

## STUDENT POLICIES GOALS

Students are the focal point of all district operations and must receive the primary attention of the Board of Education and all staff members. Consequently, the Board will spend most of its time in study, deliberation and policy formulation on matters directly related to student welfare.

The Board recognizes the individual worth of each student. The Board and staff accept the responsibility of helping each student to develop his/her capacity for intellectual, physical, emotional, and social growth. The Board acknowledges that a student's growth is influenced by his/her environment, both at home and in school. Therefore, the school district shall strive to create an environment in which the student may learn to live and adapt successfully in an ever-changing world in order to become a responsible and productive member of society.

The Board and district staff shall work together to achieve the following goals:

1. tailor the learning program to each student's learning styles, interests, and aspirations;
2. protect and observe the legal rights of students;
3. enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success;
4. provide an environment in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens; and
5. promote faithful attendance and good work.

Adoption date: February 27, 2008

**STUDENTS WITH DISABILITIES PURSUANT TO SECTION 504**

The Board of Education shall ensure that no student is discriminated against in programs or activities receiving federal financial assistance. Individuals protected by Section 504 of the Rehabilitation Act of 1973 are those individuals who: have a physical or mental impairment which substantially limits one or more major life activities (e.g. caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working); have a record of such impairment; or are regarded as having such an impairment. Students who qualify for protection under Section 504 are: of an age during which non-disabled children are provided preschool, elementary or secondary education services; of an age during which it is mandatory under state law to provide such educational services to disabled children; or to whom a state is required to provide a free appropriate public education (e.g. under IDEA).

The Board shall identify, evaluate, refer, place, provide adaptations for and review all eligible students with disabilities. Students with disabilities pursuant to Section 504 shall be provided a free appropriate public education which may include, but is not limited to, providing a structured learning environment; repeating and simplifying instructions about in-class and homework assignments; supplementing verbal instructions with visual instructions; using behavioral management techniques; adjusting class schedules; modifying test delivery; using tape recorders, computer-aided instruction, and/or other audiovisual equipment; selecting modified textbooks or workbooks and tailoring homework assignments or modification of nonacademic times such as lunchroom, recess and physical education.

The Board shall adopt a grievance procedure to resolve Section 504 complaints and designate an individual to coordinate compliance with Section 504. The Board shall ensure that students with disabilities and their parents are notified annually of the Board's responsibilities under Section 504.

Cross-ref: 4321, Programs for Students with Disabilities under the IDEA and  
New York's Education Law Article 89  
5300, Code of Conduct

Ref: Rehabilitation Act of 1973, 29 USC §§794 et seq. (Section 504)  
34 CFR Part 104  
Individuals with Disabilities Education Act, 20 USC §§1400 et seq.  
(IDEA)  
Education Law, §§4401 et seq. (Article 89)  
8 NYCRR Part 200

Adoption date: February 27, 2008

## STUDENT COMPLAINTS AND GRIEVANCES

The Board of Education believes it is necessary that students be made aware of the behavior that is expected of them, as outlined in district policies on school conduct and discipline. They shall also be given an opportunity to be heard on complaints and grievances they may have.

A student filing a complaint or grievance alleging that there is an action affecting them which is prohibited by Title IX and/or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act shall be provided with information regarding the prompt and equitable resolution of the complaint or grievance. Furthermore, a student shall have the right to present complaints and grievances in accordance with the procedure free from coercion, interference, restraint, discrimination or reprisal.

Building Principals are responsible for ensuring that appeal procedures are incorporated into discipline codes, explained to all students, and provided to all parents on an annual basis.

### Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination due to sex and/or disability to parents/guardians, employees, eligible students and the community. The public notice shall:

1. inform parents, employees, students and the community that vocational education programs are offered without regard to sex, race, color, national origin or disability;
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination due to sex and/or disability;
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The Superintendent of Schools shall establish regulations and procedures for presenting problems or appealing decisions which affect individual students, in accordance with applicable statutory requirements, and for the resolution of complaints or grievances which may affect the student body.

Cross-ref: 0100, Equal Opportunity  
5300, Code of Conduct

Ref: Americans with Disabilities Act, 42 U.S.C. §12133  
Title IX, Education Amendments of 1972, 20 U.S.C. Chapter 38; 34 CFR Part 106; 45 CFR Part 86

## STUDENT COMPLAINTS

The Board of Education believes it is necessary that students be made aware of the behavior that is expected of them, as outlined in district policies on school conduct and discipline. Building Principals are responsible for ensuring that appeal procedures are incorporated into discipline codes **and/or student handbooks**, explained to all students, and provided to all parents on an annual basis.

The Board encourages students to be active participants in the educational process. The Board strives to provide students with a sound educational environment, ensure that all students are treated fairly, and afford students the due process protections they are entitled to under the law. The Board understands that there may be times when students do not agree with school practices or feel as though they have been treated unfairly.

Many concerns about school practices can and should be addressed through the student government. Student handbooks may also provide valuable information. For other issues, the district has different channels for resolution of complaints, depending on the nature of the complaint. Understanding the Board policy on an issue is the first step towards resolving any complaints. Students are urged to follow the established Board policy, but should always feel free to discuss concerns with any school staff member or the Building Principal. School staff and administrators are expected to work with students toward an amicable resolution of the issue.

Issue	Policy (policy number)
Civil rights; discrimination	Equal Opportunity (0100)
Disciplinary matters	Code of Conduct (5300)
District policies and practices	Student Government and/or Complaints from the Public (1400)
Due process	Code of Conduct (5300)
Free speech	School-Sponsored Student Expression (5220) Student Personal Expression (5225)
Privacy (lockers, searches)	Code of Conduct (5300)
School practices and environment	Student government and/or Complaints from the Public (1400)
Sexual harassment	Sexual Harassment (0110)
Student educational records	Student Records (5500)
Student rights and responsibilities	Code of Conduct (5300)
Teachers	Complaints from the Public (1400)

Cross-ref: 0100, Equal Opportunity  
0110, Sexual Harassment  
0115, Harassment, Hazing and Bullying  
1400, Complaints from the Public  
5220, School-Sponsored Student Expression  
5225, Student Personal Expression  
5300, Code of Conduct  
5500, Student Records

Adoption date: February 27, 2008

Amended date: June 23, 2010

Rehabilitation Act of 1973, §504, 29 U.S.C. §794; 34 CFR §104  
Education Law §3214

Adoption date: February 27, 2008

**STUDENT COMPLAINTS AND GRIEVANCES REGULATION**Definitions

1. Grievant shall mean a student who alleges that there has been a violation of Title IX or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA) statute or regulations which affect him/her.
2. Grievance shall mean any alleged violation of Title IX, Section 504 or the ADA statute or regulations.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504 or the ADA.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

1. For informal conciliation, students should confer with the appropriate teacher or school personnel to achieve prompt resolution. Students may appeal to the highest authority in the school building, i.e., the Building Principal, who has the final determination on all such matters.
2. For resolution of matters where appeal procedures are prescribed by statute, e.g., student suspensions, the prescribed course of action will be followed.
3. On issues affecting the student body, students may address the student government or student council in order to resolve such matters. Students may be afforded a conference with the Building Principal in accordance with the rules and procedures established by the student government.
4. The resolution of student complaints alleging any action prohibited by Title IX, Section 504 or the ADA shall be dealt with in the following manner:

StagesA. Stage I - Compliance Officer

1. Within 30 days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act

or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.

3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent.

B. Stage II - Superintendent of Schools

1. The Superintendent may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent.
3. Within 15 days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, and a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent, the grievant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

C. Stage III - Board of Education

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District Clerk or at the office of the Compliance Officer.

Adoption date: February 27, 2008

## STUDENT ATTENDANCE

### Purpose

The purpose of this policy is to comply with §104.1 of the Regulations of the Commissioner of Education as amended on November 29, 2001, and to establish the procedures that will provide for an accurate record of student attendance as required by NYS Education Law and Commissioner's Regulations.

This information on attendance will be utilized to account to parents on the whereabouts of their children through out the school day.

The Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the Board expects to reduce the current level of unexcused absences, tardiness, and early departures (referred to in this policy as "ATEDs"), encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student ATEDs and develop effective intervention strategies to improve school attendance.

The application of policy and procedure will help to ensure that children will attend all assigned learning activities in order to provide the basic framework for success in meeting the New York State Learning Standards.

Special attention is directed to the disruption caused by parents who take their children from school toward the end of a school day. Such "early departure" not only removes the child of such parent from instruction that disrupts the education of all the children in the class from which the child is removed because of the calls to the classroom and preparation of the child for early departure. It also diminishes the value of education in the eyes of child. This practice is to be discouraged except for true emergencies that can be documented. Except in emergencies, instruction is NOT to be interrupted by calls from the office.

### Attendance Taking and Recordkeeping

In order to accomplish these objectives, principals will direct that attendance is taken at the beginning of each day in grades K-6 and at the beginning of each class, including homeroom or GOAL room, in grades 7-12.

Each absence, tardiness, or early departure will be coded on the student record card and on the computerized register as excused or unexcused. Additional notation will be made to indicate the reason for the absence.

### Excused and Unexcused Absences

Each absence, tardiness, or early departure shall be categorized, by school personnel designated by the Principal, as excused or unexcused, as follows:

- a. Most excused absences, tardiness, and early departure are involuntary on the part of the parent or child. These include illness, injury, family emergencies such as serious illness or death of a close relative, religious observance, religious instruction as provided by NYS law, court appearance, probation appointments, and school bus problems.
- b. Some excused absences and early departure occur because of conflicting school-related activities such as field trips, music lessons, appointments with school personnel, and school competitions. A student who participates in such activity is NOT designated as absent from school but is listed as excused absent from any class missed.
- c. Similarly, a student who is suspended from instruction is listed as excused from any class missed. He or she is not listed as absent from instruction provided alternative instruction is provided in-school or at home.
- d. Unexcused absences include cases where the student has absented himself from a specific class (“cutting”) or for an entire day without the approval of both the school and the parent.
- e. Other unexcused absence may occur with the approval of a parent but NOT the consent of the school. Examples of such unexcused absences include family vacations, trips to foreign countries, entertainment events (baseball game, Broadway matinee), care of a sibling or other family member, working, waking up late, care trouble, missed bus, events scheduled by other organizations (“take your child to work-day”), and early departure from school for a trip, shopping or other non-emergency activity.
- f. Some absences may be difficult to categorize and may require consultation with the Principal. An example of this is a medical appointment for an on-going problem. It is expected that parents will attempt to schedule such appointments to avoid conflicts with instruction. When such early dismissal is necessary, parents are expected to send a note to the teacher with the child so that classroom learning will not be interrupted by calls from the office.

#### Course Credit and Minimum Attendance

For departmentalized classes in grades 7-12, course credit will not be assigned when the student is absent (excused or unexcused) for more than 18 days in a full-year course, 9 days in a semester course, or 9 days in a course that meets on alternate days for the year.

Students who exceed this standard will continue in the course until its conclusion. If the number of absences in a full-year course is 24 or less (and proportionally lower for other course structures) and the student has a final average of 60 or higher the students may receive the Principal’s approval to enroll in summer school in order to attempt satisfactory course completion.

The Principal has the discretion to waive strict adherence to this standard when there are compelling circumstances.

### Incentives to Encourage Attendance

To encourage attendance on a regular basis, students who wish to participate in extra-curricular activities including athletics on a particular day must be in attendance by the beginning of the school's second period. In addition, students who are chronically tardy will be denied participation for a period of time determined by the Principal.

Similarly, students who wish to enroll in driver education, which is not part of the day school curriculum, must meet attendance requirements specified in Policy 4318 and Regulation 4318-R.

### Parent Notification and Communication

It is expected that parents will contact the school by telephone to provide notice when children will be absent including the reason for such absence. Parents will be called by the school at their home or place of employment whenever a child is absent and a call has not been received.

Communication between home and school is crucial to many areas including attendance. It is the parent's responsibility to notify the school, usually by phone, whenever the student will be absent. Each school will facilitate procedures to accommodate this. Parental follow-up notes on absence will NOT be required when prior notice has been provided.

It is the school's responsibility to notify a parent at home or place of business whenever the child is absent and the parent has not provided notice. The Principal is responsible to arrange school routines in order that parents will receive prompt notice of such absence early in the school day. In addition to providing prompt notice of a "missing child," this process will reinforce understanding of the parental obligation to provide notice of absence to the school.

A follow-up letter will be sent by the end of school day to the parents of any child whose absence is not accounted for by the above process.

Similar procedures will be established for students who are present but absent themselves from a class ("cutting").

### Review of Attendance Data and Policy

In order to improve attendance procedures at a specific school and to make recommendations for changes in this policy, the Principal of each school will establish an Attendance Review Committee. Elementary Principals may establish a single committee for grades kindergarten to grade four.

This Committee, composed of parents, teachers, and administrators, will examine attendance records and patterns for individuals and groups to determine if changes in policy or procedures are in order.

The Board shall annually review building-level student attendance records and, if such records show a decline in student attendance, the Board shall revise this comprehensive attendance policy and make any revisions to the plan it deems necessary to improve student attendance.

Upon referral from a staff member, the attendance record of particular students will be considered. Parents of students with poor patterns of attendance, tardiness, and early departure may be asked to attend the Committee meeting in order to provide the school with insight into the nature of the events contributing to attendance problems.

In addition, this Committee will review appeals of students whose absence have brought them into a “no-credit” situation in a particular course or courses. The Committee may recommend exceptions to denial of credit as it deems appropriate. In making a finding, the Committee will carefully examine the percentage of the absences that are excused. The final determination rests with the Principal.

#### Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures and the consequences of non-compliance. To ensure that students, parents, teachers and administrators are notified of and understand this policy, the following strategies shall be implemented.

- The attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
- Parents will receive a plain language summary of this policy by mail at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.
- A back-to-school event will be held at the beginning of each school year to explain this policy and stress the parent’s responsibility for their ensuring their children’s attendance.
- School newsletters and publications will include periodic reminders of the components of this policy.
- The district will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.
- All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.

- Copies of this policy will also be made available to any community member, upon request.

Ref: Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225  
8 NYCRR §§104.1; 175.6

Adoption date: February 27, 2008

## ATTENDANCE AREAS

The Board accepts its responsibility to establish attendance zones in such a way as to facilitate the educational program. Advance planning for educational facilities and buildings will be guided by the following criteria in determining school attendance boundaries:

1. The educational needs of students;
2. The proximity of students to school buildings;
3. The safety of students;
4. The ages of students served; and
5. The nature of the educational program housed.

It shall be the option of the administration to assign students to a school for causes such as overcrowding, and other appropriate situations substantiated by the professional staff.

### Elementary Attendance Areas

The Board has established elementary attendance areas or zones in order to provide a student population appropriate to the physical capacity of each facility.

The Superintendent of Schools is assigned responsibility for reviewing enrollment trends to determine if changes in zones and/or the opening of other facilities will be required. Recommended changes should be received by the Board a year in advance whenever possible.

Students who move from one zone to another are required to change their school of attendance. Should such movement occur late in the school year (after January 1<sup>st</sup>), however, parents may request that their child complete the school year in their current school. Principals may approve such requests but in no such case will transportation be provided outside the attendance zone.

Transportation will be provided, however, when the Committee on Special Education places a child in another school, provided that the child resides at least one-half mile from school, or has mobility needs requiring transportation.

Adoption date: February 27, 2008

## COMPULSORY ATTENDANCE AGES

All children are required by New York State law to attend school full time, in a public, private or parochial school, unless exempt from attendance in conjunction with current law or regulation, and approved by the State Education Department from the first day of session in September of the school year in which the minor becomes six years of age through the last day of the school year in which such minor becomes sixteen years of age, unless he/she has completed a four-year high school course of study. A minor who has completed a four-year high school course of study is not required to attend.

### Drop-out Prevention

The Board wishes to prevent students from dropping out of school without earning a diploma, whether the student is above the compulsory education age or not. Staff members are expected to identify students at risk of dropping out, by those students with low attendance, low grades, low interest in school or other signs. Staff members, especially counselors and administrators, shall give those students extra attention to find the cause(s) leading the student to consider dropping out. The district shall work with the student and his/her family to keep the student interested in school and working toward graduation.

Health records will be reviewed by the school nurse, who shall order a physical examination if medical issues are considered a factor affecting attendance or influencing the student's attitude toward school. No student will be permitted to drop out of school unless an exit interview takes place with the Building Principal.

Ref: Education Law §§1711; 3201; 3202(1-a); 3205; 3206; 3208; 3225  
8 NYCRR §101  
Family Court Act §§711 et seq.

Adoption date: February 27, 2008

## HOMELESS CHILDREN

The Board of Education recognizes its responsibility to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. The Board will provide that homeless children attending the district's schools access to the same free and appropriate public education, including preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital or is awaiting foster care placement; or is a migratory child who qualifies as homeless.

A homeless child has the right to attend school in either the district of origin (i.e., where he/she resided before becoming homeless), the district of current location, or a district participating in a regional placement plan.

The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

1. Admission: Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment.

Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless.

2. Transportation: The district shall provide transportation for homeless students currently residing within the district as required by applicable law.
3. School Records: For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable.

The Superintendent shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. parents of homeless children are informed of the educational and related opportunities available to them, including transportation;
2. enrollment disputes involving homeless children are promptly mediated and resolved;
3. school personnel in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
4. homeless children receive educational services, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services;

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation).

In accordance with Commissioner's regulations, the district shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Ref: 42 USC §§11431, et seq.  
School Enrollment Guidelines on the McKinney-Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002)  
Education Law §§207; 305; 3202; 3205; 3209  
Executive Law §§532-b; 532-e  
Social Services Law §§17; 62; 397  
8 NYCRR §§100.2; 175.6

Adoption date: February 27, 2008

Amended date: June 23, 2010

## ENTRANCE AGE

Children who reach their fifth birthday on or before December 1st of the year of matriculation are entitled to attend school and may be admitted to kindergarten. Proof of age must be presented in the form of a birth certificate, baptismal certificate, or passport.

A child who has regularly attended and satisfactorily completed a year's work in a kindergarten which is duly registered with the State Education Department will be enrolled in the first grade. Otherwise, the child will be evaluated on his/her ability to do first-grade work, or the non-registered kindergarten program he/she did complete will be evaluated for equivalency.

A child who has successfully completed any grade in a public or private school registered in New York State will be admitted to the next subsequent grade upon admission, unless, in the judgment of the Building Principal and based on evaluation, the student should be placed in a different grade. A child enrolling from outside New York State will be evaluated on an individual basis to determine the most appropriate grade placement.

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

Ref: Education Law §§1709; 1712; 2503; 2514; 2555; 3202; 3205; 3210

Adoption date: February 27, 2008

## SCHOOL ADMISSIONS

The district shall provide a public education to all persons between the ages of five and twenty-one who have not received a high school diploma and are entitled to attend school. If such persons reside in the district, they may attend without payment of tuition.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school.

A non-veteran under twenty-one years of age who has received a high school diploma shall be permitted to attend school or BOCES upon payment of tuition.

Upon registration, all new students shall be required to present:

1. proof of date of birth;
1. record of immunizations and a health certificate from a licensed physician;  
and
3. proof of residency.

Ref: Education Law §§903; 904; 3202; 3208  
Public Health Law §2164

Adoption date: February 27, 2008

**SCHOOL ADMISSIONS REGULATION****Residency Determinations**

In accordance with the Commissioner's Regulations, the Board of Education shall appoint a designee to act in its behalf in determining a child's entitlement to attend the schools of the district.

- A. This designee shall consider the information submitted on behalf of the child which is supportive of a claim of residency or other basis which entitles the child to enrollment.

The following are some of the factors which may be examined in this process:

1. The residency, both within and without the district, of parents, guardians, persons in parental relationship with the child, or the child.
2. Guardianship orders and pending guardianship proceedings affecting the child.
3. Lease or ownership of residential property.
4. The circumstances which may have caused a child to live with an adult other than a parent.
5. The person who has actual control of a child's daily decision making.
6. The person who provides support for the child.
7. The continuity of relationship between the child and persons listed in paragraph number one.
8. The continuing presence of the parent, guardian, person in parental relationship, or the child in the district and intent to remain in the district.
9. The amount of time that the child spends with a non-custodial parent outside the district.
10. The adequacy of living arrangements under the circumstances of the case evidence that the residence is genuine.
11. Proof of actual occupancy of a residence within the district.
12. Quantity and quality of evidence that a total and presumably total transfer of custody and control of a child has been made to a district resident from a parent, guardian, or person in parental relationship residing elsewhere.
13. Indicia of emancipation of a child who is over the age of 16.
14. Evidence that the sole basis for a child's moving to the district is to obtain an education in its schools.

## HOMELESS CHILDREN

The Board of Education recognizes its responsibility to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. The Board will provide that homeless children attending the district's schools access to the same free and appropriate public education, including preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital or is awaiting foster care placement; or is a migratory child who qualifies as homeless.

A homeless child has the right to attend school in either the district of origin (i.e., where he/she resided before becoming homeless), the district of current location, or a district participating in a regional placement plan.

The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

1. Admission: Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment.

Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless.

2. Transportation: The district shall provide transportation for homeless students currently residing within the district as required by applicable law.
3. School Records: For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable.

The Superintendent shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. parents of homeless children are informed of the educational and related opportunities available to them, including transportation;
2. enrollment disputes involving homeless children are promptly mediated and resolved;
3. school personnel in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
4. homeless children receive educational services, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services;

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation).

In accordance with Commissioner's regulations, the district shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Ref: 42 USC §§11431, et seq.  
School Enrollment Guidelines on the McKinney-Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002)  
Education Law §§207; 305; 3202; 3205; 3209  
Executive Law §§532-b; 532-e  
Social Services Law §§17; 62; 397  
8 NYCRR §§100.2; 175.6

Adoption date: February 27, 2008

Amended date: June 23, 2010

- B. In order to provide guidance to its designee, the Board affirms its belief that the placement of a child with a district resident (either a relative or volunteer) for the purpose of learning American language and culture does not constitute sufficient basis for enrollment for receipt of auxiliary services.
- C. When it is determined that the child is not entitled to attend the schools of this district because such child is neither a resident nor otherwise entitled to attend its schools, the designee shall, within two business days, provide written notice to the child's parent, guardian, person in parental relationship, or to the child, as appropriate. Such written notice shall state:
  - 1. that the child is not entitled to attend the public schools of the district;
  - 2. the basis for the determination that the child is neither a resident of the school district nor entitled to attend its schools pursuant to statute or regulation;
  - 3. the date as of which the child will be excluded from the schools of the district (if enrolled); and
  - 4. that the determination may be appealed to the Commissioner of Education, in accordance with Education Law §310, within 30 days of the date of the determination, and that the procedure for taking such an appeal may be obtained from the Office of Counsel, New York State Education Department, State Education Building, Albany, NY 12234 or by calling (518) 474-5807.
- D. Only the professional employee designated by the Board shall have the authority to make determinations regarding residency. Any questions regarding the eligibility of any child's to attend the schools of the Island Trees Union Free School District are to be referred to that person in writing with a clear and concise summary of the facts.

Adoption date: February 27, 2008

## HOMELESS CHILDREN REGULATION

Each school in the district shall maintain forms provided by the Commissioner of Education for designating a homeless child's district of attendance. These forms must be provided to any homeless child or parent or guardian who seeks to enroll a child in school. The district's liaison for homeless students shall assist the homeless child and/or parent or guardian in understanding their rights under the law and provide them with information regarding the educational and related opportunities available to them.

School placement decisions for homeless children will be based on the "best interest of the child." Unless doing so is contrary to the wishes of the child's parent or guardian, to the extent possible, a homeless child will continue to attend the school of origin (the school the child attended when he or she became homeless).

If the district wishes to send a homeless child to a school other than the school of origin or a school requested by the parent or guardian, the Superintendent or designee shall provide the parent or guardian with a written explanation of its decision, together with a statement regarding the right to appeal the placement process. The Superintendent or designee shall refer any such dispute to the district's liaison for the homeless for resolution. The homeless child must be enrolled in the school sought by the parent or guardian pending resolution of the dispute.

### Admission Procedures

Upon designation, the Superintendent of Schools or designee shall immediately:

1. review the designation form to ensure that it is complete;
2. admit the homeless child even if the child or his/her parent or guardian is unable to produce records normally required for enrollment or there is an unresolved dispute regarding school selection or enrollment;
3. where applicable, make a written request to the school district where a copy of the child's records are located for a copy of the homeless child's school records;
4. notify the liaison for homeless children of the child's admission. The liaison shall:
  - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation;
  - b. ensure that the child receives the educational services for which they are eligible, including Head Start and Even Start and preschool programs administered by the district;

- c. make necessary referrals to health care services, dental services, mental health services, and other appropriate services; and
- d. ensure that any enrollment disputes are mediated promptly and in accordance with law.

The Superintendent or designee shall forward a copy of the designation form to the Commissioner of Education and the school district of origin where applicable.

Unless the homeless child is entitled to transportation provided by the Division for Youth or the Department of Social Services, the district shall provide transportation services to the child in accordance with applicable law.

#### Dispute Resolution Process

If, after the Superintendent reviews the designation form (STAC-202), he/she finds that the student is either not homeless, not entitled to attend the district's school, or not entitled to transportation (if requested) the Superintendent or designee will do the following:

1. Contact the district's homeless liaison to assist in dispute resolution process.
2. Contact the student and parent (if available) and inform them of their opportunity to provide more information prior to the district making a final determination.

If, after consideration of any additional information and input from the homeless liaison, the Superintendent makes a final determination that a student is not homeless, or not entitled to enrollment or transportation, he/she must provide the student's parent or guardian, or the student, if the student is an unaccompanied youth, with written notice that the student is not entitled to their request. This written notice must also:

- 1) state the rationale/basis for the district's determination;
- 2) state the date as of which the student will be excluded from the district's schools (or transportation);
- 3) advise that the district's final determination may be appealed to the Commissioner of Education (Commissioner);
- 4) provide the name and contact information for the district's homeless liaison;
- 5) inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the district's homeless liaison is required to assist him/her in filing such an appeal; and
- 6) include, as an attachment, the form petition needed to file an appeal to the Commissioner.

## **5151-R**

The Superintendent must ensure that the district's final decision is delivered to the parent, guardian, or unaccompanied youth in a timely manner. The student must remain enrolled and provided with transportation (if requested) until the district makes a final determination and for a minimum of 30 days after the determination to give the student's parent or guardian or unaccompanied youth the opportunity to appeal to the Commissioner.

If the parent/guardian or student commences an appeal to the Commissioner with a stay application within 30 days of the final determination, the homeless child or youth will be permitted to continue to attend the school s/he is enrolled in at the time of the appeal and/or receive transportation to that school until the Commissioner renders a decision on the stay application.

Adoption date: February 27, 2008

Amended date: June 23, 2010

## ADMISSION OF NON-RESIDENT STUDENTS

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal district residents and who are of legal age to attend school. Non-resident students shall only be allowed to attend district schools under the circumstances outlined in this policy.

### Former Residents

Students shall be entitled to continue enrollment in the district so long as the circumstances which allowed them to enroll remain unchanged. Upon establishing residency outside the district boundaries, it is expected that parents will enroll their children in their new school district.

However, students who move out of the district late in the school year (after January 1<sup>st</sup>) shall be permitted to finish that school year in the district without payment of tuition, upon application to and approval of the Superintendent of Schools. Additionally, students in grade 11 who move out of the district after January 1 of that year shall be permitted to finish that school year, and remain enrolled in the district through completion of grade 12, without payment of tuition, upon application to and approval of the Superintendent of Schools.

Approval for these exceptions shall not be granted when parents have engaged in deception to conceal a change in residency in order to continue enrollment.

Cross-ref: 6254, Non-Resident Tuition

Ref: Education Law §3202(2)

Adoption date: February 27, 2008

## **STUDENT DISMISSAL PRECAUTIONS**

No student may be released from school to anyone other than the parent, guardian or child protective services personnel and law enforcement officers pursuant to law, unless the individual's name seeking release of the student appears on a list provided by the parent or guardian.

Parents are urged to make appointments with physicians, dentists, special tutors, etc., after school hours. If a request is necessary, parents should make note of the date, time and reason for the release. Children cannot be excused without advanced written request by parent/guardian, and must be released in care of parent/guardian, unless otherwise noted.

A student may be released to either parent unless a custodial parent supplies the Superintendent of Schools with a certified copy of a court order or divorce decree to the contrary.

The Superintendent shall develop procedures to enable parents and guardians to amend the list of persons authorized to obtain the release of their children.

Ref: Education Law §3210(1)(c)

Adoption date: February 27, 2008

## STUDENT DISMISSAL PRECAUTIONS REGULATION

The Superintendent of Schools or his/her designee shall maintain a list of individuals who are authorized to obtain the release of students in attendance at the school. No student may be released to the custody of any individual not the parent or guardian of the student, unless the individual's name appears upon the list.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment. The signature of the parent or guardian must be on or attached to such list.

A parent or guardian may amend a list submitted pursuant to this regulation at any time, in writing.

Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the Superintendent.

If any individual seeks the release from school of a student he or she must report to the school office and present identification deemed satisfactory by the Superintendent or his/her designee, who must check the authorized list and relevant court orders or divorce decrees before a student may be released. Particular caution should be exercised when the person seeking the release of a child exhibits to the school official an out-of-state custody order.

Early excuses for emergency reasons should be requested in writing by a parent/guardian. Medical releases are handled through the Nurse's Office. All other reasons for release must go through the Main Office, and students must be picked up in the Main Office. The person seeking the release must sign the register in the office.

In the event of an emergency, the Superintendent may release a student to some individual not appearing on the approved list only if the parent or guardian has been contacted by the Superintendent and has approved the release, and the Superintendent determines that an emergency exists.

Adoption date: February 27, 2008

**ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES**

The district shall provide students with an opportunity to develop their own interests and to work cooperatively in groups through the sponsorship of a variety of extracurricular activities. While participation in these activities is desirable, it is also important that students maintain an acceptable level of academic performance and behavior. Eligibility requirements shall be established by the Building Principal and shall include attendance, behavioral, and academic eligibility. For the purposes of this policy, “extracurricular activity” is defined as participation in any non-credit bearing club, organization, or team.

Adoption date: February 27, 2008

## **ELIGIBILITY FOR EXTRACURRICULAR ACTIVITIES REGULATION**

### Memorial Middle School

The following extracurricular eligibility requirements have been established for Middle School students:

1. Students will not be able to participate in any contest or practice on days they were not in attendance by first period on that day.
2. Any student failing one or more subjects must attend extra help sessions at least once a week for each of these subjects. Students will not be able to practice unless they present their coach with a weekly "extra help pass" from the teacher(s) of the failing class(es).
3. Any student on a team who is given an Out-of-School Suspension will automatically miss the next scheduled game of that team.

### High School

The following extracurricular eligibility requirements have been established for High School students:

1. Attendance – Full day attendance is expected. A student must be signed into school by 8:24 a.m. and report to Period 1 class to be eligible to participate in any activity on a given day.
2. Discipline – Any student athlete who receives an In-School Suspension or Out-of-School Suspension will not be permitted to compete in the next contest. A suitable penalty for all activities outside of athletics will be determined by a building administrator and advisor.
3. Academic Eligibility

Provisional Participation – If a student is failing one or two subjects, he/she will be permitted to participate in extracurricular activities, provided that he/she attends a minimum of one extra-help class per week in the subject failed. Coaches, advisors, and counselors will coordinate these efforts with teachers.

- a. Attends extra help on a regular basis (at least once per week) for each of the two failures.
- b. Demonstrates satisfactory effort in all courses.

Ineligibility – If a student is failing three or more subjects, he/she will be ineligible to participate in extracurricular activities for a period of ten weeks. This 10 week period is subject to review by the Principal and Counselor. This review must be initiated by the student.

Grades and Eligibility

- a. A mark of "no credit" in any subject will count as a failure. This includes physical education.
- b. All subjects will have equal status in determining eligibility status.
- c. The final grades at the end of the year will determine academic eligibility for all fall activities. (Consideration will be given for successful completion of summer school courses.)
- d. "Provisional," and "Ineligibility" status will commence on the Monday morning following distribution of report cards.

In the event of serious, extenuating circumstances, the particulars of the situation should be brought to the attention of the Building Principal or Assistant Principal.

Adoption date: February 27, 2008

## STUDENT ORGANIZATIONS

The Board of Education recognizes the educational values inherent in student participation in the extracurricular life of the school, and supports the concept of the formation of student groups for such purposes as building sound social relationships, developing interests in an academic area, and gaining an understanding of the elements and responsibilities of good citizenship.

The Superintendent of Schools, with the aid of students, faculty and administration, is charged with developing procedures for registering and regulating student groups or clubs. Such procedures shall ensure that the district will register any group organized for a purpose not prohibited by Board policy or by law, if such group submits a list of its members designated as contacts, a copy of its constitution and/or bylaws, and the constitution and bylaws of any off-campus organization with which it may be affiliated. Student groups may not restrict membership on the basis of race, sex, national origin or other arbitrary criteria.

The Board may prohibit the formation of any clubs, including fraternities or sororities, or any other secret society, whose deliberations and activities have caused or created, or are likely to cause or create, a disruption of or interference with the school program.

Administrative regulations governing the use of school facilities shall abide by the Equal Access Act in the creation of a "limited open forum." All noncurricula-related student activities, regardless of religious or political content, shall have the same opportunities as any other such activity to operate on school grounds.

Ref: Education Law §§207; 1709-a; 2503-a; 2554-a  
 Equal Access Act, 20 U.S.C. §§4071-4074  
 8 NYCRR Part 172  
*Board of Education of the Westside Community Schools v. Mergens*, 496 U.S. 226 (1990)  
*Garnett By Smith v. Renton School Dist. No. 403*, 865 F.2d 1121 (9th Cir., 1989)  
*Thompson v. Waynesboro Area School Dist.*, 673 F.Supp. 1379 (M.D. Pa. 1987)  
*Student Coalition v. Lower Merion School Dist. Bd.*, 633 F.Supp. 1040 (E.D. Pa. 1986)  
*Tinker v. Des Moines Independent Community School Dist.*, 393 U.S. 503, 89 S.Ct. 733 (1969)  
*Healy v. James*, 408 U.S. 169, 92 S.Ct. 2338 (1972)

Adoption date: February 27, 2008

## SCHOOL-SPONSORED STUDENT EXPRESSION

The Board of Education encourages student expression in its many forms, including the school newspaper, yearbook, literary magazine, concerts, shows, and art exhibits. The Board believes these activities are an important part of student learning and enrich the life of the school community. The school newspaper, for example, is an important part of the school not only because it offers an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because it provides an opportunity for students to express their views in a responsible manner. Each school-sponsored activity offers unique opportunities for students to engage in creative and educational modes of expression.

All school-sponsored opportunities for student expression will comply with the rules set forth in this policy and in the Code of Conduct. Libelous statements, unfounded charges and accusations, obscenity, false statements; materials or performances advocating racial or religious prejudice, hatred, violence, the breaking of laws and school policies and/or regulations; or materials or performances designed to disrupt the educational process will not be permitted.

In addition, the school-sponsored activities listed above are not considered public forums. In such cases, the Board reserves the right to edit or delete such student expression which it believes is inconsistent with the district's basic educational mission.

### Procedural Due Process

When a student(s) presents material for inclusion in a school sponsored publication to a school official with authority over the school publication, the school official must review and make a decision on inclusion in the publication within two (2) business days of submission of the material to him/her. If publication is denied, the student(s) may appeal the decision to the Building Principal. If the Principal agrees with the decision to withhold approval, the Principal must state the reasons in writing and provide the students with a copy of the reasons within two (2) business days of the receipt of the appeal. The aggrieved student(s) may, within two (2) business days, appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within two (2) business days after receiving the appeal.

Cross-ref: 5225, Student Personal Expression  
5300, Code of Conduct

Ref: *Morse v. Frederick*, 127 S. Ct. 2618 (2007)  
*Hazelwood School District v. Kuhlmeier*, 484 US 260, 108 S. Ct. 562, (1988) (limits on student free speech rights in school-sponsored student publications)

*Bethel School District v. Fraser*, 478 US 675 (1986)

*Tinker v. DesMoines Independent Community School Dist.*, 393 US 503 (1969) (limits on student free speech rights in school setting)

*Thomas v. Board of Education, Granville Central School Dist.*, 607 F. 2d 1043 (1979)

*Trachtman v. Anker, et al.*, 563 F 2d 512 (1977)

*Eisner v. Stamford Board of Education*, 314 F. Supp 832, modf'd. 440 F2d 803 (1971)

*Frasca v. Andrew et al.*, 463 F. Supp 1043 (1979)

*Matter of Beil and Scariati*, 26 EDR 109(1986)

Adoption date: February 27, 2008

## STUDENT PERSONAL EXPRESSION

The Board of Education recognizes the importance and value of student personal expression and recognizes that students do not shed their first amendment right of free expression at the schoolhouse gate. As in broader American society, the Board also understands that there is a balancing of an individual's rights under the First Amendment with the rights of the community. Student personal expression in this context refers to student verbal and written communication using any medium (paper, e-mail; website postings, etc.) including, but not limited to, poetry, prose, art, video and music composition that is intended to be shared with the broader school community.

Although students retain their right to free expression in school, that right is not unfettered. School officials may regulate expression as to time, place and manner. Students' speech which causes a substantial disruption or which materially interferes with school activities or the rights of others or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities, is not constitutionally protected speech.

When students wish to personally express themselves in the broader school community, they must seek prior approval from the Building Principal or his/her designee. The Building Principal or his/her designee will render his/her decision within two school days of receiving the request. The Building Principal shall give due consideration to the constitutionally protected right of freedom of expression, the maintenance of the normal operation of school and its activities, the protection of persons and property and the need to assist students in learning appropriate ways to exercise their rights. Unless such student expression takes place within the confines of a school-sponsored event/activity (see policy 5220 for guidance on School-Sponsored Student Expression), authorization will be granted if:

- The material is distributed as directed by the Principal or designee in such a manner as to not materially or substantially interfere with the rights of others or substantially disrupt the normal operation of the school;
- The material is not considered to be obscene, lewd, indecent, libelous, an invasion of the privacy of other individuals, or an expression that attacks a person's character, family, race, religion, sex, ethnic origin, physical appearance, sexual orientation, or disabling condition; and
- The material is free from advertisements or promotion of cigarettes, liquor, illegal or illicit drugs, or drug paraphernalia or other products or services harmful to minors and/or not permitted to minors by law.

### Procedural Due Process

If a student(s) seeks to distribute material within school buildings or at school events, he/she must present such material for prior review by the Building Principal who must make a decision regarding distribution within two (2) business days of receipt of the request and the provide the reason for the denial in writing. The aggrieved student(s) may, within two (2) business days, appeal in writing to the Superintendent of Schools. The Superintendent must issue a written decision within two (2) business days after receiving the appeal.

### Personal Expression Off School Grounds

Generally school administrative authority regarding student expression does not extend beyond school grounds or school-sponsored functions. However, with the advent of new technologies, the line between off and on campus expression can be blurred. Students are advised that if off campus personal expression substantially disrupts or materially interferes with school activities or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities or interrupts another individual's access to school, such as when the speech is threatening in nature, they may be subject to discipline under the Code of Conduct.

### Violation of Policy

Students who violate this policy will be subject to the appropriate disciplinary action, which may include short or long-term suspension, in accordance with the Code of Conduct.

Cross-ref: 0115, Harassment, Hazing and Bullying  
4526, Computer Network/Internet Acceptable Use  
5220, School-Sponsored Student Expression  
5300, Code of Conduct

Ref: *Morse v. Frederick*, 127 S.Ct. 2618 (2007)  
*Bethel School District v. Fraser*, 478 U.S. 675 (1986)  
*Tinker v. Des Moines Independent Community School Dist.*, 393 U.S. 503 (1969) (limits on student free speech rights in school setting)  
*Eisner v. Stamford Board of Educ.*, 314 F.Supp. 832, modf'd 440 F.2nd 803 (1971)

Adoption date: February 27, 2008

## **STUDENT SOCIAL EVENTS**

The Board of Education believes that well-conceived and well-managed social events contribute to the educational goals of the district. Teaching children to feel at ease in appropriate social situations benefits students and parents as well as the school. Parties, dances, and other comparable social events have an important place in a well-rounded school program. The staff is encouraged to utilize such events intelligently.

Adoption date: February 27, 2008

## STUDENT PERFORMANCES

The Board of Education recognizes that worthy and appropriate educational values accrue from student participation in civic and community affairs. Assemblies, public programs and public performances by students have an important place in a well-rounded educational program. They must, however, be consistent with the educational goals of the schools. Teachers will be encouraged to provide students for public performances when such performances:

1. Fit both the aims of the schools and the needs of the students.
2. Are free from the kinds of appeals and pressures that limit the best development of participants.
3. Are appropriate to the age group.

Students may perform where admission fees are charged only if the proceeds are used for charitable, educational, or civic purposes. Payment for performance under school sponsorship may be accepted by the school, but not by individual students. Costs directly related to the performances, the supervision of students and liability protection for the participants will be the responsibility of the school district.

Arrangements for supervision, chaperones, custodial and technical assistance must be approved by Principal.

Conduct of all participants should be such that no controversy over language or dress or personal appearance arises.

The Superintendent of Schools is authorized to review and approve all proposed performance which meet the standards outlined above. Such activities must be scheduled through appropriate channels and placed on the school calendar.

Adoption date: February 27, 2008

## FUNDRAISING ACTIVITIES

The Board of Education believes that fundraising should be conducted only when there is some educational benefit for students. All fundraising activities must be voluntary, and no direct solicitation of students is permitted on school premises during school hours. Fundraising projects in which students canvass the public off school grounds, in connection with school events and school-connected fund-raising activities, will be kept to a minimum.

Fundraising activities involving students for valid projects must be approved by the Building Principal. The following statements are intended to provide guidance to Principals:

1. All student fundraising projects must be approved in advance and in writing by the Principal.
2. Fundraising will be limited to legitimate school groups and approved activities, such as PTA's classes, clubs, and co-curricular activities. No fundraising shall be conducted by non-school agencies or for non-school activities among the district's students.
3. Each Principal shall schedule these activities so as to eliminate the possibility of many drives being conducted simultaneously within a school. Furthermore, all Principals are to consult with each other to avoid conflicting fundraising efforts throughout the district.
4. Direct solicitation of cash is not authorized, and children will not participate in fundraising of a door-to-door nature (except when authorized by the Board, such as the Dollars for Scholars community drive).
5. Fundraisers involving indirect solicitation (such as "Walkathons") are discouraged; however, approval of the Superintendent of Schools is required to participate directly in organizing such activities.
6. Sale of merchandise is authorized provided there is a reasonable relationship between price and value.
7. The sale of goods, services, or tickets to an event (social, musical, athletic, etc.), where a portion of the funds go to a charitable purpose, is authorized.
8. The recruitment of students during school hours to participate in fundraising activities to be conducted off school premises and/or when school is not in session is permitted. School personnel are permitted to hang posters or distribute flyers notifying students of these activities. However, school personnel may not act as a conduit and collect funds from students on behalf of a charity for which they recruited. The placement of a bin or collection box in a hallway or other common area for the voluntary donation of food, clothing or money is permitted.
9. Students may not engage in door-to-door fundraising and may not sell chances or raffle tickets.

10. With the exception of class rings and yearbook photographs, no out-of-school vendor may be allowed to sell directly to students. Privately owned and operated vending machines or food vendors will not be permitted in school buildings or on school grounds without the approval of the Superintendent or designee.

The administration must take special care to deposit any funds raised by such efforts in authorized accounts in each school's student activity fund or in the General Fund of the district.

Ref: NYS Constitution, Article 8 §1  
Education Law §414  
8 NYCRR §§ 19.6 (Rules of the Board of Regents); 172.1 et seq.  
*Appeal of Ponte*, 38 EDR 280 (1998)  
Guidelines Relating to Solicitation of Charitable Donations from School Children, SED, January 1994

Adoption date: February 27, 2008

**STUDENT ACTIVITIES FUNDS MANAGEMENT**

The Board of Education shall have the responsibility for the protection and supervision of the financial affairs of student clubs and extracurricular activities. The Principal of each school concerned will appoint a competent or qualified faculty advisor for each club or organization. An audit of all accounts will be made annually by the school auditor.

Cross-ref: 2210, Board Reorganizational Meeting  
5210, Student Organizations

Ref: Education Law §207  
8 NYCRR Part 172

Adoption date: February 27, 2008

## INTRAMURAL AND INTERSCHOLASTIC ATHLETICS

Intramural and interscholastic athletics for boys and girls is an integral and desirable part of the district's secondary school educational program. Interscholastic individual and team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible secondary students. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is a clear objective of the district.

### Elementary and Middle School

The Board of Education believes that it is the purpose of athletics to provide the benefits of competitive experiences to as large a number of students as possible. To this end, on the elementary level, the Board endorses the practice of intramural competition only.

On the middle school level, the Board proposes a stronger intramural program, and a limited amount of interscholastic competition.

### High School

The Board endorses an interscholastic program on the high school level, but also encourages a strong intramural program. While the Board takes great pride in the athletic accomplishments of district students, it does not condone "winning at any cost," and frowns upon any and all pressures which would subordinate good sportsmanship and good mental health to the desire to win.

It is the express desire of the Board that the Superintendent and administrative staff schedule frequent conferences with all physical education instructors and coaches to develop a constructive approach to physical education and athletics throughout the school system, and to maintain a program which can be justified from an educational standpoint.

Student eligibility for participation on interscholastic teams shall include:

1. authorization by the school physician;
2. written parent or guardian consent; and
3. endorsement by the Building Principal based on established rules and various league and State Education Department regulations.

Ref: Education Law §§1709 (8-a); 3001-b  
8 NYCRR §135.4  
*Santa Fe Indep. Sch. Dist. V. Doe*, 530 U.S. 290 (2000) (constitutionality of student-led prayers at interscholastic athletic activities)

Adoption date: February 27, 2008