

STUDENT WELLNESS

Given the documented connection between proper nutrition, adequate physical activity and educational success, the Board of Education adopts the following goals and actions to provide district students with a school environment that promotes student health and wellness and reduces childhood obesity.

I. Foods and Beverages Available in School

The Board recognizes that a nutritious, well-balanced, reasonably-portioned diet is essential for student wellness. To help students possess the knowledge and skills necessary to make nutritious food choices for a lifetime, the district shall ensure that all foods and beverages available in school promote good nutrition, balance, and reasonable portion sizes. The district shall ensure that reimbursable school meals meet or exceed the program requirements and nutrition standards found in federal regulations.

To accomplish this, the Board directs that the district serve healthy and appealing foods and beverages at district schools, following state and federal nutrition guidelines, as well as safe food preparation methods.

School Meals

1. Promote fresh fruits, vegetables, salads, whole grains, and low fat items.
2. Encourage students to try new or unfamiliar items.
3. Make efforts to ensure that families are aware of need-based programs for free or reduced-price meals and encourage eligible families to apply.

Meal Scheduling

1. Provide adequate time to eat.
2. Schedule lunchtime between normal lunch hours (11 a.m. - 1 p.m.)

Foods and Beverages Sold Individually

1. Promote items that are healthy, fresh, natural and less processed.

2. Discourage items high in sugar, fat, and that are highly processed.

Fund Raising Activities

1. Promote healthy food items or non-food items to sell, or activities (physical or otherwise) to do.
2. Discourage sales of candy and other “junk food.”

Celebrations

1. Set guidelines for the frequency and content of classroom and school-wide celebrations where food is served.

II. Physical Activity

Physical activity is an important factor in staying healthy and being ready to learn. The Board encourages every student to develop the knowledge and skills necessary to perform a variety of physical activities, to regularly participate in physical activity, and to appreciate and enjoy physical activity as an ongoing part of a healthy lifestyle. In addition, staff, families, and community are encouraged to participate in and model physical activity as a valuable part of daily life. The district’s Physical Education program shall adhere to the curricular requirements of the Commissioner of Education and the New York State Learning Standards.

Physical Education

1. Students shall engage in physical education for at least the minimum number of hours or days per week under State requirements.
2. Physical Education classes shall incorporate the appropriate NYS Learning Standards.
3. Promote, teach and provide opportunities to practice activities that students enjoy and can pursue throughout their lives (e.g., yoga, fitness walking, step aerobics).
4. The performance of physical activity shall not be used as a form of discipline or punishment.

Recess

1. Maintain daily allotment of recess time for elementary school.
2. Consider scheduling recess before lunch.

Physical Activity in the Classroom

1. Promote the integration of physical activity in the classroom.

Extracurricular Opportunities for Physical Activity

1. Promote clubs and activities that meet the various physical activity needs, interests, and abilities of all students (e.g., walking, hiking and climbing).
2. Promote outreach by offering opportunities for parents and children to be involved in after school or evening workshops, activities, etc.

III. Nutrition Education

The Board believes that nutrition education is a key component in introducing and reinforcing healthy behaviors in students. Nutrition education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition education information shall be offered throughout the school campus including, but not limited to, school dining areas and classrooms. Staff members who provide nutrition education shall be appropriately certified and trained. The district's broader Health Education program shall incorporate the appropriate New York State Learning Standards.

Additional Areas Related to Nutrition Education

1. Include nutrition education as part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, and social sciences.
2. Include enjoyable, developmentally appropriate, culturally relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens.
3. Promote fruits, vegetables, whole grain products, low fat dairy products, safe and healthy food preparation methods, and health enhancing nutrition practices.
4. Emphasize caloric balance between food intake and energy expenditure.
5. Teach media literacy with an emphasis on food marketing.
6. Parent outreach to promote healthy eating

IV. Other School-Based Activities

The district may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity. Such activities may include, but are not limited to, health forums or fairs, health news-

letters, parent outreach, employee health and wellness, limiting the use of food as a reward, and food marketing and advertising in school.

V. Implementation

The Board shall designate one person as District Wellness Coordinator to be responsible for ensuring that the provisions of this policy are carried out throughout the district. The Board may also designate one person as School Wellness Coordinator in each building to ensure that the wellness activities and actions are being implemented at the building-level.

VI. Monitoring and Review

The District Wellness Coordinator shall report annually to the Board on the implementation of this policy. Every two years, the District Wellness Coordinator, in consultation with appropriate personnel and advisory committees, shall monitor and review the district's wellness activities to determine whether this policy is having a positive effect on increasing student wellness. Based on those results, this policy, and the specific objectives set to meet its goals, may be revised as needed.

The district shall monitor and review the implementation and effectiveness of this policy by conducting:

1. Periodic informal surveys of Building Principals, classroom staff, and school health personnel to see the progress of wellness activities and their effects.
2. Periodic checks of the nutritional content of food offered in the cafeterias for meals and a la carte items.
3. Periodic checks of the amount of time students spend in Physical Education classes, and the nature of those activities.
4. Periodic review of data currently collected by the district, including:
 - a. attendance data, particularly absences due to illness; and
 - b. test scores.
5. Periodic surveys of student/parent opinions of cafeteria offerings and wellness efforts.

Ref: P.L. 108-265 (Child Nutrition and WIC Reauthorization Act of 2004)
 42 USC §§1758(f)(1); 1766(a) (Richard B. Russell National School Lunch Act)
 42 USC §1779 (Child Nutrition Act)
 7 CFR §210.10; 210.11 (National School Lunch Program participation requirements – standards for lunches, snacks, and competitive foods)
 7 CFR §220.8 (School Breakfast Program participation requirements – nutrition standards)

8 NYCRR Part 135 (Health and Physical Education curricular requirements); §114.1 (School Breakfast Program Requirements)
Appeal of Phillips, 37 EDR 204 (1997) (dec. no. 13,843)
Appeal of Williams, 32 EDR 621 (1993) (dec. no. 12,934)

Adoption Date: March 28, 2011

STUDENT WELLNESS EXHIBIT
Wellness Internet Resources

General Wellness

Center for Science in the Public Interest

www.cspinet.org/nutritionpolicy/policy_options.html

NYSED Child Nutrition Services February 2005 memo to districts

http://portal.nysed.gov/pls/pref/docs/page/cnkc/reauthorization/final_local_wellness_policies_required_reauth.htm

Nutrition Education

American Dietetic Association

www.eatright.org

USDA Food and Nutrition Services

www.fns.usda.gov

Team Nutrition – USDA

www.fns.usda.gov/tn

School Nutrition Association

www.schoolnutrition.org

A La Carte and Vending Machine Food Nutrition

Center for Science in the Public Interest

www.cspinet.org/nutritionpolicy/improved_school_foods_without_losing_revenue2.pdf

www.cspinet.org/nutritionpolicy/policy_options_revenue_resources.html

No Junk Food – parent organization

www.nojunkfood.org/vendors/healthy_snack_list.html

Health Food and Non-Food Alternatives for Fund-Raising

No Junk Food – parent organization

www.nojunkfood.org/fundraising/todo.html

www.nojunkfood.org/fundraising/tosell.html

Alternatives to Food Rewards

Michigan State University Extension

www.tn.fcs.msue.msu.edu/foodrewards.pdf

Center for Science in the Public Interest

www.cspinet.org/nutritionpolicy/constructive_rewards.pdf

Physical Education/Physical Activity

Centers for Disease Control

– Healthy Youth

www.cdc.gov/HealthyYouth/PhysicalActivity

– Division of Nutrition and Physical Activity

www.cdc.gov/nccdphp/dnpa

- VERB – activities for children ages 9-13
 - www.cdc.gov/youthcampaign
 - www.verbnow.com (site for kids that includes a game generator)
- PE Central – Information clearinghouse for physical education teachers
 - www.pecentral.org
- NASPE – National Association for Sport and Physical Education
 - www.aahperd.org/naspe

Physical Activity in the Classroom

Michigan Department of Education

Brain Breaks: www.emc.cmich.edu/BrainBreaks

Energizers: www.ncpe4me.com/energizers.html

Take Ten: www.take10.net

Research on the link between Wellness and Academic Achievement

Evidence Based Physical Activity for School-age Youth, Strong, Malina, et al.,

Journal of Pediatrics, Vol. 146, Issue 6, pp. 732-737 (June 2005)

www.jpeds.com/article/PIIS0022347605001009/fulltext

Nutrition, Learning and Behavior in Children: A Resource List for Professionals,

Food and Nutrition Information Center, National Agricultural Library/USDA

www.nal.usda.gov/fnic/service/learnpub.html

Clinical Measures of Weight and Obesity

CDC – Body Mass Index home (BMI calculator for Children and Teens)

www.cdc.gov/nccdphp/dnpa/bmi/index.htm

CDC – About Body Mass Index for Children and Teens

www.cdc.gov/nccdphp/dnpa/bmi/childrens_BMI/about_childrens_BMI.htm

CDC - Clinical Growth Charts - National Center for Health Statistics

www.cdc.gov/nchs/about/major/nhanes/growthcharts/clinical_charts.htm

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STUDENT HEALTH SERVICES

The Board of Education recognizes that good student health is vital to successful learning and acknowledges its responsibility, along with that of parent(s) or guardian(s), to protect and foster a safe and healthful environment for the students.

The school shall work closely with students' families to provide detection and preventive health services. In accordance with law, the school will provide vision, hearing, dental inspection and scoliosis screening. Problems shall be referred to the parent(s) or guardian(s) who shall be encouraged to have their family physician/**dentist** provide appropriate care.

In order to enroll in school a student must submit a health certificate within 30 calendar days after entering school for the first time at any grade, and upon entering second and fourth grades. The examination, which must conform to state requirements, must have been conducted no more than 12 months before the first day of the school year in question. If a student is unable to furnish the health certificate, the school will provide a physical examination by a licensed provider. A request for exemption from the physical examination, or the requirement to provide a health certificate, must be made in writing to the school principal or designee, who may require documents supporting the request. The only basis for exemption is a claim that the physical examination is in conflict with the parent or guardian's genuine and sincere religious belief.

The Board recognizes that the State of New York may authorize and require the collection of data from health certificates in furtherance of tracking and understanding health care issues that affect children. The Board supports these efforts and expects administrators to cooperate and to observe the appropriate laws and regulations in carrying out those responsibilities, including those that relate to student privacy.

In addition, students will be asked to provide a dental health certificate when they enroll in school and in accordance with the same schedule as the health certificate.

A permanent student health record shall be part of a student's cumulative school record and should follow the student from grade to grade and school to school along with his/her academic record. This record folder shall be maintained by the school nurse.

Schools shall also provide emergency care for students in accidental or unexpected medical situations. Each school in the district will include in its emergency plan a protocol for responding to health care emergencies, including anaphylaxis.

Communicable Diseases

It is the responsibility of the Board to provide all students with a safe and healthy school environment. To meet this responsibility, it is sometimes necessary to exclude students with contagious and infectious diseases, as defined in the Public Health Law, from attendance in school. A student returning to school after an absence on account of illness or unknown cause may be examined by the District's school physician if the student returns to school without a certificate from a local public health officer, a duly licensed physician, physician assistant or nurse practitioner. Students will be excluded during periods of contagion for time periods indicated on a chart developed by the school nurse.

It is the responsibility of the Superintendent of Schools, working through district health personnel, to enforce this policy and to contact the county or local health department when a reportable case of a communicable disease is identified in the student or staff population.

The Superintendent will also ensure that parents are informed of the importance of adequate immunizations and of their responsibility under the law.

Administering Medication to Students

Neither the Board nor district staff members shall be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours shall be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to him/her during school hours, or where it is done pursuant to law requiring accommodation to a student's special medical needs (e.g., Section 504 of the Rehabilitation Act of 1973). "Medication" will include all medicines prescribed by a physician.

Before any medication may be administered to or by any student during school hours, the Board requires:

1. the written order of the prescribing physician, which will include the student's name, date and name of the medication, purpose of the medication, the dosage, the time at which or the special circumstances under which medication shall be administered, the period for which medication is prescribed, and the possible side effects of the medication; and
2. the written request of the parent(s) or guardian(s), which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication.

Both documents shall be kept on file in the office of the school nurse.

In addition, in accordance with Education Law 919, the district shall make a nebulizer available on-site in school buildings where nursing services are provided. Students with a patient-specific order, who require inhaled medications, shall have access to the nebulizer. The district will ensure that it is maintained in working order.

Life-Threatening Allergies and Anaphylaxis Management

The Board recognizes its role and responsibility in supporting a healthy learning environment for all students, including those who have, or develop, life-threatening allergies. The district will work cooperatively with the student, their parent/guardian and healthcare provider to allow the child to participate as fully and as safely as possible in school activities. When a student has a known life-threatening allergy reported on their health form or if the district has been informed by the parent of the presence of a life-threatening allergy, the district will assemble a team, which may include the parent, the school nurse, the child's teacher, the building principal and other appropriate personnel, which will be charged with developing an individual health care plan. The plan will be maintained by the school nurse. The plan will guide prevention and response. If the student is eligible for accommodations based upon the IDEA, Section 504 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding identification, evaluation and implementation of accommodations.

Regulations

The Superintendent shall develop comprehensive regulations governing student health services. Those regulations shall include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for the administering of medication to students.

Cross-ref: 4321, Programs for Students with Disabilities
5020.3, Students with Disabilities and Section 504
5550, Student Privacy
8130, School Safety Plans and Teams

Ref: Education Law §§310 (provisions for appeal of child denied school entrance for failure to comply with immunization requirements); 901 et seq. (medical, dental and health services, BMI reporting); 919 (provide and maintain nebulizers); 6909 (emergency treatment of anaphylaxis)
Public Health Law §§613 (annual survey); 2164 (immunization requirements)
8 NYCRR § 64.7 (administration of agents to treat anaphylaxis); Part 136 (school health services program)
Administration of Medication in the School Setting Guidelines, State Education Department, revised April 2002
Immunization Guidelines: Vaccine Preventable Communicable Disease Control, State Education Department, revised August 2000

Making the Difference: Caring for Students with Life-Threatening Allergies, New York State Department of Health, New York State Education Department, New York Statewide School Health Service Center, June 2008

Adoption date: March 28, 2011

STUDENT HEALTH SERVICES REGULATION

A. Immunization

Children must receive immunizations for diphtheria, polio, measles, mumps, rubella, hepatitis B, Haemophilus Influenzae Type b (Hib), pertussis, tetanus, pneumococcal disease (for children born on or after January 2008) and varicella prior to entering or being admitted to school.

Parents must provide acceptable proof indicating required receipt of all vaccines in accordance with law and regulations. A child may be excluded from the immunization requirements based on a physician determined health reason or condition. This medical exemption must be signed by a physician licensed to practice in New York State. A child may also be excluded from the immunization requirements because the child's parent/guardian holds a genuine and sincere religious belief which is contrary to the practice of immunization.

A child will not be admitted to school or allowed to attend school for more than 14 days without an appropriate immunization certificate or acceptable evidence of immunization. This period may be extended to 30 days on a case-by-case basis by the Building Principal if the child is transferring from another state or country and can show a good faith effort to get the necessary certification or other evidence of immunization.

When a student transfers out of the district, the parent/guardian will be provided with an immunization transfer record showing the student's current immunization status which will be signed by the school nursing personnel or the school physician. A transcript or photocopy of the immunization portion of the cumulative health record will be provided to the new educational institution upon request.

B. Administering Medication to Students in School

The administration of prescribed medication to a student during school hours is permitted only when the medication is necessary to allow the student to attend school or failure to administer the medication would seriously affect the student's health.

Parent(s) or guardian(s) must present the following information:

1. a note from the family doctor containing the following information: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects; and,
2. a note from the parent(s) or guardian(s) giving the school nurse, teacher, Principal or other school staff permission to administer the medication; or

3. a medication request form (which includes the family doctor and parent signatures) must be filed with the school nurse.

The school nurse shall develop procedures for the administration of medication, which require that:

1. all medications will be administered by a licensed person unless the child is self-directed;
2. medications shall be securely stored in the office and kept in their original labeled container, which specifies the type of medication, the amount to be given and the times of administration;
3. the school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration;
4. all medications shall be brought to school by the parent(s) or guardian(s) and shall be picked up by the parent(s) or guardian(s) at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days of the period of medication, the medication shall be discarded; and
5. for self-administration of medications (self-directed), decisions to allow students to carry and use their medication should be made on an individual basis by the school district. A student may be responsible for taking their medication after school nursing personnel have determined that the following requirements are met:
 - The severity of the student's health status is assessed.
 - The student is self-directed and can self-administer their medication properly. Determination as to whether a student should be considered self-directed should be based on the student's cognitive and/or emotional development rather than age or grade. Factors such as age of reason and mental/emotional disability are some additional considerations to be looked at in determining a child's ability to be self-directed. Usually a student may be considered to be self-directed if he/she is consistently able to do all of the following:
 - 5.1 identify the correct medication (e.g., color, shape)
 - 5.2 identify the purpose of the medication (e.g., to improve attention)
 - 5.3 determine that the correct dosage is being administered (e.g., one pill)
 - 5.4 identify the time the medication is needed during the school day (e.g., lunch time, before/after lunch)
 - 5.5 describe what will happen if medication is not taken (e.g., unable to complete school work)
 - 5.6 refuse to take medication, if student has any concerns about its appropriateness.

- The student is judged to be responsible to carry properly labeled medication in an original container on his/her person or keeping the medication in the school locker or physical education locker.
 - The prescriber provides a written order that the student carry their medication and self-administer.
 - Written authorization is obtained from the parent requesting compliance with the prescriber's order.
 - Parent contact is made to clarify parental responsibility regarding the monitoring of the child on an ongoing/daily basis to ensure that the child is carrying and taking the medication as ordered. This contact should be documented.
 - School nursing personnel establish a schedule with the student and parent to regularly monitor the self-administration process.
6. for field trips and after-school activities, a single dose of prescription medication may be prepared and maintained in an original pharmacy or manufacturer labeled container for students to take on field trips or for after-school activities. Parents should be advised to ask the pharmacist for an additional container to be used. For field trips, teachers or other school staff should carry the self-directed student's medication so that the student can take his/her own medication at the appropriate time.

Students who carry and administer their own medications on field trips and/or for after-school activities must adhere to school district policy related to self-administration of medications. For students who are not self-directed:

- The parent or guardian may attend the activity and administer the medication; or
- The parent can *personally* request another adult *who is not employed by the school* to voluntarily administer the medication on the field trip and inform the school district in writing of such request; or
- The student's health care provider can be consulted and may order the medication time to be adjusted or the dose eliminated.

If no other alternative can be found the medication must be administered by a licensed professional (e.g., RN, LPN, substitute school nursing personnel, physician) employed by the district. A child may not be prevented from participating in a school activity, such as a field trip or after-school activity, solely on the basis of a special health care need.

Administering epi-pen in emergency situations. The administration of epinephrine by epi-pen has become an accepted and extremely beneficial practice in protecting individuals subject to serious allergic reactions (e.g., individual has an anaphylactic reaction to a wasp sting or the ingestion of peanut butter).

Pursuant to Commissioner's regulations, registered professional nurses may carry and administer agents used in non-patient specific emergency treatment of anaphylaxis.

In addition, pursuant to SED guidelines, school nurses may provide training to unlicensed school staff in administering epi-pens, prescribed by a licensed prescriber, to a child who has been diagnosed with the potential for a severe reaction, in the event of the onset of a serious allergic reaction when a nurse is not available.

C. Student Medical Exams

In accordance with Sections 903 and 904 of the state Education Law, each student shall have a physical exam given by the school doctor or family physician (including a physician, physician assistant or nurse practitioner) upon entrance to school and at pre-kindergarten or kindergarten, and grades two, and four. Findings are to be kept on record at the school on forms that can be obtained from the school nurse. In addition, the school will request a dental health certificate according to the same schedule.

A student may be excluded from the medical examination requirements because the child's parent/guardian holds a genuine and sincere religious belief which is contrary to medical examinations. The request for exemption must be in writing to the principal or his/her designee.

In the event that the student's medical history reveals that they have a known life-threatening allergy, the school nurse, in conjunction with the family, student, child's teacher, and other appropriate staff, will develop and implement an individual health care plan which will guide prevention and response.

The district will work with students in the self-management of their life-threatening allergy, or other chronic health conditions, by:

1. Adequately training staff involved in the care of the child.
2. Assuring the availability of the necessary equipment and/or medications.
3. Providing appropriately licensed and trained persons on school premises, as required by law.
4. Providing ongoing staff and student education.

D. Illness in School

If a student becomes ill in school:

1. The nurse will determine if the student should remain in the dispensary or return to class.

2. The nurse will call the parent, guardian or substitute parent if he/she feels the student should go home. In general, a parent or guardian will pick up the student from school.
3. The nurse will contact the Building Principal if he/she feels the child should be transported by bus to the home.
4. If there is to be a change in bus routing in order to carry the student to his/her home, that decision will be made by the administrator and the transportation supervisor.
5. If the route is to be changed, the transportation supervisor shall inform the bus driver.
6. If no parent, guardian or substitute parent picks up the student at school, or if no parent/guardian or substitute parent will be home, the student will remain in the nurse's office until such time as a parent, guardian or substitute parent becomes available to assume responsibility for the child.

E. Medical Emergency Record

All students shall have on file a medical emergency record which shall state the name and telephone numbers of the following:

1. the student's parent(s) or guardian(s) at home and work;
2. the student's next of kin;
3. a neighbor;
4. the family physician;
5. preferred hospital; and
6. any allergies or serious health conditions.

Adoption date: March 28, 2011

STUDENT HEALTH SERVICES EXHIBIT - MEDICATION REQUEST*Request for Child to Take Medication in School*

New York State Law requires a written request from the physician in which he/she indicates the frequency and dosage of a prescribed medication and a written request from the parent to administer the medication. The medication should be delivered to the school nurse in its original container.

I _____ hereby request my child _____, be
 (Print parent/guardian's name) (name of student)

given the medication prescribed by _____ at _____.
 (physician's name) (time)

In cases of continued medication, this medication is to be administered every school day during the present school year, or until terminated by written notice.

I hereby release the designated school personnel and the Board of Education from any liability relative to the administration and/or reaction of the medication on the above-named student.

Date: _____ Signature of parent: _____

Physician prescription attached or following completed:

Name of Child _____ Name of Medication _____

Dosage _____ Frequency _____

Side effects of medication _____

Action to be taken if drug intoxication is suspected _____

Date: _____ Signature of Physician _____

Telephone Number _____

Adoption date: March 28, 2011

**STUDENT HEALTH SERVICES EXHIBIT - IMMUNIZATION
REFERRAL LETTER**

Valley Stream 30 / _____ (School Name)

_____ (Address)

_____ (Address)

Date: _____

(Child's Name and Date of Birth)

(Parent's Name and Address)

New York State Public Health Law, Section 2164 mandates that schools shall not permit a child to be admitted unless the parent provides the school with a certificate of immunization or proof from a physician, nurse practitioner or physician's assistant that the child is in the process of receiving the required immunizations. The required immunizations are for the following diseases, specified in the enclosed chart:

Diphtheria, Pertusis, Tetanus, Polio, Hepatitis B, Measles, Mumps, Rubella, Haemophilus influenza type b (Hib), Varicella, and pneumococcal disease (for children born on or after January 2008)

All of the above immunizations must be documented by your health care provider, health department where the child received the immunizations, or must be from an official copy of the immunization record from the child's previous school. All immunizations must specify the exact date each immunization was administered. Your child will not be permitted to attend school without the necessary verification of immunizations.

The problem(s) with your child's immunization requirements for school entry is/are:

The required immunizations could be obtained from:

1. Your family health care provider.
2. _____

3. _____

(List of local sources for obtaining immunizations, e.g., county health department clinics, etc., addresses, and phone numbers.)

As soon as you obtain the Certificate of Immunization, bring it to the School Health Office to be copied and returned to you.

If you have further questions or concerns about immunizations, please feel free to contact the school health staff.

Sincerely,

(Principal)

(School Nurse)

(Telephone Number)

Adoption date: March 28, 2011

NOTIFICATION OF SEX OFFENDERS

The Board of Education recognizes its responsibility for the health, safety and protection of the students enrolled in the district's schools, children receiving services and/or participating in programs and/or events on school property and of children residing in the district with respect to situations where the district receives information from local law enforcement authorities or from the New York State Division of Parole with respect to convicted sex offenders residing within the district.

This policy is enacted in order to disseminate information received from local law enforcement authorities or from the New York State Division of Parole with respect to situations where a person with a history of sex offense (as manifested by a conviction therefore) is placed on probation, is paroled, is discharged or released into the community and is required to register pursuant to the provisions of the New York State Sex Offender Registration Act.

In the event that and upon the district's receipt of such information, the Superintendent shall promptly cause such information to be disseminated to the following:

1. Central Office administrators;
2. Building Principals;
3. Faculty members;
4. Security personnel;
5. All staff members responsible for monitoring persons visiting on school property;
6. Playground supervisors;
7. Custodial staff;
8. Athletic staff;
9. Bus Companies providing student transportation;
10. Safety escorts;
11. Parents and/or guardians of all school-age children who reside within the district;
12. Principals or directors of all private schools located within the district;
13. Directors or persons in charge of all non-school groups which provide services or programs to children on or within school facilities;
14. Parents and/or guardians of preschool children with disabilities who reside within the district;
15. Valley Stream Superintendents; and
16. Such other persons or groups as the superintendent of schools, in his/her discretion, shall determine.

The information to be disseminated shall include copies of such information as shall have been received from local law enforcement authorities of the New York State Division of Parole, and shall also provide that information with respect to the sex offender notification law. A current registry is available at: <http://criminaljustice.state.ny.us>.

5450.1

The district personnel who are notified shall also be instructed to notify local law enforcement authorities and the office of the Superintendent of Schools in the event that such personnel observe any person who is the subject of such notification pursuant to the New York State Sex Offender Registration Act (“Megan’s Law”) on or about school property or in any area where school children congregate.

The non-district personnel who are notified shall also be requested to notify local law enforcement authorities and the office of the Superintendent of Schools in the event that such personnel observe any person who is the subject of such notification pursuant to the New York State Sex Offender Registration Act (“Megan’s Law”) on or about school property or in any area where school children congregate.

The Superintendent shall take all reasonable steps to ensure that the information received from local law enforcement authorities and/or the New York State Division of Parole is conveyed in an expeditious, lawful and appropriate manner, consistent with the best interests of the students enrolled in the programs and/or events on school property, of children residing in the district and of the community as a whole.

The Superintendent may utilize available district resources to disseminate information received pursuant to the New York State Sex Offender Registration Act.

Ref: 42 U.S.C. §1407(d)
Correction Law, Article 6-C (Sex Offender Registration Act)
Doe v. Pataki, 3 F.Supp.2d 456 (SDNY 1998) (current injunction)
Doe v. Pataki, 12 0 F.3d 1263 (2d. Cir. 1997), *cert. denied*, 522 U.S. 1122 (1998)

Adoption Date: March 28, 2011

NOTIFICATION OF SEX OFFENDERS EXHIBIT

Dear Parents/Guardians,

Local law enforcement authorities have advised the district, pursuant to Article 6-C of the New York State Correction Law (also known as “Megan’s Law”) that a registered sex offender is residing within the vicinity of the Valley Stream District Thirty community.

A copy of the information the district received is enclosed herewith.

In addition, information regarding the sex offender notification law and a current registry is available at www.criminaljustice.state.ny.us (click on New York State Sex Offender Registry). If you are unable to contact this web site or wish to obtain information, you may also call the Special Victims Squad of the Nassau County Police Department at (516) 573-8059.

The Board of Education recognizes its responsibility for the health, safety and welfare of the children enrolled in district schools and for those participating in district programs or events.

Upon receipt of the enclosed information from law enforcement authorities, the district has alerted district personnel to be aware and to notify their immediate supervisor in the event that any suspicious person is observed in an area where children congregate. We also ask your cooperation in notifying authorities should this offender be seen on or near school property or any other place where school children may congregate.

Please be assured that the school staff continues to educate our children concerning issues of safety in order to make them aware and to enable them to make appropriate decisions concerning their personal safety. I urge you to extend these important discussions to your home.

Finally, please be further advised that it is a violation of the law to use the information you receive to harass or discriminate against any individual.

Very truly yours,

Superintendent of Schools

Adoption Date: March 28, 2011

CHILD ABUSE, MALTREATMENT OR NEGLECT IN A DOMESTIC SETTING

The Board of Education recognizes that because of their sustained contact with school-aged children, employees are in an excellent position to identify abused, maltreated or neglected children and refer them for treatment and protection. The Board further recognizes the specific dictates of law which require school officials to report suspected instances of child abuse, maltreatment (which includes neglect) in a domestic setting.

The purpose of mandatory reporting is to identify suspected abused and maltreated children as soon as possible, so that such children determined to be abused or maltreated can be protected from further harm and, where appropriate, can be offered services to assist him or her and his or her family.

School officials, who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment, must immediately report this to the New York State Central Register for Child Abuse and Maltreatment (Central Register), as required by law. No conditions may be imposed which limit their responsibility to report. A school official is defined as:

- Teacher
- Guidance counselor
- Psychologist
- Nurse
- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

The school official will also report the matter to the Building Principal.

The report shall be made by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within forty-eight hours to the appropriate local child protective service, and to the statewide Central Register.

School employees who are not school officials, as defined above, but who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment are encouraged to report to the Central Register. However, the school employee must report the matter to the Building Principal. If the matter has not yet been reported to the Central Register, the Building Principal shall make the report, in accordance with state law. In being required to file such report, the Building Principal does not have discretion.

School employees or officials may 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.

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.

In accordance with the law, any school official 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 immunity to persons who, in good faith, report instances of child abuse from any liability.

School employees will not be subject to retaliatory action, as defined in state law, as a result of making a report when they reasonably suspect that a child has been abused or maltreated.

The Board recognizes that knowingly reporting a false claim of child abuse is a violation of state law and this policy acknowledges that it is a crime to do so. The district will make every reasonable effort to ensure the integrity of the district's child abuse reporting process and procedure.

School District Relationship with Local Social Service District

The school district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse. The Superintendent, or his or her designee, will represent the district when collaborating with local social service agencies to address instances of abuse or maltreatment, and in the development of policy and procedures regarding abuse or maltreatment (including educational neglect). In addition, the Superintendent will share a copy of the district's attendance policy, 5100, with the local social service district.

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment, including the legal implications of reporting and not reporting. Attendance at sessions of this training program shall be required of all school officials. 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 school officials 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

Cross-ref: 5100, Student Attendance

Ref: Child Protective Services Act of 1973, Social Services Law §§411 et seq.
Social Services Law §34-a
Family Court Act §1012
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, 45 CFR
§99.36
Education Law §3209-a
Penal Law 240.50

Adoption Date: March 28, 2011

CHILD ABUSE, MALTREATMENT OR NEGLECT

New York State Law (Child Protective Service Act of 1973, as amended) provides for reporting of suspected cases of child abuse by school officials. 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.

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 or 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.

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 or her parents or other person legally responsible for his 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, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or

In order for a report of educational neglect to be accepted, three elements need to be established:

- a. Excessive absence from school by the child
 - b. Reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and the parent has contributed to the problem or is failing to take steps to effectively address the problem, and;
 - c. Reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm.
- (2) 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.

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.

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 school officials must, when they have reasonable cause to suspect that a child is abused or maltreated, report it to the New York State Central Register for Child Abuse and Maltreatment (800-342 3720). A school official, under state law, is defined as:

- Teacher
- Guidance counselor
- Psychologist
- Nurse
- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

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.

2. The school official must also report the matter to the Building Principal who will determine if any additional steps need to be taken by the school district (for instance, contacting the school physician, social worker or other support services).
3. In the event that a school employee, who is not required to report under the law (such as a bus driver, custodian, cafeteria monitor, etc.), has reasonable cause to suspect that a child is abused or neglected, he/she is encouraged to make a report to the Central Register. The employee must, by district policy, report the matter to the Building Principal.
4. If the Building Principal is informed of a case of suspected child abuse or maltreatment that has not yet been reported to the Central Register, the Building Principal is required to:
 - (a) phone the New York State Central Register for Child Abuse and Maltreatment (800-342 3720) and inform them verbally of the problem; or
 - (b) contact the above agency by telephone facsimile machine on a form supplied by the Commissioner of Social Services; and
 - (c) file a written report with the local child protective services agency and the Central Register within forty-eight hours after the above report; and,
 - (d) determine if additional steps need to be taken by the school district, as outlined in step 2 above.
5. 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. Photographic equipment shall be kept at the school and be available for this purpose.
6. The written report that must be filed shall include all information which the Commissioner of Social Services may require.

7. 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.
8. The Building Principal shall request a summary report of the investigation of a case referred to Child Protective Services so the district can take appropriate next steps.
9. The district shall maintain an ongoing training program which will address identification and reporting of child abuse and maltreatment. Attendance at sessions of this training program shall be required of all school officials.
10. Employee handbooks shall include a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
11. Only one report of any suspected abuse is required.
12. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any liability, civil or criminal. The good faith of any person required to report cases of child abuse or maltreatment is presumed.
13. 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.
14. 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.
15. Any school employee who fails to comply with this policy is subject to discipline in accordance with collective bargaining agreements and/or policy.

Adoption date: March 28, 2011

STUDENT RECORDS

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

The Board also recognizes its responsibility to ensure the orderly retention and disposition of the district's student records in accordance with Schedule ED-1 as adopted by the Board in policy 1120.

The District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor.

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

Definitions

Education Record: means those records, in any format, directly related to the student and maintained by the district or by a party acting on behalf of the district, except:

- (a) records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute;
- (b) records of the district's law enforcement unit;
- (c) records of treatment created or maintained by a physician, psychiatrist, psychologist or other professional/paraprofessional acting in that capacity.

Eligible student: a student who has reached the age of 18 or is attending postsecondary school.

Legitimate educational interest: a school official has a legitimate educational interest if they need to review a student's record in order to fulfill his or her professional responsibilities.

Personally identifiable information: is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such

data might include social security number, student identification number, parents' name and/or address, a biometric record, etc.

School official: a person who has a legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing his or her tasks.

Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians and eligible students currently in attendance of their rights under FERPA and the procedures for exercising those rights. This notice may be published in a newspaper, handbook or other school bulletin or publication. This notice will also be provided to parents, guardians, and eligible students who enroll during the school year.

The notice will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations.

The annual notice will inform parents/guardians and eligible students:

1. that it is the district's policy to disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests.
2. that, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. that, upon request, the district will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parents or eligible student exercise their right to prohibit release of the information without prior written consent.
4. of the procedure for exercising the right to inspect, review and request amendment of student records.

The district will provide translations of this notice, where necessary, to parents, guardians and eligible students in their native language or dominant mode of communication.

In the absence of the parent or eligible student exercising their right to opt out of the release of information to the military, the district is required to, under federal law, release the information indicated in number three (3) above.

Directory Information

The district has the option under FERPA of designating certain categories of student information as “directory information.” The Board directs that “directory information” include a student’s name and photograph.

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

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

The district may elect to provide a single notice regarding both directory information and information disclosed to military recruiters.

Cross-ref: 1120, School District Records
4321, Programs for Students with Disabilities Under IDEA and Part 89
5550, Student Privacy

Ref: Family Educational Rights and Privacy Act, 20 USC 1232g; 34 CFR Part 99
No Child Left Behind Act, 20 USC §7908
10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY 2002
Education Law § 225
Public Officers Law §87(2)(a)
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use by School Districts and BOCES

Adoption date: March 28, 2011

STUDENT RECORDS REGULATION

It is recognized that the confidentiality of student records must be maintained. The terms used in this regulation are defined in the accompanying policy. The following necessary procedures have been adopted to protect the confidentiality of student records.

Section 1. Pursuant to the Family Educational Rights and Privacy Act (FERPA) it shall be the policy of this school district to permit parents/guardians and “eligible students” to inspect and review any and all official records, files and data directly related to that student, including all materials that are incorporated into each student's cumulative record folder.

The rights created by FERPA transfer from the parents/guardians to the student once the student attains eligible student status. However, districts can disclose information to parents of eligible students under certain circumstances, including when the student is a dependent under the IRS tax code, when the student has violated a law or the school's rules regarding alcohol or substance abuse (and the student is under 21); when the information is needed to protect the health or safety of the student or other individuals.

Section 2. Parents/guardians or the eligible student will have an opportunity for a hearing to challenge the content of the student's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Section 3. A letter shall be sent annually to parents/guardians of students currently in attendance and eligible students currently in attendance informing them of their rights pursuant to FERPA. See Exhibit 5500-E.1. The district shall provide translations of this notice, where necessary, to parents/guardians and eligible students in their native language or dominant mode of communication. (See Policy 5500 for further information on the notice requirements.)

Section 4. To implement the rights provided for in sections 1 and 2, the following procedures are adopted:

1. A parent/guardian or an eligible student who wishes to inspect and review student records shall make a request for access to the student's school records, in writing, to the Building Principal. Upon receipt of such request, arrangements shall be made to provide access to such records within 45 days after the request has been received. If the record to which access is sought contains information on more than one student, the parent/guardian or eligible student will be allowed to inspect and review only the specific information about the student on whose behalf access is sought.

2. A parent/guardian or an eligible student who wishes to challenge the contents of the student's school records shall submit a request, in writing, to the Building Principal identifying the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student together with a statement of the reasons for their challenge to the record.
3. Upon receipt of a written challenge, the Building Principal shall provide a written response indicating either that he/she:
 - a. finds the challenged record inaccurate, misleading or otherwise in violation of the student's rights and that the record will be corrected or deleted; or
 - b. finds no basis for correcting or deleting the record in question, but that the parent/guardian or eligible student will be given an opportunity for a hearing. The written response by the Building Principal shall be provided to the parent/guardian or eligible student within 14 days after receipt of the written challenge. The response shall also outline the procedures to be followed with respect to a hearing regarding the request for amendment.
4. Within 14 days of receipt of the response from the Building Principal, a parent/guardian or eligible student may request, in writing, that a hearing be held to review the determination of the Building Principal.
5. The hearing shall be held within 10 days after the request for the hearing has been received. The hearing will be held by the Superintendent of Schools, unless the Superintendent has a direct interest in the outcome of the hearing, in which case the Superintendent will designate another individual who does not have a direct interest in the outcome of the hearing to hold the hearing.
6. The parent/guardian or eligible student shall be given a full and fair opportunity to present evidence at the hearing. The parent/guardian or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
7. The Superintendent or other individual designated by the Superintendent will make a decision in writing within 14 days after the hearing.
8. After the hearing, if the Superintendent or the individual designated by the Superintendent decides not to amend the record, the district will inform the parent/guardian or eligible student that they have the right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the decision of the district. Any statement placed in the record will be maintained with the contested part of the student record for as long as the record is maintained. Further, the statement will be disclosed by the district whenever it discloses the portion of the record to which the statement relates.

Section 5. Except to the extent that FERPA authorizes disclosure of student records without consent, student records, and any material contained therein which is personally identifiable, are confidential and will not be released or made available to persons other than parents/guardians or eligible students without the prior written consent of the parents/guardians or eligible student.

Exceptions to FERPA's prior consent requirement include, but are not limited to disclosure:

1. To other school officials within the district who have been determined to have legitimate educational interests.
2. To officials of another school, school system or post secondary institution where the student seeks or intends to enroll.
3. To authorized representatives of the Comptroller General of the United States, the U.S. Secretary of Education, or state and local education authorities in connection with an audit or evaluation of a federal- or state-supported education program or in compliance with legal requirements related to those programs.
4. In connection with the student's application for or receipt of financial aid.
5. To state and local officials or authorities in compliance with state law that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are being released.
6. To organizations conducting studies for, or on behalf of, education agencies or institutions, in order to develop tests, administer student aid, or improve instruction.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined by the Internal Revenue Code.
9. To comply with a judicial order or lawfully issued subpoena, including ex parte court orders under the USA Patriot Act. Prior to complying with a judicial order or subpoena, the district will make a reasonable effort to notify the parent/guardian or eligible student, unless the district has been ordered not to disclose the existence or content of the order or subpoena.
10. In connection with a health or safety emergency, the district will disclose information when, taking into account the totality of circumstances, a determination is made that there is an articulable and significant threat to the health or safety of the student or other individuals.
11. To teachers and school officials in other schools who have legitimate educational interests in the behavior or the student when the information concerns disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
12. To provide information that the district has designated as "directory information."
13. To provide information from the school's law enforcement unit records.

The District will use reasonable methods to provide access to student educational records to only those authorized under the law and to authenticate the identity of the requestor. The district will use an array of methods to protect

records, including physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records), and administrative procedures.

Section 6. Whenever a student record or any material contained therein is to be made available to third persons, other than those covered by the exceptions authorized by FERPA, the parent/guardian or eligible student must file a written consent to such action. The written consent must specify the records to be released, the reasons for such release, and to whom. If the parent or eligible student so requests, the district will provide him or her with a copy of the records disclosed. In addition, if the parent of a student who is not an eligible student so requests, the district will provide the student with a copy of the records disclosed.

Section 7. Unless specifically exempted by FERPA, all persons requesting access to such records will be required to sign a written form which indicates the legitimate educational interest that such person has in inspecting the records. Such form will be kept with the student's file and will be maintained with the student's file as long as the file is maintained.

Retention and Disposition of Student Records

The Board has adopted the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. The Board directs all district officials to adhere to the schedule and all other relevant laws in retaining and disposing of student records. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

Adoption Date: March 28, 2011

**STUDENT RECORDS EXHIBIT - FAMILY EDUCATIONAL RIGHTS
AND PRIVACY ACT (FERPA) NOTICE REGARDING ACCESS TO
STUDENT RECORDS AND STUDENT INFORMATION**

Dear Parent or Eligible Student:

This is to advise you of your rights with respect to student records pursuant to the Family Educational Rights and Privacy Act (FERPA). FERPA is a federal law designed to protect the privacy of student records. The law gives parents and students over 18 years of age (referred to in the law as “eligible students”) the following rights:

1. The right to inspect and review the student’s education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the Building Principal a written request that identifies the records they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the district to amend a record that they believe is inaccurate or misleading by writing the Principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with

whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. 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. The Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue SW
Washington, DC 20202-4605

NOTIFICATION OF DIRECTORY INFORMATION DESIGNATIONS

In addition to the rights outlined above, FERPA also gives the school district the option of designating certain categories of student information as “directory information.” Directory information includes a student’s name and photograph.

You may object to the release of any or all of this “directory information.” However, you must do so in writing within 10 business days of receiving this notice. If we do not receive a written objection, we will be authorized to release this information without your consent. For your convenience, you may note your objections to the release of directory information on the enclosed form and return it to the Building Principal.

Sincerely,
{Insert Building Principal’s Name Here}

Adoption Date: March 28, 2011

STUDENT RECORDS EXHIBIT - DIRECTORY INFORMATION

Dear Parent or Eligible Student:

The school district has designated certain categories of student information as “directory information.” Directory information includes a student’s name and photograph.

If you object to the release of any or all of the directory information listed above, you must do so in writing within 10 business days of receiving this notice. For your convenience, you may note your objections to the release of directory information on this form and return it to the Building Principal.

Please do not release directory information without my prior consent.

(Parent/Guardian or Eligible Student Signature)

(Date)

Adoption Date: March 28, 2011

STUDENT RECORDS EXHIBIT - MILITARY RECRUITERS

Dear Parent or Eligible Student:

Pursuant to the No Child Left Behind Act, the school district must disclose to military recruiters and institutions of higher learning, upon request, the names, addresses and telephone numbers of high school students. The district must also notify parents of their right and the right of their child to request that the district not release such information without prior written parental consent.

Parents (or students 18 years of age or older) wishing to exercise their option to withhold their consent to the release of the above information to military recruiters and/or institutions of higher learning must sign and return the attached form to the Building Principal by *{Insert Date of Return Here}*

SAMPLE RETURN FORM

Reservation of Consent for the Release of Certain Student Information under the No Child Left Behind Act

____ Please do not release the name, address and telephone number of

_____ to:
(Name of student)

____ Military recruiters and/or
____ Institutions of higher learning

(Parent/Guardian or Eligible Student Signature)

(Date)

Adoption Date: March 28, 2011

STUDENT PRIVACY

The Board recognizes its responsibility to enact policies that protect student privacy, in accordance with law. This is particularly relevant in the context of the administration of surveys that collect personal information, the disclosure of personal information for marketing purposes and in conducting physical exams.

Surveys

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. In accordance with law and Board policy, parental consent is required for minors to take part in surveys which gather any of the following information:

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

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

Marketing

It is the policy of the Board not to collect, disclose, or use personal information gathered from students for the purpose of marketing or selling that information or providing it to others for that purpose. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students or educational institutions such as:

- a. College or other postsecondary education recruitment, or military recruitment;
- b. Book clubs, magazines and programs providing access to low-cost literary products;
- c. Curriculum and instructional materials used in schools;

- d. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for students or to generate other statistically useful data 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. Student recognition programs; and
- f. The sale by students of products or services to raise funds for school-related activities.

In the event that such data is collected by the district, disclosure or use of student personal information will be protected by the district pursuant to the requirements of the Family Educational Rights and Privacy act (FERPA). [For guidance regarding the disclosure of “directory information,” rather than personal information, see policy 5500, Student Records.]

Inspection of Instructional Material

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

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

Invasive Physical Examinations

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

Notification

Parents/guardians and eligible students shall be notified at least annually, at the beginning of the school year, and when enrolling students for the first time in district schools of this policy. The school district shall also notify parents/guardians within a reasonable period of time after any substantive change to this policy.

Cross-ref: 5420, Student Health Services
5500, Student Records

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

Adoption Date: March 28, 2011

STUDENT VOLUNTEERS FOR SCHOOL AND PUBLIC SERVICE

The Board of Education recognizes the social and scholastic benefits derived from student participation in various community-sponsored activities. However, neither an individual nor the school as a whole shall be permitted to use school time in working on community-sponsored projects unless such an undertaking is deemed to contribute to the educational program. The administration has the responsibility to develop procedures for community groups to request student involvement during school hours, as well as guidelines for the consideration of such request.

Adoption Date: March 28, 2011

STUDENT FEES, FINES AND CHARGES

Students are expected to exercise reasonable care in the use of school equipment and any damage done to library books, textbooks or other school equipment due to misuse or negligence must be paid for by them.

Lost or damaged textbooks will be immediately reported to the office for payment.

Other school equipment which is damaged should be reported to the Building Principal, who will determine if negligence or willful action on the part of the student was the cause of the damage. If so, the student will be expected to pay for such damage.

Adoption Date: March 28, 2011

VIOLENT AND DISRUPTIVE INCIDENT REPORTING

The Board of Education is committed to promoting and maintaining the safety of all students, staff and visitors to the schools. Consistent with this commitment and in accordance with state law and regulation, the district shall submit an annual report to the Commissioner of Education regarding violent and disruptive incidents. In addition, the Board shall use this data to assess the safety of its schools and, where appropriate, identify and take steps to improve the safety and security of its students, staff and visitors.

Reporting Requirement

Each Building Principal shall be responsible for preparing on regular basis a report of all the violent and disruptive incidents that have occurred on school grounds, at a school function, or at a school-sponsored event and forwarding the report to the Superintendent of Schools. The Superintendent or designee shall be responsible for compiling the reports received from the Building Principals into the annual report and submitting the report to the Commissioner. The summary report shall contain all the information required by law and shall be filed with the Commissioner on or before a date set by the Commissioner. The Superintendent shall also present this summary report to the Board at its first meeting following the filing of the report with the Commissioner.

The district is responsible for assuring that copies of each VADIR report, both individual and summary reports, are retained until the youngest person involved in a reported incident is 27 years old.

Confidentiality

Any violent or disruptive incident report prepared in accordance with law shall be available for inspection by the State Education Department upon request. All names and other personally identifiable information included in any report shall be confidential and shall not be disclosed to any person for use by any person for purposes other than the reporting purposes in Education Law §2802, except as otherwise authorized by law.

Ref: Education Law §2802 (Uniform Violent Incident Reporting System)
8 NYCRR 100.2 (gg) (Uniform Violent Incident Reporting System)
8 NYCRR 185.11 (Appendix I) (Records Retention and Disposition Schedule ED-1)

Adoption Date: March 28, 2011