that the child may charge only two more times, and requesting payment, will be prepared. A cafeteria staff member will place the letter in the teacher's mailbox. The teacher will give the letter to the respective child at the end of the school day, asking him/her to give it to his/her parent/guardian.

When a child charges a meal the second time, a letter from the Director of Food Services stating that the child may charge only one more time, and requesting payment, will be prepared. A cafeteria staff member will place the letter in the teacher's mailbox. The teacher will give the letter to the respective child at the end of the school day, asking him/her to give it to his/her parent/guardian.

At the end of each day, a cafeteria staff member will give the Principal a list of students who charged for the third time on that day.

When a child charges a meal for the third time, a letter from the Principal stating that the child has exhausted the three charges, and requesting payment, will be prepared. The letter will also state that the child will no longer be able to receive a hot lunch and will instead receive an alternate lunch that will be added to the accumulated charges. A cafeteria staff member will place the letter in the teacher's mailbox. The teacher will give the letter to the respective child at the end of the school day, asking him/her to give it to his/her parent/guardian.

A cafeteria staff member will notify the teacher daily, as needed, as to which children will be receiving an alternate lunch and not the lunch of the day. The teacher will notify each child in an unidentifiable manner that he/she will be receiving an alternate lunch on that day.

After five alternate meals have been charged, the Principal or designee will call upon the parent(s)/guardian(s) of the child to ascertain the reason(s) for the continued charges.

Cargos por Comidas

El Distrito Escolar Extendido de la Ciudad de Newburgh está comprometido a proveer a todos los estudiantes la oportunidad de tener acceso a comidas nutritivas de una manera económica. En reconocimiento al hecho de que los estudiantes podrían ocasionalmente olvidar el dinero del almuerzo, esta política sienta los procedimientos para manejar los cargos por comidas, siendo al mismo tiempo sensible a las necesidades de los estudiantes y a las responsabilidades fiscales del programa de cafetería.

Los padres/guardianes tienen la responsabilidad de asegurarse de depositar dinero en la cuenta individual de comidas de su niño/a y a mantener un saldo positivo para que el/la estudiante pueda comprar comidas en la escuela. Se exhorta enérgicamente a las familias que sean elegibles para participar en el programa de comidas gratis o a precio reducido a que apliquen a este programa. Los estudiantes que están recibiendo comidas gratis o a precio reducido no serán identificados. Todos los estudiantes tendrán acceso a su cuenta individual de comidas al usar su número de código y el costo de la comida será deducido de la cuenta individual de comidas del estudiante.

Si los padres/guardianes depositan cheques y estos son devueltos por falta de fondos, el Distrito podría requerir que los pagos futuros sean hechos en efectivo, por giro postal, o cheque certificado. Los padres/guardianes serán responsables de rembolsar al Distrito cualquier cargo bancario relacionado con un cheque devuelto.

Solamente los estudiantes de pre-kindergarten al 6° grado podrán cargar comidas a la cuenta. No se permitirán cargos por desayuno o por comidas a la carta. No se permitirá que estudiantes de 7° grado al 12° grado y adultos carguen a su cuenta comidas o meriendas.

- Cuando un estudiante cargue una comida, la fecha, el nombre del estudiante, y la cantidad cargada serán anotados en un registro de cargos por comidas con un máximo de tres (3) cargos.
- Se espera que los cargos por comidas sean pagados al siguiente día escolar.
- Si un estudiante acumula tres (3) cargos, se notificará a la oficina del director de la escuela del nombre del estudiante y la cantidad debida. El principal o la persona designada enviará una carta a los padres a la casa pidiendo que se pague la deuda a la cafetería. La carta exhortará a los padres al notificar a la escuela si la familia tiene circunstancias de emergencia que pudieran requerir consideración adicional.
- Un máximo de tres (3) almuerzos podrán ser cargados por cada estudiante. Hasta que los tres (3) cargos sean pagados en su totalidad, ninguna otra comida podrá ser cargada. Una vez los cargos sean pagados, el estudiante podrá cargar comidas nuevamente.
- Hasta que los cargos sean pagados en su totalidad, el estudiante recibirá una comida completa alterna, que consistirá de un emparedado de mantequilla de maní o de queso, una bebida, frutas/vegetales. El costo total de la comida será añadido a los cargos existentes. No se podrá comprar meriendas hasta cuando todos los cargos hayan sido pagados.
- No se permitirá hacer cargos después del 1° de junio de cada año.

Los padres serán notificados, por escrito, por lo menos anualmente, antes de comenzar la escuela, en el sitio de Internet de la escuela, y en el calendario escolar, de la política de cargos por comidas del Distrito.

Cafeteria Funds and Cash Receipts

The School Lunch Manager (the “Manager”) is responsible for the management, control and safekeeping of all cafeteria funds and cash receipts. To this end, the Manager shall ensure that the following procedures are followed:

- At the end of the school day, the cashier must count the money in the cash drawer. If there is more than one cashier, they will count each other’s cash drawer. Total denominations of money (e.g., pennies, nickels, dimes, etc.) and individual checks must be entered in the cash counter field on the computer. Cashiers must take particular care that the information is accurate.
- The money shall be brought to the Manager’s office, combined for a total cumulative day’s receipts and counted by the Manager. Coins must be rolled and single dollars must be counted and strapped into bundles of 50 or 100.
- Three copies of the cash counter report must be printed. Money amounts must equal the cash counter report. If not, the money must be recounted.
- The cashier must write all check numbers, the amount of each check and the deposit bag number on the deposit slip. The Manager shall review the deposit slip, making sure that the total deposit agrees with the day end report summary on the computer. If the total deposit does not agree with the end report summary, the day’s transactions must be reviewed to determine the discrepancy and find the difference.
- The front of the deposit bag must be completed with the following: Total coins; total dollars; total checks and the total deposit amount. The School’s name and the account number must also be written on the deposit bag.
- The two top copies of the deposit slip, the money and checks must be placed in the deposit bag, then the bag is sealed. The third copy of the deposit slip must be provided to the Food Service Department. If the bag is sealed and something was left out, that bag may not be re-used. A new deposit bag must be used and the bag number must be changed on the cash counter report and the deposit slip.
- The Manager or cashier must bring the deposit bag to the School’s main office and write the bag number and amount of the deposit in the logbook, then date and sign the logbook. The cafeteria personnel or an office staff member must then place the deposit bag in the safe.
- The Courier must sign the logbook when he or she takes the bag to the bank.
- In the event that the deposit bag is not taken to the bank at the end of the school day, the Building Principal or designee will be responsible for securing the deposit bag in the school safe overnight. The deposit bag will then be taken to the bank on the next business day by the Courier.

Transportation

In recognition of the fact that transportation has made better instructional programs possible, particularly in those cases where the health of pupils and the distances from school make such service essential, the Board of Education will provide transportation for all resident pupils to and from school within the limitations approved by Board policy and in accordance with the laws of the State of New York. The pupil transportation program shall be organized to provide service for eligible pupils based on efficiency, adequacy, safety, and economy.

Upon the presentation of a written request by parents to the Board at a time to be set by the Superintendent, the Board shall provide transportation for all pupils who live outside the City and for pupils in grades kindergarten through 6 who live in the City at a distance of more than 0.9 miles from the school of their attendance and all pupils in grades 7-12 who live in the City at a distance of more than 1.0 miles from their school. The Superintendent may recommend to the Board of Education special cases for exemption based on student safety factors. The Board will not provide transportation over private roads.

Transportation will be provided to all physically handicapped pupils assigned to a special education program as may be required. In addition, a school child may on occasion have an injury or temporary illness that requires, upon doctor's certification, transportation to and from school. Authorization for such transportation must be referred from the school directly to the Health Coordinator for investigation and implementation. The Health Coordinator shall investigate the case and, if it is approved, make the necessary arrangements through Special Services for transportation.

The responsibility for administering the transportation program in the District shall rest with the Superintendent who shall adhere to all applicable laws and regulations in developing said program.

Vehicle Idling

The Board of Education recognizes that emissions that accumulate from school buses and other vehicles on school property can be harmful to students, staff and the environment. The Board further recognizes that unnecessary idling by school buses and other District vehicles wastes fuel and financial resources. Idling is defined as the operation of the engine of a vehicle while the vehicle is not in motion and not being used to operate auxiliary equipment that is essential to the basic operation of the vehicle.

The Board, therefore, prohibits unnecessary idling by school buses and other District owned, contracted for or leased vehicles on school property and at school activities. The Board also discourages visitors from unnecessary idling of vehicles on school property and at school activities.

The Superintendent of Schools shall develop procedures consistent with this policy and shall ensure that school bus drivers and other appropriate school personnel receive training to implement this policy. The Superintendent shall also ensure that parents are notified annually of this policy.

“No idling” signs will be posted to alert bus drivers, other employees and parents to turn off vehicles when waiting to drop off or pick up students or when parked.

Vehicle Idling - Regulation

School Buses

1. When school bus drivers arrive at loading or unloading areas to drop off or pick up passengers, they should turn off their buses as soon as possible to eliminate idling time and reduce harmful emissions. The school bus should not be restarted until it is ready to depart and there is a clear path to exit the pick-up area.
2. At school bus depots, the idling time to warm up the school buses in the early morning shall be for the time recommended by the manufacturer (generally three to five minutes) except in the coldest weather.
3. To the extent possible in order to maintain interior vehicle warmth, during cold weather months, school buses should be driven to the school as close to the scheduled pick-up time as possible, then turned off while waiting for students to load. Bus idling to maintain interior warmth shall be at a very minimum and shall occur outside of the school zone. The schools shall provide a space inside the school building where bus drivers can arrive early and wait.
4. The following are considered exceptions to the above rules and extraordinary circumstances that implicate health and safety and are beyond the bus driver's control:
 - a. waiting in traffic
 - b. while loading/unloading students with special needs, if necessary (e.g., wheelchair lifts whose operation requires the engine to be running)
 - c. for traffic, safety or emergency situations
 - d. for maintenance or mechanical inspections or repair
 - e. during extreme weather conditions for the purpose of warming the interior of the bus.
5. School buses should not idle while waiting for students during field trips, extracurricular activities or other events where students are transported to locations off of school grounds.
6. Transportation Operations shall revise bus schedules so that school bus caravanning can be avoided and the cleanest buses assigned to the longest routes.
7. All bus drivers shall receive a copy of this Policy and Regulation at the beginning of every school year.

Other Vehicles

1. All service delivery vehicles shall turn off the engines while making deliveries to school buildings and shall not park in areas where there are intake vents to the school buildings.
2. Parents/guardians who drop off or pick up their children at school should do so quickly and at the area designated for drop off or pick up. Parents should turn off the vehicle engine while waiting to drop off or pick up a student, or when parked.
3. This Policy and Regulation shall be posted on the District's website.

Routes and Schedules

Bus routes shall be established yearly by the Transportation Coordinator within the limitations of Board policy and in conformity with school attendance areas and the maximum capacity of the buses to be used. It is the intent of the Board of Education to direct that the administration initially load buses in a manner that will not exceed rated capacity and permit operation up to maximum load.

It is the policy of the Board that there be no split scheduling of bus stops. Pupils shall be assigned to only one bus and only one bus stop. In cases of emergencies or extenuating circumstances, however, pupils may be permitted to leave the bus at other than their regular bus stop or ride a different bus, provided a written request from the parent or guardian is approved by the building principal.

Bus Stops

Bus stops shall be established annually by the Transportation Coordinator and advertised before the opening of school along with the bus routes and schedules. Recognizing that the District encompasses a wide variety of conditions along various routes and that the distribution and concentration of pupils vary within the area, the following guidelines will be utilized for establishing bus stops unless altered by State law:

1. Concentration of pupils and safety factors for both pupils and vehicles will be of primary concern.
2. Conformance with the maximum walking distances established by the Board is required.
3. Bus stops for kindergarten children will be established as close to the home of the child as reasonable.
4. In extenuating circumstances, a temporary change in a bus stop may be instituted by the Transportation Coordinator.

Bus Accidents

Regular Transportation

In the event of a bus accident, whether minor or serious, the bus driver shall immediately contact the bus company to notify of the accident. The bus driver shall not leave the students unattended and should not move the vehicle until authorized to do so, or unless its location may result in further danger. The bus company shall immediately contact emergency services (911), as warranted, as well as the District's Director of Transportation and Building Administrator of the school covered by the bus. The Building Administrator will immediately dispatch an Administrator and the School Nurse to the scene of the accident to conduct an initial assessment of the accident and any injuries. The Bus Driver shall take attendance and provide the list of students to the Administrator. Upon arrival at the scene by EMS, the Administrator and School Nurse will defer to EMS and will advise the Building Administrator and the Superintendent or designee that EMS is assuming jurisdiction over the accident.

If EMS and/or the Administrator and School Nurse determines that the accident is minor and that there are no serious injuries, the bus shall continue to the destination school or the nearest school, at the discretion of the Administrator. In the event there is structural damage to the vehicle, a replacement bus will be immediately dispatched to the scene of the accident. The children will be moved from the damaged bus to the replacement bus, which shall continue to the destination school or the nearest school or home, at the discretion of the Administrator. The Administrator shall verify the student attendance list and the School Nurse shall interview and examine each student to determine his/her condition. Parents/guardians shall be contacted by any reasonable means of communication to notify them of the accident and the condition of their child. Parents/guardians will be notified that they may pick-up their child and take them to their family physician.

In the event of a serious accident involving injuries to students, the Administrator and School Nurse shall cooperate with the police and EMS to identify students, notify parents/guardians and assist with parent/guardian contact at the hospital. The Administrator shall immediately notify the Building Principal and Superintendent of Schools or designee of the accident. All inquiries regarding the accident shall be channeled through the Central Office to ensure that information being delivered is accurate and as current as possible.

An accident report shall be completed as soon as practicable after the accident, and must be submitted to the District's Director of Transportation within 24 hours of the accident. The District's insurance carrier shall be immediately notified of the accident.

Special Transportation

If an accident occurs while transporting students on a field trip, athletic or academic competition or other school-related trip or activity, the bus driver and/or the staff member in charge shall immediately notify the bus company, the District Director of Transportation and the Building Principal. The bus company and/or the Director of Transportation shall immediately contact emergency services (911). District personnel shall cooperate with the police and emergency services personnel. Attendance shall be taken and a list of students will be provided as required. The Building Principal shall notify parents/guardians of the incident. All inquiries regarding the accident shall be channeled through the Central Office to ensure the accuracy of the information.

Pupil Conduct

Pupils are expected to conduct themselves in an orderly manner during the time they are on the bus. From the time pupils enter the bus until they are discharged at their bus stop, they are under the jurisdiction of the rules and regulations of the School District. Pupils boarding a bus or leaving a bus shall pass at least ten feet in front of the bus.

Riding a school bus is a privilege, not a right; under New York State regulations, the privilege may be removed or disciplinary action taken if a pupil's conduct is abusive, dangerous to oneself or others, or destructive to the vehicle.

Nonpublic School Transportation

Students in grades kindergarten through grade 8 attending nonpublic schools will be transported between home and school within the fifteen mile limitation as provided by State Law (student's residence to school of attendance) and such students in grades 9 through 12 will be transported between home and school within the eighteen mile limitation in accordance with a resolution adopted by the Board of Education in 1984 (student's residence to school of attendance).

Written notice must be given to the School District's Transportation Coordinator by the parent or guardian of a student desiring transportation to a nonpublic school by no later than April 1 preceding the beginning of the next school year. The notification shall include:

1. name and address of parent or guardian and student(s),
2. school to which transportation is desired,
3. grade level of student(s),
4. date of birth (month/day/year).

If a nonpublic school submits a list of names of students who will attend said school during the next school year, it must contain the name, address, age, and grade level of each student and certification that the school has been authorized by the parents or guardians of each child to act as their representative. The certification must also indicate that a copy of such authorization, duly signed by each parent or guardian, is on file in the school office.

If a family moves into the District after April 1, a written request, as above, for transportation to a nonpublic school must be made within 30 days after establishing residence in the District.

Special Trips

Buses may be used to provide transportation for pupils and adult supervisors participating in school-related activities. The following is district policy for each type of activity.

Interscholastic Athletic Events

Transportation of the participants (team, coaches, cheerleaders, and band, if appropriate) from a designated location (usually high school) to the event and return from the designated location. Transportation to or from the participant's home will not be provided.

After School Trips

For activities which take place after the normal school hours, such as athletic practice, clubs, and after school assistance, transportation will be provided at a specified time(s). The routes will be to specified areas throughout the District, identified by the Transportation Coordinator. Parents will be responsible for their children getting from the designated area to their home. Bus passes may be required to ride the after-school bus.

Field Trips and Other Special Events

Transportation from the school or designated location to the event and return to the point of departure will be provided. Transportation from the designated location of departure and return to the home will be the responsibility of the parent if the event takes place on nonschool days or the return occurs after the normal home-to-school bus runs.

Chaperones selected by the building principal may be allowed to ride the school bus.

Field Trip and Extracurricular Activity Transportation

Transportation for field trips and other trips, extra-curricular and other activities shall be provided if such trips and activities are approved by the Superintendent of Schools or Board of Education. The District Code of Conduct shall be in effect for all such transportation.

The following methods of transportation are approved for use in connection with such trips and activities, in the following order of preference:

1. School District owned or contracted vehicle.
2. Rented vehicle, rented in the name of the School District that holds five or fewer passengers and does not require a livery or bus driver's registration or license.
3. Rented vehicle, rented in the name of the adult driver that holds five or fewer passengers and does not require a livery or bus driver's registration or license.

Transportation by parents or other community members, teachers and coaches in private vehicles for school sponsored trips and activities is discouraged and should only be used sparingly and if the Superintendent or designee determines that it is absolutely necessary. Before transportation in a private vehicle may occur, the driver must submit to the District a copy of his/her current driver's license, current vehicle registration and New York State Insurance Identification Card. The District will provide this information to the District's insurance carrier. If private transportation for a trip or activity is contemplated, a second driver must be available to drive in case of the driver's absence or inability to be present on the day of the trip or other activity. The back-up driver must also submit all required information to the District and the District's insurance carrier.

Any individual who seeks to transport students in his/her personal vehicle shall be advised of the potential for personal liability and that his/her insurance is primary and the District's insurance is secondary.

The permission slip submitted for the approval of school-sponsored trips and activities shall indicate the method of transportation to be used, who will be driving and the vehicle to be utilized. The district will not provide blanket approvals to enable employees to drive for school-sponsored trips and activities. Approval will not be granted for a trip or activity where there is a ratio of one student to one chaperone/driver unless the chaperone is the student's parent/guardian.

The District reserves the right to determine whether or not an individual has an acceptable driving record for purposes of driving students on trips or to activities.

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

1. the student's parent/guardian provides the District with prior written notice authorizing an alternative form of transportation for such student; or

2. intervening circumstances make such transportation impractical, in which case a representative of the district shall remain with the student until the student's parent/guardian has been contacted and informed of the intervening circumstances and the student is delivered to his/her parent/guardian.

A student must remain with the group at all times and may not leave the group to meet a parent/guardian elsewhere.

Insurance

The Board is responsible for the purchase of insurance to cover the various risks to which the School District is exposed. Insurance is not a commodity but a service. Therefore, it should not be purchased upon the basis of price alone. The School District will make every effort to obtain insurance at the most economical cost, consistent with required service, by obtaining quotations or by negotiations, using whichever method is advantageous to the District.

Coverage shall be maintained in the following general categories:

- A. Workmen's Compensation (including Board members when on school business).
- B. Comprehensive General Liability (for all officers and employees).
- C. Comprehensive Auto Liability and Physical Damage (including mobile equipment).
- D. Athletic protection insurance for participants in interscholastic sports.
- E. Crime and Vandalism coverage.
- F. Property Insurance (including fire, liability, crime, boiler, and machinery). All property shall be insured for replacement value.
- G. Employee Blanket Bond.
- H. Unemployment Insurance.

The agent of record shall at least annually:

- 1. review the insurance program of the District, consider alternatives, and report recommendations to the Board;
- 2. recommend specific insurance placement and prepare specifications for same;
- 3. assist the Board in the establishment and maintenance of property valuation and insurance records;
- 4. provide annual safety and fire inspections;
- 5. review plans and specifications of all new facilities with the Rating Bureau in order to eliminate unnecessary penalty charges;
- 6. process all claims;
- 7. provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff; and
- 8. recommend such measures as may reduce the cost of insurance premiums.

Opening Exercises

This Board has an obligation to uphold the laws of the State and to support the ideals of this county. Accordingly, each student shall be required to salute the flag and recite the Pledge of Allegiance during each day's opening exercises. If a student has conscientious objections which interfere with full participation in the flag salute or Pledge of Allegiance, said student shall maintain a respectful attitude through the ceremony. Opening exercises may also include the singing of patriotic songs.

Parents of students refusing to salute the flag shall be informed by the building principal, and the parent or guardian shall be required to furnish the school administration with a written statement of their child's conscientious objection.