

## WELLNESS

### Policy Statement

The Board of Education recognizes that good health fosters student attendance and education. It acknowledges the importance of providing an environment that encourages students to eat healthy foods and participate in lifelong physical activity in order to grow, learn, thrive and maintain good health. Therefore, the Board of Education requires that the school district establish an environment that promotes and protects students' health and ability to learn by providing a comprehensive health education curriculum inclusive of nutrition education, appropriate physical activity, healthy food and beverage choices and other school-based activities designed to promote student wellness. The Board of Education believes schools have a responsibility to help students develop skills, knowledge and attitudes necessary to adopt and maintain a healthy lifestyle.

### Purpose

The purpose of this policy is to provide guidelines for the promotion of student wellness through nutrition education, physical activity and the selection of nourishing foods and beverages. This policy fulfills the requirements of Public Law 108-265, Section 204, June 30, 2004, Child Nutrition and WIC Reauthorization Act of 2004.

### Nutrition Education

The District shall provide nutrition education for all students to promote healthy eating behaviors and reduce childhood obesity in accordance with the National and State Standards of Health Education.

- Grades K to 6 will receive nutrition education integrated into the curriculum
- Grades 7 to 12 will receive nutrition education within the required secondary Health Education class.
- Identify a definitive link between diet and exercise (calorie input/energy expenditure) in conjunction with Physical Education.
- Enable students to make healthy food and exercise choices by providing the necessary information and skills.
- Promote media and food marketing literacy.
- Encourage a school atmosphere within dining halls and classrooms that promote the consumption of nutrient dense foods.
- Provide nutrition information to families via the quarterly district newsletter.

## Physical Activity and Physical Education

The Physical Education Program in the Island Trees School District is a required subject area that makes an integral contribution to the entire educational process. The Physical Education Program is based upon the acquisition of knowledge, skills, attitudes and values that are the foundation for engaging in physical activity. The mission of today's Physical Education is to empower all students to sustain regular, lifelong physical activity as a foundation for a healthy, productive and fulfilling life.

Physical Education is a sequential K-12 educational program. It is based on physical activities performed in an active, caring, supportive and non-threatening environment in which every student is challenged and successful. Students with disabilities are provided with a learning environment that is modified, when necessary, to allow for maximum participation.

The Island Trees Physical Education Program is striving for excellence and to parallel the National Standards for Physical Education as well as New York State's learning standards for Health and Physical Education.

Physical Education involves the art and science of human movement. The physical education program recognizes the differences in ability, interests and emotions, strengths and weaknesses of students and will provide an environment in which optimal lifelong development can take place. Each student should have the opportunity to become a responsible, confident, competent and independent decision maker that will allow him or her to lead a positive, healthy and active life. The district will continually monitor the availability of physical activities for students and will endeavor to increase these opportunities. Physical activity will be encouraged for use as an incentive or reward for students. The goals of the K-12 Physical Education Program are:

- Demonstrate competency in many movement forms and proficiency in a few movement forms.
- Apply movement concepts and principles to the learning and development of motor skills.
- Exhibit a physically active lifestyle.
- Achieve and maintain a health enhancing level of physical fitness.
- Demonstrate an understanding and respect for differences among others in a physical activity setting.
- Understand that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction.

### Food Allergies

Our district is sensitive to the needs of students who live with nut allergies. As part of our ongoing nut free awareness initiative, all food that is sent into the schools for celebrations must be prepackaged with ingredient labels. All prepackaged food items may not contain nut products or be processed in a facility that makes nut products. If food items contain nut products or are processed in a facility that makes nut products, it will be sent home.

### Nutrition Standards

Nutrient standards will be applied to vending/a la carte cafeteria items in student areas:

#### Snacks (follows the NYSSFSA “Choose Sensibly” guidelines)

- Total fat equal to or less than 7g fat/serving
- Saturated fat equal to or less than 2 g fat/serving
- Sodium equal to or less than 360mg/serving
- Sugar equal to or less than 15g/serving
- No artificial sweeteners
- All snacks must be provided in single serving packages.
- Note: Trans fats (or partially hydrogenated oils) are known to have a negative impact on the health of children and adults. As trans-free products become increasingly available, standards regarding trans fats will be considered.

#### Beverages (to be phased in, with full compliance by 2008-2009 school year as follows: elementary Fall '06, MS Fall '07, HS Fall '08)

- Total fat equal to or less than 3g per 8oz serving
- Sugar equal to or less than 23g per 8 oz serving\*
- Container size for sweetened beverages equal to or less than 12 ounces
- Sodium equal to or less than 200 mg per serving
- No artificial sweeteners

\* 100% fruit juices are an exception to the sugar standard since they naturally provide 26-30g sugar per 8oz serving. Fruit juice also provides many nutrients, and confers health benefits in moderate portions. Therefore, 100% fruit juice can be provided in containers that are 12oz or less.

### Fundraising

- Food cannot be sold as a fundraiser on campus during normal school hours.

### Use of Food in the Classroom

- Use of food in school as an incentive or reward for instructional purposes, with the exception of activities associated with cultural education activities, shall be discouraged. In addition, food and beverages will not be withheld as a disciplinary measure.
- Food shall not be used in the classroom, except as part of a snack brought from home for primary school children. A list of recommended snacks will be provided to parents.
- While the distribution of snacks for celebrations is not prohibited, parents and teachers will be encouraged to celebrate birthdays, seasons and holidays with special privileges, songs, games, etc.

### Cafeteria Meals

- Reimbursable meals served in the cafeteria will meet USDA standards and be consistent with the US Dietary Guidelines.
- Meals provided to students in school will be obtained either from the cafeteria or by students' own parents or guardians. PTA, teacher or class parent sponsored celebrations involving food will require administrative approval and the guidelines outlined in the use of food section of this policy will be applicable.

### Food Environment

The district shall encourage a healthy food environment for students. The following are goals to accomplish this:

- Students shall be encouraged to start each day with a healthy breakfast since children who come to school hungry may find it difficult to stay alert and learn.
- Lunch periods shall be scheduled as near the middle of the school day as possible and shall be adequately supervised.
- Every effort shall be made for students to be provided sufficient time to eat during meal periods, with at least 10 minutes for breakfast and 20 minutes for lunch from the time the student is seated.
- Dining areas shall be attractive and include enough seating areas to accommodate all students who would like to sit and eat lunch, as well as enough serving areas so that students do not have to spend too much time waiting in line.
- Students shall be reminded to wash their hands before meals (to prevent the spread of germs and reduce the risk of illness).

### Food Services Operation

Food Services Operation is considered an integral component of the district's initiative regarding the promotion of wellness. Goals for the food services operation are as follows:

- School districts shall develop a coordinated and comprehensive outreach, promotion and pricing plan to ensure maximum participation in the school meal program, and shall ensure that all eligible children qualify and receive free and reduced-price meals.
- Schools shall ensure that students eligible to receive free or reduced-price meals and milk are not treated differently from other students or easily identified by their peers.
- Schools shall employ a food service director who is properly qualified, certified and/or credentialed according to professional standards to administer the school food service program and satisfy reporting requirements.
- All food service personnel shall have adequate pre-service training, participate in ongoing professional development and hold a state-issued or equivalent training certificate.
- School food service providers shall adopt methods of cooking that decrease fat, calorie, and sodium levels in food.
- Schools shall plan menus that, over the course of a week, will meet the nutrition standards recommended in the Dietary Guidelines for Americans.
- Schools shall involve families and community organizations in the development of policies and programs to ensure that school meal options are culturally sensitive and meet special dietary needs.
- Schools shall ensure that required and effective food safety practices are applied to all foods prepared, sold or served at school or school-sponsored events.

### Implementation, Monitoring and Evaluation

The Superintendent of Schools or his/her designee shall be responsible for ensuring that the provisions of this policy are carried out throughout the district. The Superintendent, 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 and decreasing childhood obesity in the district. Based on those results, this policy, and the specific objectives set to meet its goals, may be revised as needed.

- The district shall maintain a Wellness Committee comprised of parents, teachers, administrators, food service staff and students to evaluate, modify and improve this policy, if necessary, on an annual basis.

- The Wellness Committee shall monitor and evaluate this policy to ensure proper implementation.
- The district shall supplement its effort by seeking nutrition and physical activity partnerships with local hospitals or health care organizations and relevant community organizations.
- The district shall encourage activities and create programs that support healthy lifestyles for all school district employees, since they serve as role models to students.

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

- Periodic informal surveys of Building Principals, classroom staff, and school health personnel to see the progress of wellness activities and their effects.
- Periodic checks of the nutritional content of food offered in the cafeterias for meals and a la carte items, and sales or consumption figures for such foods.
- Periodic checks of the nutritional content of food available in vending machines, and sales or consumption figures for such foods.
- Periodic checks of the amount of time students spend in Physical Education classes, and the nature of those activities.
- Periodic checks of extracurricular activities of a physical nature, in the number of offerings and rates of participation by students.
- Periodic checks of student mastery of the nutrition education curriculum.

Ref: P.L. 108-265, §204 (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)

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## STUDENT HEALTH SERVICES

The Board of Education recognizes that good student health is vital to successful learning and realizes 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, and scoliosis screening. Problems shall be referred to the parent(s) or guardian(s) who shall be encouraged to have their family physician provide appropriate care.

Schools shall also provide emergency care for students in accidental or unexpected medical situations.

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.

### 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. 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.

### 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 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; and
2. the written order of the prescribing physician, which will include the 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.

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

### 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.

Ref: Education Law §§310 (provisions for appeal of child denied school entrance for failure to comply with immunization requirements); 901 et seq. (medical and health services); 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

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**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 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;
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 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; and
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.

An adult must bring the medication to school in the original container. The administering staff member should clearly label the medication with the time to be given and dosage.

Administering medication on field trips and at after-school activities.

Taking medication on field trips and at after-school activities is permitted if a student is self-directed in administering their own medication. On field trips or at other after-school activities, teachers or other school staff may carry the medication so that the self-directed student can take it at the proper time.

If a student is going on a field trip but is not self-directed (i.e., fully aware and capable of understanding the need and assuming responsibility for taking medicine), then the district may:

- permit the parent or guardian to attend the activity and administer the medication.
- permit the parent to personally request another adult who is not employed by the school to voluntarily administer the medication on the field trip or activity and inform the school district in writing of such request.
- allow the student's health care provider to be consulted and, if he/she permits, order the medication time to be adjusted or the dose eliminated.

If no other alternative can be found, a school nurse or licensed person must administer the medication.

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 Section 903 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 new entrance to school and at grades K, 2, 4, 7 and 10. Findings are to be kept on record at the school on forms that can be obtained from the school nurse.

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;
6. any allergies or serious health conditions.

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## DRUG AND ALCOHOL ABUSE

The Board of Education is committed to the prevention of alcohol and other substance use/abuse. This policy describes the philosophy of the district and the program elements the district will use to promote healthy life styles for its students and to inhibit the use/abuse of alcohol and other substances.

No student may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia, on school grounds or at school-sponsored events, except drugs as prescribed by a physician. The term "alcohol and/or other substances" shall be construed throughout this policy to refer to the use of all substances including, but not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any of those substances commonly referred to as "designer drugs." The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

Additionally, the following persons shall be prohibited from entering school grounds or school-sponsored events: any person exhibiting behavior, conduct, or personal or physical characteristics indicative of having used or consumed alcohol and/or other substances, or any person who school personnel have reasonable grounds to suspect has used alcohol and/or other substances.

In order to educate students on the dangers associated with substance abuse, the health education curriculum shall include instruction concerning drug abuse for grades K-12.

Any staff member observing or suspecting drug or alcohol possession or usage by students shall report the incident immediately to the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall then seek immediate action. Any drugs found shall be confiscated immediately, followed by notification of the parent(s)/guardian(s) of the student(s) involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution. In its effort to maintain a drug-free environment, the district shall cooperate to the fullest extent possible with local, state and/or federal law enforcement agencies.

Any staff member observing students exhibiting behavior or characteristics which are symptomatic of drug or alcohol use or abuse shall refer the student to the school nurse for evaluation. Parents/guardians shall be notified of the incident and if warranted, the student shall be sent home.

The district will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

- Alcohol and other substance use/abuse is preventable and treatable.

- Alcohol and other substance use/abuse inhibits the district from carrying out its central mission of educating students.
- The behavior of the Board, the administration, and all school staff should model the behavior asked of students.
- While the district can and must assume a leadership role in alcohol and other substance use/abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents, students, staff, and the community as a whole.

Cross-ref: 5300, Code of Conduct

Ref: Drug-Free Schools and Communities Act, 20 U.S.C. §§3171 et seq.  
 20 U.S.C. §114-5g  
 42 U.S.C. §§5101, 11841  
 34 CFR Part 86  
 Education Law §§804; 912-a; 3214  
 General Municipal Law §239-u  
 Mental Hygiene Law §19.07(c)  
 Penal Law §§220.00 et seq.  
 Public Health Law, Article 33  
 8 NYCRR §§100.2(c); 135.3  
*New Jersey v. T.L.O.*, 469 U.S. 325 (1985)  
*Odenheim v. Carlstadt-East Rutherford Region School District*, 211 N.J. Super. 54, 510 AD2d 709 (1985)  
*People v. Scott D.*, 34 NY2d 483 (1974)  
*Matter of Wilson*, 28 EDR 254 (1988)  
*Matter of Pollnow*, 22 EDR 547 (1983)  
*Matter of Vetter*, 20 EDR 547 (1981)  
*Matter of Rodriguez*, 8 EDR 214 (1969)

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## NOTIFICATION OF SEX OFFENDERS

The Board of Education recognizes its responsibility for the health and safety of the students enrolled within the district and for the students receiving services or participating in programs or events on school district property. In light of that responsibility, the Board wishes to take appropriate precautionary measures in situations where the district has been advised by law enforcement officials that a convicted sex offender resides within the district's geographic boundaries.

When school officials are advised by law enforcement officials that an individual convicted of a sexual offense resides within the school district, the district shall give notice as described below in order to minimize the possibility that the released sex offender will come in contact with school-age children. Furthermore, the district believes that cooperation with the law enforcement officials will best promote and protect the safety and well being of its students.

Accordingly, upon receipt of certification (from law enforcement officials acting under the Sex Offenders Registration Act) that a level 2 or 3 registered sex offender is residing in the district, appropriate information will be disseminated to district and building administrators and others with a need-to-know (such as PTA presidents, bus drivers, athletic coaches, groundskeepers, custodians, security personnel, staff who issue visitors' passes, playground monitors, and supervisors of school-related activities). This information will also be shared with youth-group leaders using district facilities, principals of non-public schools located within the district, and the Director of the Island Trees Public Library.

Any information provided by local law enforcement officials pursuant to Megan's Law shall be posted in an appropriate location in all school buildings. All other staff members and community residents shall be informed of the posting requirement for such information established by this policy and of the availability of the information, upon request. Community residents shall also be reminded of the security measures and personal safety instruction provided at school. All staff requests for information provided by the law enforcement agencies shall be directed to the Building Principal. Requests for information from community residents shall be directed to the District Clerk.

Appropriate information consistent with the Sex Offender Registration Act will be mailed to:

1. parents of children enrolled in district schools;
2. parents of students placed in a special education facility by the committee on special education;
3. parents of children enrolled in non-public schools and registered for transportation or textbook services through Island Trees, and other persons who have requested such information because they are providing child care to children of less than school age.

Individuals receiving notice hereunder shall inform appropriate school officials if they observe any individual whose description matches that of a released sex offender on school property.

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*, 120 F.3d 1263 (2d. Cir. 1997), *cert. denied*, 522 U.S. 1122 (1998)

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## CHILD ABUSE 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 or maltreated 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 or maltreatment 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 district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse.

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment. 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.

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

Adoption date: February 27, 2008

**CHILD ABUSE IN A DOMESTIC SETTING REGULATION**

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

- (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. A camera and film 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.
16. If a report of child abuse or maltreatment has been determined to be unfounded, all records in school files shall be expunged.

Adoption date: February 27, 2008

## STUDENT RECORDS

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. The procedures for ensuring the confidentiality of student records 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 Superintendent of Schools shall be responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

### Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians and 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.

In addition, 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. For purposes of this policy, 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 member of the Board of Education; 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 performing his or her tasks. A school official has a legitimate educational interest if the official needs to review a student record in order to fulfill her or her professional responsibilities.

2. that, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.
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.

#### 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, address, telephone number, date and place of birth, major course of study, participation in school activities or sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, class schedule, photograph, e-mail address, and class roster.

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.

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 the IDEA and New York's Education Law Article 89  
4321.5, Confidentiality and Access to IEPs  
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: February 27, 2008

## STUDENT RECORDS REGULATION

It is recognized that the confidentiality of student records must be maintained. 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. For the purpose of this regulation, “eligible students” are those students who are 18 or older or former students who are attending any school beyond the high school level. The rights created by FERPA transfer from the parents/guardians to the student once the student attains eligible student status.

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. 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. 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.
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.

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.

The district shall maintain a record of requests for and disclosures made from the education record of a student, and shall permit the parent or eligible student to see that list of requests and disclosures.

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: February 27, 2008

## STUDENT PRIVACY

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. Parents have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a U.S. Department of Education (DOE)–funded program. In addition, no minor student may, without parental consent, take part in a survey, analysis or evaluation funded in whole or in part by the U.S. DOE Education that reveals information concerning:

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).

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.

It is the policy of the Board not to permit the collection, disclosure, or use of personal information collected 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 as permitted by law.

In the event of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA.

Parent/guardians have the right to submit a written statement to opt their child out of participation in the following activities:

1. The collection, disclosure and use of personal information gathered from students for the purpose of marketing or selling that information, or providing it to others for that purpose. Upon request, parents/guardians have the right to inspect any such instrument before it is administered or distributed to their child. 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 of such collection, disclosure or use of personal information gathered from students, student privacy shall be protected by the school district pursuant to the requirements of FERPA.

2. The administration of any survey revealing information concerning one or more of the following:
  - a. political affiliations or beliefs of the student or the student's parent;
  - b. mental or psychological problems of the student or the student's family;
  - c. sex behavior or attitudes;
  - d. illegal, anti-social, self-incriminating or demeaning behavior;
  - e. critical appraisals of other individuals with whom respondents have close family relationships;
  - f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
  - g. religious practices, affiliations or beliefs of the student or the student's parent; or

- h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians and eligible students, shall also have the right to inspect, upon their request, a survey created by a party other than the U.S. DOE before the survey is administered or distributed by a school to a student. Such requests must be submitted, in writing, to the Building Principal with a response to be at least two weeks in advance of any survey to be given.

- 3. 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.

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: February 27, 2008

## **STUDENT FEES, FINES AND CHARGES**

Students in New York State are entitled to a free public education. Students should be able to receive the basic, formal education without personal or family expense. However, students will be held responsible for the cost of replacing any materials, or property, which are lost or damaged through negligence or intentional act.

Fees may also be charged for materials and specified services used in those activities beyond the basic curriculum in which students elect to participate. These include instrumental music courses where the student must possess an instrument in order to participate, however the district may provide instruments for students to loan or rent.

Ref: New York State Constitution, Article 11, section 1

Adoption date: February 27, 2008

## STUDENTS AND PERSONAL ELECTRONIC DEVICES

The Board of Education recognizes that there are personal electronic devices that have educational applications such as calculators, voice recorders, digital cameras and music listening devices. These devices shall be allowed to be used in classrooms only when they are included as part of a lesson under the direction of a teacher.

The Board acknowledges that cellular phones, pagers, and 2-way communication systems can be a positive means to facilitate communication; however, the display and/or use of such devices can cause disruption to the educational process.

Therefore, to prevent such disruption, the display and/or use by students of cellular phones, pagers, and 2-way communication systems and/or other electronic devices shall be prohibited in classrooms from the time students arrive at school until the end of the regular school day. Such devices must be turned off and stored out of sight during this time period.

In emergency situations, exceptions to the prohibition of the use of cellular phones, pagers, and 2-way communication systems may be granted by teachers or administrators.

Misuse of any of these electronic devices will result in its confiscation until the end of the school day, as outlined the code of conduct. Some uses of personal electronic devices constitute violation of the school district code of conduct and in some instances, the law. The school district will cooperate with law enforcement officials as appropriate.

Cross-ref: 5300, Code of Conduct

Ref: *Price v. New York City Board of Education*, 2007 WL 1518302 (2007).

Adoption date: February 27, 2008

## 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.

Each Building Principal shall be responsible for assuring that copies of each report at the building level are retained for six years as prescribed in the records retention schedule issued by the State Education Department and published as Appendix I to the Commissioner's Regulations.

### 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);  
185.11 (Appendix I) (Records Retention and Disposition Schedule ED-1)

Adoption date: February 27, 2008